

# PENNSYLVANIA BULLETIN

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**Agencies in this issue**

The General Assembly

The Courts

Department of Agriculture

Department of Banking and Securities

Department of Community and Economic  
Development

Department of Conservation and Natural  
Resources

Department of Environmental Protection

Department of Health

Department of Human Services

Department of Transportation

Insurance Department

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

Public School Employees' Retirement Board

State Board of Cosmetology

State Board of Pharmacy

State Real Estate Commission

Thaddeus Stevens College of Technology

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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 572, July 2022**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published weekly. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. It is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations, Statewide court rules, and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, rescission, repeal or emergency action, must be published in the *Pennsylvania Bulletin*.

The following documents are published in the *Pennsylvania Bulletin*: Governor's Executive Orders; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

### **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or rescind regulations must first publish in the *Pennsylvania Bulletin* a Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. A Final Rulemaking must be published in the *Pennsylvania Bulletin* before the changes can take effect. If the agency wishes to adopt changes to the Proposed Rulemaking to enlarge the scope, it must repropose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies, Statewide court rules and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes when they are adopted. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code* § 1.1 (short form: 10 Pa. Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government.

### **How to Find Rules and Regulations**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

Source Notes give the history of regulations. To see if there have been recent changes not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

A quarterly List of *Pennsylvania Code* Sections Affected lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

The *Pennsylvania Bulletin* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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### Printing Format

*Rules, Regulations and Statements of Policy in Titles 1—107 of the Pennsylvania Code*

Text proposed to be added is printed in **underscored bold face**. Text proposed to be deleted is enclosed in brackets [ ] and printed in **bold face**.

Proposed new chapters and sections are printed in regular type to enhance readability. Final rulemakings and statements of policy are printed in regular type.

Ellipses, a series of five asterisks, indicate text that is not amended.

In Proposed Rulemakings and proposed Statements of Policy, existing text corresponds to the official codified text in the *Pennsylvania Code*.

*Court Rules in Titles 201—246 of the Pennsylvania Code*

Added text in proposed and adopted court rules is printed in **underscored bold face**. Deleted text in proposed and adopted court rules is enclosed in brackets [ ] and printed in **bold face**.

Proposed new chapters and rules are printed in regular type to enhance readability.

Ellipses, a series of five asterisks, indicate text that is not amended.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires the Governor's Budget Office to prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions and authorities receiving money from the State Treasury. The fiscal note states whether the action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions. The fiscal note is required to be published in the *Pennsylvania Bulletin* at the same time as the change is advertised.

A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; and (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years. In item (8) the recommendation, if any, made by the Secretary of the Budget is published with the fiscal note. "No fiscal impact" means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended. See 4 Pa. Code Chapter 7, Subchapter R (relating to fiscal notes).

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2022.

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# THE GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Special Virtual Public Meeting Scheduled

The Commission on Sentencing announces the following special virtual public meeting to be held by means of Zoom for the purpose of reviewing sentencing guidelines proposals and to vote to approve the selection of a Deputy Director for Administration and Outreach:

Thursday, July 28, 2022	9 a.m.—12 p.m.	Zoom Webinar: <a href="https://bit.ly/SpecialVirtualPublicMtg2022July28">https://bit.ly/SpecialVirtualPublicMtg2022July28</a>
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MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 22-1001. Filed for public inspection July 8, 2022, 9:00 a.m.]

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# THE COURTS

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CH. 300 ]

#### Proposed Amendment of Pa.R.Civ.P.M.D.J. 301, 302 and 321 and Proposed Adoption of Pa.R.Civ.P.M.D.J. 351

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 301, 302, and 321 and the adoption of Pa.R.Civ.P.M.D.J. 351. This proposal provides procedural rules for actions initiated pursuant to 75 Pa.C.S. § 3345.1(i.1), relating to civil violations for failing to stop for a school bus, for the reasons set forth in the accompanying Publication Report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to include the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel  
Minor Court Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9546  
minorrules@pacourts.us

All communications in reference to the proposal should be received by August 24, 2022. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Minor Court Rules Committee

HONORABLE MARGARET A. HUNSICKER,  
*Chair*

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 300. CIVIL ACTION

Rule 301. Definition[ . ]; Scope.

[ A. ] (a) As used in this chapter, “action” means a civil action brought before a magisterial district judge.

[ B. ] (b) Civil action includes any action within the jurisdiction of a magisterial district judge except an action by a landlord against a tenant for the recovery of the possession of real property.

[ C. ] (c) As used in this chapter, “complaint” or civil action shall include, where applicable, the attached and completed Civil Action Hearing Notice form.

(*Editor’s Note:* Pa.R.Civ.P.M.D.J. 301 as printed in 246 Pa. Code reads “Official Note” rather than “Comment.”)

**Comment:** Civil action includes actions formerly denominated “assumpsit” or “trespass” (commonly called contract and tort cases, respectively) and civil claims for fines and penalties. See 42 Pa.C.S. § 1515(a)(3) prescribing the jurisdiction of magisterial district judges.

The rules in this chapter apply to all civil actions before magisterial district judges except an action by a landlord against a tenant for the recovery of possession of real property, which is governed by Chapter 500 of these rules.

Except as otherwise provided in [ Rule 350 ] Rules 350 and 351, the rules in this chapter apply to *de novo* appeals filed pursuant to 75 Pa.C.S. § 3369(j)(4), relating to automated work zone speed enforcement violations and actions initiated pursuant to 75 Pa.C.S. § 3345.1(i.1), relating to failure to stop for a school bus, respectively.

Statutes authorizing a civil fine or penalty include 53 P.S. §§ 10617.1[ , ] and 10817-A relating to violations of zoning and joint municipal zoning ordinances.

#### Rule 302. Venue.

\* \* \* \* \*

(*Editor’s Note:* Pa.R.Civ.P.M.D.J. 302 as printed in 246 Pa. Code reads “Official Note” rather than “Comment.”)

**Comment:** This rule combines, with some minor changes, the Pennsylvania Rules of Civil Procedure relating to venue. See:

- (1) Individuals: Pa.R.Civ.P. 1006(a).
- (2) Partnerships: Pa.R.Civ.P. 2130(a).
- (3) Corporations: Pa.R.Civ.P. 2179(a).
- (4) Insurance Policies: Pa.R.Civ.P. 2179(b).
- (5) Unincorporated Associations: Pa.R.Civ.P. 2156(a).
- (6) Political Subdivisions: Pa.R.Civ.P. 2103(b).

This rule is not intended to repeal special statutory venue provisions, such as the: (1) venue provisions for actions involving installment sales of goods and services, 12 Pa.C.S. § 6307; (2) venue provisions of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692i, pertaining to actions brought by debt collectors against consumers; [ and ] (3) venue provisions for appeals from automated work zone speed enforcement violations, 75 Pa.C.S. § 3369(j)(4); and (4) venue provisions for actions relating to failure to stop for a school bus, 75 Pa.C.S. § 3345.1(i.1). See Pa.R.Civ.P.M.D.J. 382(1) (pertaining to Acts of Assembly providing for special venue provisions that are not suspended).

For a definition of “transaction or occurrence,” see *Craig v. W.J. Thiele & Sons, Inc.*, 149 A.2d 35 (Pa. 1959).

Subdivision G is intended to take care of indistinct, “center line” or other confusing boundaries in the respects mentioned. When a complaint is transferred under subdivision H, it is treated as if originally filed in the transferee court on the date first filed in a court. If service of the complaint has already been made, no new

service may be necessary, but the transferee court must set a new date, time and place for the new hearing and notify the parties thereof. It is the intent of this rule that cases may be transferred to any Pennsylvania court with appropriate jurisdiction and venue, including the Philadelphia Municipal Court. Likewise, nothing in this rule prohibits a court other than a magisterial district court from transferring a case to a magisterial district court with proper jurisdiction and venue, in accordance with the procedural rules of the transferring court. The jurisdictional limits of the magisterial district courts and the Philadelphia Municipal Court are governed by 42 Pa.C.S. §§ 1515 and 1123, respectively.

There are no costs for transfer of the complaint and no additional filing costs when a case is transferred from one magisterial district court to another magisterial district court. There are no additional filing costs when a case is transferred from the Philadelphia Municipal Court to a magisterial district court.

There may be additional service costs when a case is transferred.

### Rule 321. Hearings and Evidence.

The magisterial district judge shall be bound by the rules of evidence, except that a bill, estimate, receipt, or statement of account that appears to have been made in the regular course of business may be introduced in evidence by any party without affidavit or other evidence of its truth, accuracy, or authenticity.

(*Editor's Note:* Pa.R.Civ.P.M.D.J. 321 as printed in 246 Pa. Code reads "Official Note" rather than "Comment.")

**Comment:** The exception to the rules of evidence provided by this rule was inserted because the Pennsylvania statutes making certain business entries admissible in evidence apparently do not apply to bills, receipts, and the like that are made in the regular course of business but are not made as "records." See 42 Pa.C.S. § 6108. The fact that this exception permits the introduction of these items of evidence without affidavit or other evidence of their truth, accuracy, or authenticity does not, of course, preclude the introduction of evidence contradicting them. The exception was deemed necessary because the items of evidence made admissible thereby are probably the proofs most commonly used in minor judiciary proceedings. See [ **Rule 350D(2)** ] **Rules 350(d)(2) and 351(d)** for additional exceptions applicable to appeals from automated work zone speed enforcement violations **and actions initiated for failure to stop for a school bus, respectively.**

The following rule text is entirely new.

(*Editor's Note:* The following rule is proposed to be added and printed in regular type to enhance readability.)

### SATISFACTION OF MONEY JUDGMENTS

#### Rule 351. Action to Contest Civil Liability for Passing a School Bus; Failure to Respond to a Notice of Violation.

(a) As used in this rule:

(1) "Vehicle owner" means the owner of a vehicle alleged to have violated 75 Pa.C.S. § 3345, relating to enforcement of failure to stop for a school bus, in an action brought pursuant to 75 Pa.C.S. § 3345.1.

(2) "Police department" means the police department issuing the notice of violation of 75 Pa.C.S. § 3345, relating to enforcement of failure to stop for a school bus, in an action brought pursuant to 75 Pa.C.S. § 3345.1.

(b) *Venue.* An action filed pursuant to this rule shall only be filed in the magisterial district court in the magisterial district where the alleged violation of 75 Pa.C.S. § 3345 occurred.

(c) *Proceedings.*

(1) *Vehicle Owner Request to Contest Liability.*

(i) A vehicle owner may contest the liability alleged in the notice of violation by filing a hearing request form prescribed by the State Court Administrator together with a copy of the notice of violation with the magisterial district court within 30 days of the mailing of the notice.

(ii) The vehicle owner shall pay all costs for filing and service of the hearing request form at the time of filing or, if without the financial resources to pay the costs of litigation, the vehicle owner shall file a petition to proceed *in forma pauperis* pursuant to Rule 206E.

(iii) After setting the hearing date pursuant to Rule 305, the magisterial district judge shall serve the hearing request on the police department by mailing a copy to the police department at the address listed on the notice of violation by certified mail or comparable delivery method resulting in a return receipt in paper or electronic form. The return receipt shall show that the notice of appeal was received by the police department.

(2) *Vehicle Owner Fails to Respond to Notice of Violation.*

(i) The police department may file a civil complaint against the vehicle owner pursuant to Rule 303 if the vehicle owner fails to respond to the notice of violation within 30 days of the original notice by either paying the fine as indicated on the notice of violation or contesting liability as provided in subdivision (c)(1). The police department shall pay all costs for filing and service of the complaint at the time of filing.

(ii) In a complaint filed pursuant to this subdivision, the police department shall aver that the vehicle owner did not timely respond to the notice of violation by paying the civil fine or contesting liability.

(iii) The sole issue for determination by the magisterial district judge at a hearing on a complaint filed pursuant to subdivision (c)(2) is whether the vehicle owner timely responded to the notice of violation by paying the civil fine or contesting liability.

(iv) Except as otherwise provided by this rule, an action commenced pursuant to subdivision (c)(2)(i) shall proceed in the same manner as any other civil action.

(d) *Evidence.* The hearing is subject to the standards of evidence set forth in Rule 321, except that photographs, videos, vehicle titles, police reports, and records of the Pennsylvania Department of Transportation may also be entered as evidence by any party without affidavit or other evidence of their truth, accuracy, or authenticity.

**Comment:** 75 Pa.C.S. § 3345.1 provides for automated side stop signal arm enforcement systems to identify and civil fines for the owners of vehicles failing to stop for a school bus. This rule was adopted to address the provisions of the statute that (1) allow a vehicle owner to contest liability for a notice of violation and (2) establishes a mechanism for a police department to file a civil complaint when a vehicle owner has failed to respond timely to a notice of violation.

Insofar as other procedures under these rules may be applicable, the vehicle owner shall be deemed the "defendant" and the police department shall be deemed the "plaintiff."

A vehicle owner issued a notice of violation under 75 Pa.C.S. § 3345.1 may contest liability by requesting a hearing with the magisterial district judge in the magisterial district where the violation occurred. The initiating document in an action filed by a vehicle owner to contest liability is the hearing request form, which shall be used in lieu of a complaint.

If the vehicle owner fails to respond to the notice of violation within 30 days of the original notice by either paying the fine as indicated on the notice of violation or contesting liability as provided in subdivision (c)(1), the police department may file a civil complaint against the vehicle owner in the magisterial district where the violation occurred. *See* 75 Pa.C.S. § 3345.1(i.1)(2)(iii). An action brought pursuant to subdivision (c)(2) is limited to the issue of whether the vehicle owner timely responded to the notice of violation by paying the civil fine or contesting liability. A complaint filed by a police department when the vehicle owner failed to respond will proceed as any other civil action filed pursuant to Rule 303 except as otherwise provided in this rule. *See also* Pa.R.Civ.P.M.D.J. 206 (pertaining to costs) and Pa.R.Civ.P.M.D.J. 401 *et seq.* (pertaining to enforcement of judgments).

If the prevailing party has paid the filing and service costs, that party is entitled to recover taxable costs from the unsuccessful party. *See* Pa.R.Civ.P.M.D.J. 206B (“the prevailing party in magisterial district court proceedings shall be entitled to recover taxable costs from the unsuccessful party. Such costs shall consist of all filing, personal service, witness, and execution costs authorized by Act of Assembly or general rule and paid by the prevailing party”). Procedures for enforcement of judgments are set forth in Rules 401 *et seq.*

Judgments are payable to the prevailing party and not the magisterial district court. *See* Rule 3.10(A)(2) of the Rules Governing Standards of Conduct of Magisterial District Judges (prohibiting a magisterial district judge from engaging in any activity related to the collection of a claim or judgment for money); *see also* Pa.R.Civ.P.M.D.J. 323, Comment (“The payments are to be made to the plaintiff and not to the magisterial district judge”).

Photographs, videos, vehicle titles, police reports, and records of the Pennsylvania Department of Transportation were added to the existing business record exceptions in Rule 321 because they are the proofs most likely to be used to support the permitted defenses to 75 Pa.C.S. § 3345.1(c).

*See* Rules 1001 *et seq.* for procedures to appeal a judgment rendered by a magisterial district judge or to file a *praecipe* for a writ of *certiorari* in civil actions, including actions brought pursuant to this rule.

## SUPREME COURT OF PENNSYLVANIA

### Minor Court Rules Committee

#### PUBLICATION REPORT

#### Proposed Amendment of Pa.R.Civ.P.M.D.J. 301, 302, and 321 and Proposed Pa.R.Civ.P.M.D.J. 351

The Minor Court Rules Committee (“Committee”) is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 301, 302, and 321 and the adoption of Pa.R.Civ.P.M.D.J. 351. This proposal would establish procedures for actions initiated pursuant to 75 Pa.C.S. § 3345.1(i.1), relating to civil violations for failing to stop for a school bus.

#### Background

Act 38 of 2020 authorizes the use of side stop signal arm enforcement systems to identify and issue civil violations to the owners of vehicles failing to stop for a school bus. A system vendor will provide violation data to the police department with coverage responsibility for the school district or the Pennsylvania State Police. *See* 75 Pa.C.S. § 3345.1(h). The police department will review the violation evidence from the vendor and authorize the issuance of a notice of violation to the vehicle owner. *Id.* § 3345(h.2)(1). The notice of violation will instruct the vehicle owner to either return the notice with payment or “request a hearing with the magisterial district judge for the purpose of contesting liability.” *Id.* § 3345.1(i.1)(1)(iv). If the owner does not pay the fine or contest liability within 30 days of the original notice, the police department may “turn the matter over to the magisterial district judge where the violation occurred. The magisterial district judge may assess liability upon the owner for failure to pay the fine or contest liability.” *Id.* § 3345.1(i.1)(2)(iii).

#### Proposal

First, the Committee proposes amending the Comment to Rule 301 (Definition; Scope) to add a provision that the Rules apply generally to these actions, except as otherwise provided by new Rule 351. Second, the Committee proposes amending the Comment to Rule 302 (Venue) to update the list of actions with special venue provisions. Finally, in the Comment to Rule 321 (Hearings and Evidence), the Committee proposes adding a cross-reference to proposed new Rule 351(c), providing exceptions to the evidentiary requirements in hearings on these new actions. The amendments mirror those recently adopted by the Court to implement procedures for appeals from automated work zone speed enforcement violations. *See* Order of April 12, 2022, No. 466, Magisterial Rules Docket.

As noted above, the statute provides for two types of proceedings in magisterial district court: (1) a vehicle owner may contest liability for an alleged violation; and (2) a police department may file an action if a vehicle owner fails to respond timely to a notice of violation. In the first instance, the vehicle owner may contest liability for the alleged violation by filing a hearing request with the magisterial district court in the magisterial district where the alleged violation occurred. The hearing request must be accompanied by a copy of the notice of violation and must be filed within 30 days from the mailing of the notice of violation. The vehicle owner must pay all filing and service costs at the time of filing or file a petition to proceed *in forma pauperis* pursuant to Rule 206E. The hearing notice is served on the police department by certified mail or comparable delivery method.

In the latter instance, a police department may file a civil complaint with the magisterial district court when a vehicle owner has failed to respond timely to a notice of violation by paying the fine indicated on the notice or by requesting a hearing to contest liability. The police may file the civil complaint no earlier than 30 days from the date of the original notice. Except as otherwise provided by proposed Rule 351, a complaint filed pursuant to subdivision (c)(2)(1) will proceed in the same manner as any other civil complaint. It should be noted that 75 Pa.C.S. § 3345.1(i.1)(2)(iii) provides:

If payment is not received or the owner has not contested liability within 30 days of the original notice, the police department may turn the matter

over to the Magisterial District Judge where the violation occurred. The Magisterial District Judge may assess liability upon the owner for failure to pay the fine or contest liability.

*Id.* In these actions, the only issue for the magisterial district judge to determine is if the vehicle owner timely responded to the notice of violation by paying the civil fine or contesting liability. The underlying violation for passing a school bus is not the subject of a hearing on a complaint brought pursuant to subdivision (c)(2)(i) and the defenses in 75 Pa.C.S. § 3345.1(f) are not applicable.

This scheme is similar to that established in zoning enforcement proceedings brought pursuant to the Municipalities Planning Code (“MPC”), 53 P.S. §§ 10101 *et seq.* Under the MPC, once an alleged violator has been given notice of a zoning violation pursuant to 53 P.S. § 10616.1, the alleged violator can seek an appeal with the municipality’s zoning hearing board and cannot defend the underlying charges before the magisterial district judge after failing to appeal. *See e.g., City of Erie v. Freitus*, 681 A.2d 840, 842 (Pa. Cmwlth., 1996). In these cases, the vehicle owner’s opportunity to challenge the underlying violation is by contesting the liability alleged in the notice of violation and requesting a hearing with the magisterial district judge as provided in subdivision (c)(1)(i).

The Committee observes the statute does not address the scenario when the vehicle owner initially pays the violation but later decides to request a hearing within 30 days of the mailing of the notice of violation. Accordingly, the Committee did not develop a provision to accommodate this likely rare occurrence.

In both proceedings under subdivision (c), if the prevailing party has paid the filing and service costs, that party is entitled to recover taxable costs from the unsuccessful party. While it may be unusual for a police department to be a party in a civil matter in magisterial district court, the statute has prescribed these violations for passing a school bus as civil actions, not criminal. There are no provisions in the legislation exempting the parties from filing fee requirements pursuant to 42 Pa.C.S. § 1725.1(a) or from the awarding of costs to a prevailing party pursuant to 42 Pa.C.S. § 1726. *See also* Pa.R.Civ.P.M.D.J. 206B. Procedures for a prevailing litigant to enforce a judgment are set forth at Rules 401 *et seq.*

Because these are civil actions, the unsuccessful party must pay the judgment amount directly to the prevailing party. *See* Rule 3.10(A)(2) of the Rules Governing Standards of Conduct of Magisterial District Judges (prohibiting a magisterial district judge from engaging in any activity related to the collection of a claim or judgment for money); *see also* Pa.R.Civ.P.M.D.J. 323, Comment (“The payments are to be made to the plaintiff and not to the magisterial district judge”).

The courts of common pleas have jurisdiction of appeals from the magisterial district courts. “Except as otherwise prescribed by any general rule adopted pursuant to section 503 (relating to reassignment of matters), each court of common pleas shall have exclusive jurisdiction of appeals from final orders of the minor judiciary established within the judicial district.” *See* 42 Pa.C.S. § 932. An appeal from a judgment rendered by a magisterial district court should be made to the court of common pleas for the judicial district. *See* Pa.R.Civ.P.M.D.J. 1001 *et seq.*

The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 22-1002. Filed for public inspection July 8, 2022, 9:00 a.m.]

**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 6th Judicial District of the Commonwealth of Pennsylvania; No. 494 Magisterial Rules Docket**

**Order**

*Per Curiam*

*And Now*, this 28th day of June 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 6th Judicial District (Erie County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Erie County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 06-1-01 Magisterial District Judge Suzanne C. Mack	City of Erie (Ward 1) & (Ward 4—Voting Districts 1 & 6)
Magisterial District 06-1-02 Magisterial District Judge Edward M. Wilson	City of Erie (Ward 2)
Magisterial District 06-1-03 Magisterial District Judge Thomas Carney	City of Erie (Ward 3) & (Ward 4—Voting Districts 2, 3, 4, 7, 8, and 9)
Magisterial District 06-1-04 Magisterial District Judge Paul A. Bizzaro	City of Erie (Ward 5)
Magisterial District 06-1-05 Magisterial District Judge Timothy S. Beveridge	City of Erie (Ward 6)
Magisterial District 06-2-02 Magisterial District Judge Laurie A. Weiss Mikielski	Millcreek Township (Voting Districts 3—10, 13—17, and 22—24)
Magisterial District 06-2-04 Magisterial District Judge Denise M. Buell	Amity Township Concord Township Corry City Elgin Borough Union City Borough Union Township Wayne Township
Magisterial District 06-3-01 Magisterial District Judge Lisa R. Ferrick	Harborcreek Township Lawrence Park Township Wesleyville Borough
Magisterial District 06-3-02 Magisterial District Judge Scott B. Hammer	Greenfield Township North East Borough North East Township
Magisterial District 06-3-03 Magisterial District Judge Susan D. Strohmeyer	Greene Township Millcreek Township (Voting Districts 1, 2, 11, 12, 18, 19, 20, and 21) Venango Township Wattsburg Borough

Magisterial District 06-3-05 Magisterial District Judge Brian M. McGowan	Le Boeuf Township Mill Village Borough Summit Township Waterford Borough Waterford Township
Magisterial District 06-3-06 Magisterial District Judge Denise M. Stuck-Lewis	Edinboro Borough Fairview Township Franklin Township McKean Borough McKean Township Washington Township
Magisterial District 06-3-08 Magisterial District Judge Christopher K. MacKendrick	Albion Borough Conneaut Township Cranesville Borough Elk Creek Township Girard Borough Girard Township Lake City Borough Platea Borough Springfield Township

[Pa.B. Doc. No. 22-1003. Filed for public inspection July 8, 2022, 9:00 a.m.]

**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 14th Judicial District of the Commonwealth of Pennsylvania; No. 493 Magisterial Rules Docket**

**Order**

*Per Curiam*

And Now, this 28th day of June 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 14th Judicial District (Fayette County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Fayette County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 14-1-01 Magisterial District Judge Jason A. Cox	City of Uniontown
Magisterial District 14-1-02 Magisterial District Judge Ronald J. Haggerty, Jr.	Bullskin Township City of Connellsville Connellsville Township Saltlick Township South Connellsville Borough Springfield Township
Magisterial District 14-2-01 Magisterial District Judge Jennifer L. Jeffries	Menallen Township South Union Township
Magisterial District 14-2-02 Magisterial District Judge Nathan A. Henning	Henry Clay Township Markleysburg Borough North Union Township Ohiopyle Borough Stewart Township Wharton Township

Magisterial District 14-2-03 Magisterial District Judge Michael J. Defino, Jr.	Brownsville Borough Brownsville Township Luzerne Township Redstone Township
Magisterial District 14-3-02 Magisterial District Judge Daniel C. Shimshock	Fairchance Borough Georges Township German Township Masontown Borough Nicholson Township Point Marion Borough Smithfield Borough Springhill Township
Magisterial District 14-3-04 Magisterial District Judge Richard A. Kasunic, II	Belle Vernon Borough Dawson Borough Dunbar Borough Dunbar Township Everson Borough Fayette City Borough Franklin Township Jefferson Township Lower Tyrone Township Newell Borough Perry Township Perryopolis Borough Upper Tyrone Township Vanderbilt Borough Washington Township

[Pa.B. Doc. No. 22-1004. Filed for public inspection July 8, 2022, 9:00 a.m.]

**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 25th Judicial District of the Commonwealth of Pennsylvania; No. 495 Magisterial Rules Docket**

**Order**

*Per Curiam*

And Now, this 28th day of June 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 25th Judicial District (Clinton County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Clinton County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 25-3-01 Magisterial District Judge Keith G. Kibler	Allison Township Avis Borough Castanea Township Colebrook Township Crawford Township Dunnstable Township Flemington Borough Gallagher Township City of Lock Haven Pine Creek Township Wayne Township Woodward Township
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Magisterial District 25-3-02 Magisterial District Judge John W. Maggs	Bald Eagle Township Beech Creek Borough Beech Creek Township Greene Township Lamar Township Logan Township Loganton Borough Mill Hall Borough Porter Township
Magisterial District 25-3-03 Magisterial District Judge Frank P. Mills	Chapman Township East Keating Township Grugan Township Leidy Township Noyes Township Renovo Borough South Renovo Borough West Keating Township

[Pa.B. Doc. No. 22-1005. Filed for public inspection July 8, 2022, 9:00 a.m.]

**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 31st Judicial District of the Commonwealth of Pennsylvania; No. 492 Magisterial Rules Docket**

**Order**

*Per Curiam*

*And Now*, this 28th day of June 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 31st Judicial District (Lehigh County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 31-1-02, 31-1-03, 31-1-05, 31-1-06, 31-1-07, 31-1-08, 31-2-02, and 31-3-01, within Lehigh County, to be effective immediately, is granted; and that the Petition, which provides for the elimination of Magisterial District 31-2-03, within Lehigh County, to be effective November 1, 2022, is granted; and that the Petition, which also provides for the realignment of Magisterial Districts 31-3-02 and 31-3-03, within Lehigh County, to be effective November 1, 2022, is also granted. It is further *Ordered And Decreed* that the Petition, which provides for the realignment of Magisterial Districts 31-1-01, 31-1-04, and 31-2-01, within Lehigh County, to be effective January 1, 2024, is granted; and that the Petition, which provides for the addition of a newly created magisterial district within Lehigh County, to be effective January 1, 2024, is granted. The newly created magisterial district shall be filled in the municipal election of 2023.

Said Magisterial Districts shall be as follows:

Magisterial District 31-1-01 Magisterial District Judge Linda D. Vega Sirop	City of Allentown, Ward 8
Magisterial District 31-1-02 Magisterial District Judge Rashid O. Santiago	City of Allentown, Wards 4, 7, 11
Magisterial District 31-1-03 Magisterial District Judge Ronald S. Manescu	City of Allentown, Wards 3, 13, 17, 18
Magisterial District 31-1-04 Magisterial District Judge David M. Howells, Jr.	City of Allentown, Wards 12, 19
Magisterial District 31-1-05 Magisterial District Judge Michael D. D'Amore	Catasauqua Borough Hanover Township City of Allentown, Wards 14, 15
Magisterial District 31-1-06 Magisterial District Judge Amy L. Zanelli	Fountain Hill Borough City of Bethlehem, Wards 10, 11, 12, 13
Magisterial District 31-1-07 Magisterial District Judge Todd P. Heffelfinger	Coplay Borough Whitehall Township
Magisterial District 31-1-08 Magisterial District Judge Michael J. Pochron	City of Allentown, Ward 16 Salisbury Township
Magisterial District 31-2-01 Magisterial District Judge Karen C. Devine	City of Allentown, Wards 1, 2, 5, 9
Magisterial District 31-2-02 Magisterial District Judge Jacob E. Hammond	North Whitehall Township South Whitehall Township
Magisterial District 31-3-01 Magisterial District Judge Thomas C. Creighton	Slatington Borough Heidelberg Township Lowhill Township Lynn Township Washington Township Weisenberg Township
Magisterial District 31-3-02 Magisterial District Judge Michael J. Faulkner	Alburtis Borough Lower Macungie Township Upper Macungie Township
Magisterial District 31-3-03 Magisterial District Judge Daniel C. Trexler	Coopersburg Borough Emmaus Borough Macungie Borough Lower Milford Township Upper Milford Township Upper Saucon Township
Magisterial District 31-X-XX Magisterial District Judge TBD	City of Allentown, Wards 6, 10

[Pa.B. Doc. No. 22-1006. Filed for public inspection July 8, 2022, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF PHARMACY

[ 49 PA. CODE CH. 27 ]

#### Administration of Injectable Medications, Biologicals and Immunizations

The State Board of Pharmacy (Board) amends §§ 27.12, 27.401—27.407 and adds § 27.408 (relating to professional liability insurance) to read as set forth in Annex A.

##### *Effective Date*

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

##### *Statutory Authority*

Section 4(j) of the Pharmacy Act (act) (63 P.S. § 390-4(j)), authorizes the Board “to promulgate rules and regulations governing standards of practice and operation of pharmacies including, but not limited to, rules and regulations governing the method of advertising, promotion and standards for dispensing prescriptions, such regulations to be designed to insure methods of operation and conduct which protect the public health, safety and welfare and prevent practices or operations which may tend to lower professional standards of conduct, so as to endanger the public health and welfare.” Section 6(k)(1) and (9) of the act (63 P.S. §§ 390-6(k)(1) and (9)), also authorizes the Board “to regulate the practice of pharmacy” and “to promulgate rules and regulations to effectuate the purposes of this act and to regulate the distribution of drugs and devices and the practice of pharmacy for the protection and promotion of the public health, safety and welfare.” Section 9.2(a) of the act (63 P.S. § 390-9.2(a)), states that the Board “shall by regulation establish education and training standards and practice guidelines to which pharmacists shall be authorized to administer injectable medications, biologicals and immunizations. . .”

##### *Background and Need for the Amendment*

Section 9.2 of the act permits the Board to regulate a pharmacist’s ability to administer injectable medications, biologicals and immunizations. This final-form rulemaking amends Chapter 27 (relating to State Board of Pharmacy) to conform to amendments made by the act of June 26, 2015 (P.L. 29, No. 8) (Act 8 of 2015). Act 8 of 2015 amended section 9.2 of the act to allow a pharmacist to administer influenza immunizations by injectable or needle-free delivery methods to children 9 years of age or older. Additionally, section 9.2 now allows a qualified and authorized pharmacy intern to administer injectable medications, biologicals and immunizations to persons 18 years of age or older and administer influenza immunizations by injectable or needle-free delivery methods to children ages 9 years of age or older. Section 9.2 also requires pharmacists authorized to administer injectable medications, biologicals and immunizations to maintain professional liability insurance a minimum of \$1 million per occurrence or claims made.

##### *Summary and Responses to Comments and Description of Amendments to the Final-Form Regulation*

Notice of the proposed rulemaking was published at 50 Pa.B. 5844 (October 24, 2020). Publication was followed

by a 30-day public comment period during which the Board received comments from the Pennsylvania Medical Society (PAMED), the National Association of Chain Drug Stores (NACDS)/Pennsylvania Association of Chain Drug Stores (PACDS), the Pennsylvania Society of Physician Assistants, the Pennsylvania Pharmacists Association and the Pennsylvania Osteopathic Medical Association (POMA). The Board also received comments from the Independent Regulatory Review Commission (IRRC) as part of its review under the Regulatory Review Act (71 P.S. §§ 745.1—745.14). The Board received no comments from the House Professional Licensure Committee (HPLC) or the Senate Consumer Protection and Licensure Committee (SCP/PLC).

##### *Comments from the PAMED*

PAMED and IRRC commented regarding the notification requirement to the primary care provider. Both PAMED and IRRC question how the identity of the primary care provider is to become known to the pharmacist. While neither the act nor the regulations indicate how the identity of the primary care provider is to be discerned, it is usually accomplished by the pharmacist requesting the information from the patient. Pharmacists are only authorized to administer injectable medications, biologicals and immunizations by either order or under a written protocol. If the pharmacist is administering under an order, the order must have the minimum information that is required under § 27.404(b) (relating to authority and requirements). One of the requirements is that the name of the prescriber needs to be listed. Under § 27.406(a)(1) (relating to notification requirements), the ordering prescriber must be notified, and if known, the primary care provider. If the pharmacist is administering under a written protocol, the written protocol must have the record keeping requirements and procedures for notification of administration, which may include notification requirements to primary care providers. See § 27.404(c). While pharmacists will know the ordering prescriber or the participating/protocol provider, the Board is aware that not every patient will have or identify a primary care provider.

In reviewing the concerns raised by PAMED and IRRC, the Board has determined that additional clarification is needed. In this final-form rulemaking, the Board amends the notification requirements to clarify that pharmacists and pharmacy interns administering injectable medications, biologicals or immunizations must request primary care provider information. To implement this requirement, the Board adds § 27.406(b), which requires a pharmacist or pharmacy intern to request and document the name and address of the patient’s primary care provider. The Board does not see a need to specify how this request occurs; it could occur verbally, on an intake form or in another manner. The Board acknowledges that not all patients have primary care providers or will provide information; however, this provision clarifies the obligation to ask for the primary care provider information and to document it for recordkeeping purposes. Adding this provision helps ensure that pharmacists have available primary care provider information for notification purposes. This requirement is consistent with the Board’s current record keeping requirements at § 27.405(a)(4) (relating to recordkeeping), which requires a pharmacist to maintain the name and address of the patient’s primary health care provider if that information is identified by the patient. Moreover, this final-form



amendment facilitates and ensures appropriate communication between pharmacists and primary care providers regarding the administration of injectable medications, biologicals and immunizations, which as PAMED noted, is crucial to assisting in the management of possible adverse reactions and ensuring continuity of care.

Second, PAMED and IRRC requested clarification as to the role of the supervising pharmacist regarding notification requirements. Specifically, PAMED asked three questions:

- What is the supervising pharmacist's role regarding notification requirements when a pharmacy intern has been involved in an administration of an injectable medication, biological or immunization?
- Should the supervising pharmacist be the only party to fulfill notification requirements to the primary care provider and other specified individuals?
- If the pharmacy intern may fulfill notification requirements, what is the supervising pharmacist's role in ensuring proper notification occurs?

Under the act and the regulations, the supervising pharmacist has the ultimate responsibility to ensure that the administration of the injectable is being done correctly, which includes the record keeping and notification requirements. See sections 9.2(a)(7) and (b) of the act and § 27.403 (relating to conditions for administration). The pharmacy intern, however, is authorized under the regulations in § 27.406 to notify the ordering prescriber, the participating/protocol physician and the primary care provider, if known. Section 27.406(a)(3) allows for either the supervising pharmacist or the pharmacy intern to make the proper notification. As to which one makes the notification, that should be decided between the supervising pharmacist and the pharmacy intern. Notably, however, the supervising pharmacist has the duty to ensure that the notification is done correctly.

#### *Comments from the NACDS/PACDS*

NACDS/PACDS supported the proposed rulemaking and noted the importance of this final-form rulemaking given the novel coronavirus (COVID-19) pandemic. The comment indicates that pharmacy interns would be an untapped source of vaccinators that could help assist with administering the flu vaccine and the COVID-19 vaccine. Since the publication of the proposed rulemaking, pharmacy interns have been authorized to administer vaccines. The act gave the pharmacy interns the authority to administer injectables. Originally, the Board was waiting to have the regulations in place to start issuing authorizations, however, due to the COVID-19 pandemic and noting that the statutory authority to issue the authorizations to pharmacy interns existed, the Board decided to issue the authorizations before the regulations were finalized. Therefore, since the Board has been issuing authorizations, NACDS/PACDS concern relating to losing students is no longer an issue. NACDS/PACDS also mentions amendments to the Federal Public Readiness and Emergency Preparedness (PREP) Act. The amendments to the PREP Act are in response to the COVID-19 pandemic and are outside the scope of this final-form rulemaking. Pharmacy interns have been administering vaccines, including the COVID-19 vaccine since it became available to administer. Also, the Board is not accepting pharmacy intern certificates as a substitute for an authorization to administer because the pharmacy intern certificate does not ensure that the pharmacy intern meets the Board's qualifications to administer injectables.

#### *Comments from POMA*

POMA applauds the Board for the strengthening clarification to include notification to the patient's primary care provider and for shortening the timeframe for the notification and supports the Board's efforts in this regard. POMA also notes that the notification is not always occurring and that some osteopathic physicians have expressed frustration when they do not have the knowledge that their patients have been vaccinated at a pharmacy. To address this concern, as explained in response to PAMED's comment, the Board amends the notification requirements to clarify that pharmacists and pharmacy interns administering injectable medications, biologicals or immunizations must request primary care provider information. This amendment ensures that pharmacists request primary care provider information. The Board understands that having the information is only the first step in the notification process. The existing and final-form regulations contain the notification requirements; however, enforcement of the notification requirements is currently handled by and will continue to be handled by the Bureau of Enforcement and Investigation and the Department of State Prosecution Division through the complaint process. If a physician or other individual knows of a pharmacist who has not or is not properly communicating with or notifying physicians, a complaint should be filed with the Bureau's Professional Compliance Office. Pharmacists who fail to notify, under the requirements of the regulations, of the administration of the injectable, or the supervising pharmacist in the case of a pharmacy intern performing the administration, could be subject to disciplinary action under the act and the regulations.

#### *Supportive Comments*

##### *Comments from the Pennsylvania Society of Physician Assistants*

The Pennsylvania Society of Physician Assistants is in favor of this final-form rulemaking and noted that the supervision of the pharmacy intern adds a layer of safety in the administration of injectable medications, biologicals and immunizations. The commentor also stated that the regulations add clarity to the notification process in the event of an adverse reaction.

##### *Comments from the Pennsylvania Pharmacists Association*

The Pennsylvania Pharmacists Association submitted a comment to IRRC and stated that it "wholeheartedly supports and agrees with these proposed regulations and urges for their finalization."

##### *Comments from IRRC*

IRRC had four comments regarding this final-form rulemaking. First, IRRC questioned whether the proposed regulations in § 27.402(b)(2) (relating to application and renewal procedures) were adequate to protect the health, safety and welfare of the citizens of this Commonwealth. IRRC expressed concern that pharmacy interns may be administering injectables without current training or education on the topic and also asked how the Board would ensure that pharmacy interns are current with cardiopulmonary resuscitation (CPR) certification. Under section 9.2(b) of the act, a pharmacy intern who has completed the required course of education and training may administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age and influenza immunizations by injectable or needle-free delivery methods to persons 9 years of age and older only under the direct, immediate and personal supervision of a pharmacist holding the authority to administer

injectable medications, biologicals and immunizations. As a part of the education and training for pharmacy interns, section 9.2(b) of the act requires completion of an academic and practical curriculum and maintenance of a current CPR certificate; it does not require supplemental training and education or completion of continuing education. Thus, the General Assembly determined that the initial training and education and maintenance of CPR is sufficient to ensure public safety. In addition to obtaining the initial education and training, which includes the CPR certificate, the Board notes that pharmacy interns are under the direct supervision of a supervising pharmacist, who must maintain a current authorization to administer injectables. The supervising pharmacist is responsible for ensuring that the pharmacy intern is aware of any changes to the practice of pharmacy which includes administering injectables. To make it clear that a current CPR certification is necessary, the Board adds § 27.402(b)(3) to clearly state that a pharmacist and a pharmacy intern must maintain current CPR certification when administering injectables.

Second, IIRC recommended amending § 27.403(e) to accurately reflect the language in the act. The Board agrees with this suggestion and amends the section to reflect the act.

Third, IIRC commented regarding the notification requirements under § 27.406 and asked for clarification regarding notification requirements for pharmacists when an injectable was administered by an intern under their supervision. The Board addressed these questions in its response to PAMED's questions. IIRC also asked for a definition of a "participating/protocol physician" or a reference to the Board's regulation that addresses protocol agreements between physicians and pharmacists. In response, the Board adds a definition for a "participating/protocol physician" in this final-form rulemaking in § 27.406(c). A "participating/protocol physician" is the physician or institution that has entered into a written protocol with a pharmacist under § 27.404(c)(1). The definition references § 27.404(c), which relates to written protocols for administering injectables.

Fourth, IIRC requested clarity on § 27.408 concerning professional liability insurance. Specifically, IIRC asked if the insurance covers negligent supervision by a pharmacist that is supervising a pharmacist intern that has the authorization to inject. IIRC also asked whether there is any insurance coverage if the pharmacist's supervision is proper, but the pharmacy intern is negligent in administering the injection. Professional liability insurance requirements set forth in § 27.408 provide protection to patients. The supervising pharmacist is responsible for the pharmacy intern's overall actions in the pharmacy. Significantly, a pharmacist cannot delegate the authority to administer injectable medications, biologicals and immunizations, but rather, may only allow a pharmacy intern to administer the injectables under direct, immediate and personal supervision. See section 3(f) of the act (63 P.S. § 390-3(f)) and section 9.2(b) of the act and § 27.12 (relating to practice of pharmacy and delegation of duties). If a supervising pharmacist fails to properly supervise a pharmacy intern where the pharmacy intern has committed some type of negligence, the Board would view the pharmacist as being incompetent, grossly negligent, or departing from, or failing to conform to, the standards of acceptable and prevailing pharmacy practice. See section 5(a)(12) of the act (63 P.S. § 390-5(a)(12)). This degree of supervision provides for accountability. Additionally, most pharmacies and health care institutions have liability insurance that covers the ac-

tions of its employees. Pharmacy interns who are employees of the pharmacy or institution would be covered under this type of policy. Thus, the professional liability insurance and supervision requirements protect the public regardless of whether a pharmacist or pharmacy intern administer the injection.

#### *Fiscal Impact and Paperwork Requirements*

This final-form rulemaking will have minimal fiscal impact on the Commonwealth and no fiscal impact on its political subdivisions. This final-form rulemaking will impose additional paperwork requirements upon the Board in the form of creating and processing applications for pharmacy interns; however, costs for processing applications would not adversely impact the Board because costs associated with processing applications are borne by the licensees through application fees. To implement Act 8 of 2015 and the proposed regulations, the Board created new forms and revised some existing forms, which had minimal fiscal impact to the Board.

This final-form rulemaking will have some financial impact in the form of fees and education for pharmacy interns who elect to apply for the authorization to administer injectable medications, biologicals and immunizations. The Board has no way of knowing how many pharmacy interns will apply for authorization to administer injectables but using the same percentage of pharmacists that applied for the authorization to administer injectables (44%), the total costs incurred for applications in Fiscal Year 2020-2021 would be approximately \$65,160. Since most pharmacy schools have incorporated the required education into the curriculum, most pharmacy interns should not incur additional costs in education. Even assuming all applying pharmacy interns would either be required to take the initial education or would be required to repeat the training, the cost of education for the 44% of pharmacy interns would be \$868,800. For subsequent years, the Board estimates an average annual cost to new pharmacy interns of \$36,000 (the cost associated with the fee).

For pharmacists, because Act 8 of 2015 expanded the ability of pharmacists to perform immunizations to minors, pharmacists engaging in this activity already have the required training and equipment and no additional costs will be incurred by pharmacists. The Board estimates the total cost per pharmacist to be as follows: \$400 for the approved Pharmacy-Based Immunization Delivery course, an application fee of \$30 and the cost to obtain professional liability insurance in the amount of \$1 million (\$415). The only new cost associated with Act of 2015 and this final-form regulation is the cost of professional liability insurance. Assuming the Board continues to receive 1,100 new applications from pharmacists seeking the authority to administer injectables each year, the fiscal impact to pharmacists would be \$456,500 annually.

This final-form rulemaking will impose additional paperwork requirements for licensees, including submission of forms to the Board (applications for authority to administer injectables and reactivation forms), recordkeeping (documentation of the pharmacy intern and supervising pharmacist for each administration), parental consent documentation, notification requirements to primary care providers and professional liability insurance coverage record disclosure requirements.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 8, 2020, the Board submitted a copy of the notice of proposed rulemaking, published at 50 Pa.B. 5844, to IRRC and to the Chairpersons of the SCP/PLC and the HPLC for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, the HPLC and the SCP/PLC copies of the comments received during the public comment period, as well as other documents when requested. In preparing this final-form rulemaking, the Board has considered all comments from IRRC and the public. The Board received no comments from the HPLC or the SCP/PLC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on May 18, 2022, this final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on May 19, 2022, and approved the final-form rulemaking.

*Additional Information*

Additional information may be obtained by writing to Melanie Zimmerman, Executive Secretary, State Board of Pharmacy, P.O. Box 2649, Harrisburg, PA 17105-2649.

*Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 2540), (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law and all comments were considered in drafting this final-form regulation.

(3) This final-form regulation does not include any amendments that would change the scope of the proposed rulemaking published at 50 Pa.B. 5844.

(4) This final-form rulemaking adopted by this order is necessary and appropriate for the administration of the act.

*Order*

The Board therefore orders that:

(a) The regulations of the Board at 49 Pa. Code Chapter 27, are amended by amending §§ 27.12, 27.401—27.407, and adding § 27.408 to read as set forth in Annex A with ellipses referring to the existing text of the regulations.

(b) The Board shall submit this final-form rulemaking to the Office of General Counsel and the Office of Attorney General for approval as required by law.

(c) The Board shall submit this final-form rulemaking to the IRRC, the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee for approval as required by law.

(d) The Board shall certify this final-form rulemaking and deposit them with the Legislative Reference Bureau as required by law.

(e) This final-form rulemaking shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

JANET GETZEY HART, RPH,  
Chairperson

(Editor's Note: See 52 Pa.B. 3294 (June 4, 2022) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 16A-5429 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 27. STATE BOARD OF PHARMACY STANDARDS**

**§ 27.12. Practice of pharmacy and delegation of duties.**

\* \* \* \* \*

(c) *Pharmacy interns.*

(1) A pharmacy intern may work only under the direct, immediate, personal supervision of a pharmacist in accordance with subsection (b)(2).

(2) A pharmacy intern may neither enter nor be in a pharmacy if a pharmacist is not on duty.

(3) A pharmacy intern working under the direct, immediate, personal supervision of a pharmacist may perform procedures which require professional skill and training. Examples of these procedures include: verifying ingredients, weighing ingredients, compounding ingredients and other similar processing of ingredients.

(4) A pharmacy intern working under the direct, immediate and personal supervision of a pharmacist may administer injectable medications, biologicals and immunizations if the pharmacist and the pharmacy intern each hold an active authorization to administer injectable medications, biologicals and immunizations issued by the Board, in accordance with §§ 27.401—27.408.

(d) *Pharmacy technicians.*

(1) A pharmacy technician may work only under the direct, immediate, personal supervision of a pharmacist in accordance with subsection (b)(2).

\* \* \* \* \*

**ADMINISTRATION OF INJECTABLE MEDICATIONS, BIOLOGICALS AND IMMUNIZATIONS**

**§ 27.401. Qualifications for authority.**

A pharmacist or pharmacy intern may apply to the Board for authority to administer injectable medications, biologicals and immunizations. A candidate for authority to administer injectable medications, biologicals and immunizations shall meet the following requirements:

(1) The pharmacist holds an active license to practice pharmacy or the pharmacy intern holds an active intern registration in this Commonwealth.

(2) The pharmacist or pharmacy intern has completed a course of education and training which meets the requirements of § 27.407 (relating to education requirements).

(3) The pharmacist or pharmacy intern holds a current basic cardio-pulmonary resuscitation (CPR) certificate issued by the American Heart Association, American Red Cross or a similar health authority or professional body approved by the Board.

**§ 27.402. Application, renewal and reactivation procedures.**

(a) *Application.* An applicant for authority to administer injectable medications, biologicals and immunizations shall submit the following to the Board:

(1) An application obtained from the Board along with the fee required by § 27.91 (relating to schedule of fees).

(2) Certification that the applicant has completed the required education and training in § 27.407 (relating to education requirements).

(3) Certification that the applicant holds an acceptable, current CPR certificate.

(b) *Renewal.*

(1) A pharmacist who is the holder of the authority to administer injectable medications, biologicals and immunizations shall renew the authority every 2 years along with the pharmacist's license to practice pharmacy. Renewal requires completion of a form provided to the pharmacist by the Board in advance of the renewal period, payment of the fee specified by § 27.91, certification of completion of 2 hours of continuing education required by section 9.2 of the act (63 P.S. § 390-9.2) and § 27.32 (relating to continuing education), and proof of a current CPR certificate.

(2) A pharmacy intern's authority to administer injectable medications, biologicals and immunizations is valid so long as the intern remains registered under § 27.26 (relating to pharmacy internship) and may not be renewed.

(3) A pharmacist and a pharmacy intern must maintain a current CPR certificate at all times when administering injectable medications, biologicals or immunizations.

(c) *Lapse.* A pharmacist who intends to allow the authority to administer injectable medications, biologicals and immunizations to lapse shall notify the Board on the pharmacist's biennial license renewal form.

(d) *Reactivation.*

(1) A pharmacist who has had a lapsed authority for less than 2 years and seeks reactivation of the authority to administer injectable medications, biologicals and immunizations shall complete a form provided to the pharmacist by the Board, pay the renewal fee specified by § 27.91, complete 2 hours of continuing education required by section 9.2 of the act and § 27.32 and provide proof of a current CPR certificate.

(2) A pharmacist who has had a lapsed authority for 2 years or more and seeks reactivation of the authority to administer injectable medications, biologicals and immunizations shall complete a form provided to the pharmacist by the Board, retake and successfully complete the required education set forth in § 27.407, pay the renewal fee specified by § 27.91 and provide proof of a current CPR certificate.

**§ 27.403. Conditions for administration.**

(a) A pharmacist or pharmacy intern who is granted authority may administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age. A person is more than 18 years of age on the day following the person's 18th birthday.

(b) A pharmacist or pharmacy intern who is granted authority may administer influenza immunizations by injectable or needle-free delivery methods to persons 9 years of age or older.

(c) A pharmacist may not delegate the administration of injectable medications, biologicals and immunizations to another person.

(d) A pharmacy intern who has been authorized by the Board to administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age and influenza immunizations by injectable or needle-free delivery methods to persons 9 years of age or older under § 27.401 (relating to qualifications for authority) may do so only under the direct, immediate and personal supervision of a pharmacist who holds an active authority to administer injectable medications, biologicals and immunizations.

(e) A pharmacist or pharmacy intern shall administer injectable immunizations in accordance with treatment guidelines established by a physician and the Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices Guidelines or another competent authority approved by the Board.

**§ 27.404. Authority and requirements.**

(a) A pharmacist or pharmacy intern authorized by the Board to administer injectable medications, biologicals and immunizations may only do so under either an order or written protocol.

\* \* \* \* \*

**§ 27.405. Recordkeeping.**

(a) A pharmacist who administers an injectable medication, biological or immunization or who supervises the administration by a pharmacy intern shall maintain the following records regarding each administration for a minimum of 2 years:

(1) The name, address and date of birth of the patient.

(2) The date of the administration and site of the injection.

(3) The name, dose, manufacturer, lot number and expiration date of the medication, biological or immunization.

(4) The name and address of the patient's primary health care provider, as identified by the patient.

(5) The name or identifiable initials of the administering pharmacist. If the administration was performed by a pharmacy intern, the name or identifiable initials of the pharmacy intern and the supervising pharmacist.

(6) Documentation of informed consent for administration of injectable medications, biologicals and immunizations, and in the case of influenza immunizations administered to patients under 18 years of age, documentation of written parental consent.

(7) The nature of an adverse reaction and who was notified.

(b) A pharmacist who administers an immunization or supervises the administration by a pharmacy intern shall also maintain the following records regarding each administration for a minimum of 2 years:

(1) An identification of the Vaccine Information Statement (VIS) that was provided.

(2) The date of publication of the VIS.

(3) The date and to whom the VIS was provided.

(c) In an institution, the information required to be maintained in subsections (a) and (b) may be maintained in the patients' medical records.

**§ 27.406. Notification requirements.**

(a) A pharmacist or pharmacy intern administering injectable medications, biologicals or immunizations shall meet the following notification requirements:

(1) When administration has occurred under an order, the pharmacist or pharmacy intern shall notify the ordering prescriber and the patient's primary care provider, if known, as soon as practicable, but no longer than 48 hours after administration of the following:

- (i) The identity of the patient.
- (ii) The identity of the medication, biological or immunization administered.
- (iii) The route of administration.
- (iv) The site of the administration.
- (v) The dose administered.
- (vi) The date of administration.

(2) When the administration has occurred under a written protocol, the pharmacist or pharmacy intern shall notify the patient's primary care provider, if known, and the participating/protocol physician, as soon as practicable, but no longer than 48 hours after administration of the following:

- (i) The identity of the patient.
- (ii) The identity of the medication, biological or immunization administered.
- (iii) The site of the administration.
- (iv) The dose administered.
- (v) The date of administration.

(3) In the event of any adverse event or reaction experienced by the patient either under an order or a written protocol, the pharmacist or pharmacy intern shall notify the ordering prescriber, the patient's primary care provider, if known, and the participating/protocol physician, if applicable, as soon as practicable, but no longer than 24 hours after learning of the adverse event or reaction.

(b) A pharmacist or pharmacy intern administering injectable medications, biologicals or immunizations shall request and document, if identified by the patient, the name and address of the patient's primary care provider.

(c) For purposes of this section, the term "participating/protocol physician" means the physician or institution that has entered into a written protocol with an authorized pharmacist, which governs the administration of injectable medications, biologicals and immunizations for a specific period of time or purpose as specified in § 27.404(c) (relating to authority and requirements).

**§ 27.407. Education requirements.**

(a) To apply for the authority to administer injectable medications, biologicals and immunizations, a pharmacist or pharmacy intern shall meet the following education requirements:

(1) Complete within the 3-year period prior to application an evidence-based course that meets the following criteria:

- (i) Includes study material.
- (ii) Includes hands-on training and techniques for administration.
- (iii) Requires testing with a passing score.
- (iv) Provides a minimum of 10 hours of instruction and experiential training.

(v) Complies with current guidelines and recommendations by the Centers for Disease Control and Prevention, ACPE or a similar health authority or professional body.

(2) The course must provide instruction on the following topics:

- (i) Basic immunology and the human immune response.
- (ii) Mechanics of immunity, adverse effects, dose and administration schedule of available vaccines.
- (iii) Response to an emergency situation as a result of the administration of an injectable medication, biological or immunization.
- (iv) Administration of subcutaneous, intradermal and intramuscular injections.

- (v) Disease epidemiology.
- (vi) Standards for immunization practices.
- (vii) Vaccine-preventable diseases.
- (viii) Recommended immunization schedules.
- (ix) Vaccine storage and management.
- (x) Biohazard waste disposal and sterile techniques.
- (xi) Informed consent.

(b) The Board approves courses offered by ACPE-accredited providers and educational institutions that meet the criteria and provide instruction on the topics listed in subsection (a).

**§ 27.408. Professional liability insurance.**

(a) To qualify for authority to administer injectable medications, biologicals and immunizations, a pharmacist must certify the maintenance of professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made.

(b) A pharmacist who does not maintain the required professional liability insurance in the minimum amount of \$1 million may not engage in the practice of administering injectable medications, biologicals and immunizations and may not supervise the administration by a pharmacy intern.

(c) A pharmacist shall, upon request, make available to the Board or its agents all records relating to the pharmacist's maintenance of professional liability insurance, including policies, cancelled checks, receipts or other proofs of premium payment.

[Pa.B. Doc. No. 22-1007. Filed for public inspection July 8, 2022, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF HUMAN SERVICES

[ 55 PA. CODE CH. 5230 ]

### Psychiatric Rehabilitation Services

#### *Statutory Authority*

Notice is hereby given that the Department of Human Services (Department), under the authority of sections 911 and 1021 and Articles IX and X of the Human Services Code (62 P.S. §§ 911, 1021, 901—922 and 1001—1088), proposes to amend Chapter 5230 (relating to psychiatric rehabilitation services) as set forth in Annex A.

#### *Purpose of Rulemaking*

The purpose of this proposed rulemaking is to amend Chapter 5230 to allow individuals who are 14 years of age or older but under 18 years of age who meet the admission requirements to access psychiatric rehabilitation services (PRS) and to amend the diagnoses that allow an individual to access PRS without use of the exception process. Through the exception process, individuals without one of the specified diagnoses for admission to PRS can still receive PRS if they have a serious mental illness or serious emotional disturbance with a diagnosis of a mental, behavioral or emotional disorder that results in a moderate to severe functional impairment. In addition, the amendment clarifies the documentation that will be reviewed through the exception process to determine if an individual is eligible for PRS. It also revises outdated language and adds definitions of “serious mental illness” and “serious emotional disturbance” that align with the definitions currently used by the Federal Substance Abuse and Mental Health Services Administration. This proposed rulemaking supports the principles of recovery, resiliency and self-determination by permitting additional individuals who are experiencing a serious mental illness or a serious emotional disturbance to receive PRS.

#### *Background*

In 2013, the Department promulgated a regulation that provided for the minimum standards for the issuance of licenses for PRS facilities. PRS is an evidence-based service that uses an integrated therapeutic approach to assist individuals with serious mental illness or serious emotional disturbance to develop the skills needed to live, learn, socialize, and work in their community and improve or maintain their physical and mental health. PRS promotes recovery and resiliency, full community integration and improved quality of life for individuals who have been diagnosed with a serious mental illness or serious emotional disturbance that results in a moderate to severe functional impairment that interferes with or limits the individual’s performance in one or more of the following domains: living, learning, working, socializing or wellness. Additionally, PRS may decrease the need for or shorten the length of stay in inpatient, partial hospitalization or outpatient treatment. PRS helps individuals reach age-appropriate functioning that has either been lost or never achieved because development was interrupted by a serious mental illness or serious emotional disturbance. This proposed rulemaking will result in more individuals being eligible for PRS because it allows youth

14 years of age or older to receive PRS. It will also allow individuals to access PRS through telehealth by removing barriers to providing PRS through telehealth. In addition, it identifies additional diagnoses that will enable individuals to receive PRS without requiring use of the exception process for receiving PRS.

The regulation as promulgated in 2013 limited PRS to individuals 18 years of age or older. Stakeholders have expressed that there is a need for additional supports for individuals 14 years of age or older that will engage them and will help them transition to the adult service system. Research has shown that the transition from adolescence to adulthood is especially challenging for youth diagnosed with a serious mental illness or a serious emotional disturbance. Many traditional adult mental health services do not focus on skill development to improve the individual’s ability to be successful in the community, but rather focus on alleviating symptoms and psychological distress. Access to PRS, which focuses on helping individuals develop skills needed to be successful in the living, learning, working, social and wellness environments, will assist youth in transitioning to adulthood and maintaining independence in the community.

#### *Requirements*

The following is a summary of the specific provisions in this proposed rulemaking.

#### *General Provisions*

##### *Definitions (§ 5230.3)*

This proposed rulemaking adds definitions of the following terms: “Associate’s degree” and “Bachelor’s degree” to ensure that staff providing PRS have obtained degrees from properly accredited educational institutions; “Child and family resiliency practitioner (CFRP)” to identify the certification required for staff who provide PRS to individuals 14 years of age or older but under 18 years of age; and “Serious emotional disturbance” and “Serious mental illness” to define the conditions required for use of the exception process for admission to PRS and to align the definitions used in Chapter 5230 with the definitions currently used by the Federal Substance Abuse and Mental Health Services Administration.

In addition, this proposed rulemaking deletes the definition of “Axis I” to be consistent with the current version of the Diagnostic and Statistical Manual of Psychiatric Disorders (DSM). Prior versions of the DSM used a multiaxial documentation process for diagnosis. The current version of the DSM uses monoaxial documentation for diagnosis by combining the first three axes into one axis that includes all mental or other medical diagnoses to remove artificial distinctions among conditions. The definitions of “DSM-IV-TR” and “ICD-9” are also being deleted and replaced with definitions of “DSM” and “ICD” respectively to delete the reference to outdated versions of the DSM and the International Classification of Diseases (ICD) and to allow for the use of successor versions of the DSM and ICD.

This proposed rulemaking also deletes the definition of “Face-to-face” because the term is no longer used in the regulation and deletes outdated names of organizations. “International Center for Clubhouse Development (ICCD)” and “The United States Psychiatric Rehabilitation Association (USPRA)” are replaced with “Clubhouse International” and “The Psychiatric Rehabilitation Association” respectively. It also clarifies the definition of

“Full-time equivalent” by deleting references to “calendar.” This proposed rulemaking amends the term “Coordination of care” to “Coordination of services” at the request of stakeholders to reduce the perceived stigma associated with individuals receiving PRS. It amends the definition of “Functional impairment” to be more specific to the admission requirements for PRS. It also adds a definition of “Wellness” to the regulation due to adding wellness as a domain at the request of the members of the workgroup that reviewed and provided input on this proposed rulemaking.

Finally, this proposed rulemaking amends the definition of “Individual” to clarify that individuals 14 years of age or older may receive PRS. In addition, it deletes the term “individual” from the definition of “Licensed practitioner of the healing arts (LPHA)” to clarify the definition. It revises the definition of LPHA to include licensed clinical social workers, licensed professional counselors and licensed marriage and family therapists because the Social Workers, Marriage and Family Therapists and Professional Counselors Act (63 P.S. §§ 1901—1922) has been amended to allow licensed clinical social workers, licensed professional counselors and licensed marriage and family therapists to diagnose and treat mental and emotional disorders as part of the scope of their practice.

*Psychiatric rehabilitation processes and practices*  
(§ 5230.4)

This proposed rulemaking adds wellness to the list of domains in which PRS agencies must assist an individual to develop or maintain skills. This domain addition will make PRS more comprehensive and consistent with current recovery-oriented practices.

This proposed rulemaking also adds the individual’s home as a location where PRS can be delivered to clarify that PRS can be delivered in an individual’s place of residence.

*General Requirements*

*Agency records* (§ 5230.13)

This proposed rulemaking adds the requirement that a PRS agency maintain records that contain copies of the criminal history background checks from both the Pennsylvania State Police and the Federal Bureau of Investigation (FBI) and child abuse certifications required under 23 Pa.C.S. §§ 6301—6388 (relating to Child Protective Services Law) for staff working in PRS programs serving individuals 14 years of age or older but under 18 years of age and a requirement that human resources policies and procedures be consistent with a PRS agency’s service description and address child abuse certification requirements.

*Agency service description* (§ 5230.15)

This proposed rulemaking adds a requirement that PRS agencies include in their service descriptions outreach and engagement strategies and how they will engage and involve family members when the individual consents to the involvement because family involvement is an important component of services for individuals 14 years of age or older but under 18 years of age. It also adds the following requirements: a requirement that PRS agencies deliver PRS consistent with the approved service description, a requirement that PRS agencies include in the service description the age groupings and age range of the individuals the agency serves and an explanation of how the agency will maintain the separation of age groups. The Department is adding these requirements to ensure the health, safety and welfare of individuals receiving

PRS. The Department also updated the name of the organization that is responsible for accreditation if the PRS facility is identified as a clubhouse and clarified that PRS agencies that are identified as a clubhouse must maintain clubhouse accreditation. Finally, an individual’s home was added as a location that could be designated in the PRS agency’s service description to clarify that PRS may be provided in an individual’s home as well as in the PRS facility or the community.

*Coordination of services* (§ 5230.16)

This proposed rulemaking amends the term “Coordination of care” to “Coordination of services” to reduce the perceived stigma associated with receiving PRS. Additionally, this proposed rulemaking amends the outdated language of “drug and alcohol programs” to “substance use disorder programs.”

This proposed rulemaking adds peer support services agencies to the list of providers with which PRS agencies must have an agreement to coordinate services because individuals who receive PRS may also receive peer support services. This proposed rulemaking also adds agencies and systems that serve individuals 14 years of age or older to the list of providers with which PRS agencies may have agreements to coordinate services to ensure all appropriate services that affect the youth population are included.

*Individual Record*

*Content of individual record* (§ 5230.21)

This proposed rulemaking provides for parental or caregiver consent to receive PRS if the individual is under 18 years of age and allows for the release of records with the individual’s consent or parent’s or caregiver’s consent if the individual is under 18 years of age to family members and other supports, as appropriate, because their input is important when individuals under 18 years of age receive PRS. It also adds a requirement that staff documentation of coordination with other services and supports includes a description of outreach and engagement efforts with natural supports, which are individuals or organizations chosen by the individual to provide assistance and resources, and a description of ongoing contacts and involvement with formal supports.

*Documentation standards and record security, retention and disposal* (§ 5230.22)

This proposed rulemaking amends the word “is” to “shall be” to require that individual records are kept in a permanent, secure location.

*Admission, Continued Stay and Discharge Requirements*

*Admission requirements* (§ 5230.31)

This proposed rulemaking revises the admission requirements for PRS. Individuals 14 years of age or older but under 18 years of age with serious emotional disturbance or serious mental illness will now be eligible for admission to PRS. This proposed rulemaking also updates the names of diagnoses that have been changed as a result of revisions to the DSM and expands the diagnoses for which an individual may receive PRS without going through the exception process for receiving PRS. The new diagnoses an individual may have that do not require review through the exception process include post-traumatic stress disorder, attention deficit hyperactivity disorder, major depressive disorder, bipolar disorder and anxiety disorders.

Additionally, this proposed rulemaking clarifies that for an individual to be eligible for PRS without having to go

through the exception process, the LPHA's written recommendation for PRS must include documentation of one of the specified diagnoses that is required to be eligible for PRS and documentation of a moderate to severe functional impairment that interferes with or limits the individual's performance in one or more of the following domains: living, learning, working, socializing or wellness.

This proposed rulemaking also revises the exception process. If an individual does not have one of the specified diagnoses, the individual can still receive PRS if the LPHA's written recommendation for PRS includes documentation of serious mental illness or serious emotional disturbance with a diagnosis of a mental, behavioral or emotional disorder that is listed in the current DSM or ICD and a description of the resulting moderate to severe functional impairment in at least one of the following domains: living, learning, working, socializing or wellness. The LPHA's written recommendation for PRS must also include documentation of the anticipated benefit that PRS will provide for the individual. Serious emotional disturbance has been added to the admission requirements because individuals under 18 years of age will be eligible for PRS.

This proposed rulemaking also clarifies that the PRS agency must complete an initial functional impairment screening to confirm the individual's moderate to severe functional impairment in at least one domain identified in the LPHA's written recommendation. Finally, this proposed rulemaking adds wellness as one of the domains in which an individual can have a moderate to severe functional impairment resulting from serious mental illness or serious emotional disturbance and receive PRS.

*Continued stay requirements (§ 5230.32)*

Because individuals who are under 18 years of age will now be eligible to receive PRS, the Department proposes to amend the continued stay requirements for PRS to add that an individual with a serious emotional disturbance that results in a functional impairment that is addressed in the individual rehabilitation plan can continue to receive PRS.

*Rights*

*Nondiscrimination (§ 5230.42)*

To conform with other regulations recently promulgated by the Department, this proposed rulemaking amends the prohibition against discrimination by a PRS agency by deleting the terms "sex," "religion," "ethnic origin," "economic status" and "sexual orientation or gender identity or expression" and adding the terms "color," "creed," "religious affiliation," "ancestry," "gender," "gender identity or expression," "sexual orientation" and "National origin." This proposed rulemaking also requires PRS agencies to comply with applicable Federal and State statutes and regulations.

*Staffing*

*Staff qualifications (§ 5230.51)*

This proposed rulemaking amends "associate of arts" degree to "associate's" degree, which is the defined term. Additionally, to ensure that staff are properly qualified, this proposed rulemaking adds requirements for PRS agencies that serve individuals under 18 years of age. A PRS director of an agency that serves individuals under 18 years of age must meet both the requirements to be a PRS director of an agency that serves individuals 18 years of age or older and have or attain CFRP certification within the later of 2 years of the date of hire as a PRS director or within 2 years of the date the agency

received approval of its service description that includes that it will be serving individuals 14 years of age or older. This proposed rulemaking also requires a psychiatric rehabilitation specialist that is employed by a PRS agency that serves individuals under 18 years of age to be certified as a CFRP or have a bachelor's degree and 2 years of work experience in mental health direct service, 1 year of which must be work experience in PRS. If the psychiatric rehabilitation specialist is not certified as a CFRP, he or she must obtain CFRP certification within the later of 2 years of the date of hire as a psychiatric rehabilitation specialist or within 2 years of the date the agency received approval of its service description that includes that it will be serving individuals 14 years of age or older.

*General staffing requirements (§ 5230.52)*

This proposed rulemaking adds a requirement that in addition to developing a schedule that includes a plan to maintain staffing requirements during deployment of staff for PRS delivered in the community, the schedule must also include a plan to maintain staffing requirements during deployment of staff for PRS delivered in individuals' homes to ensure that sufficient staff is available at the PRS facility when staff is working with individuals in their homes or in the community. This proposed rulemaking also increases the time by which a minimum of 25% of the PRS agency's full-time equivalent staff must meet the qualifications of a psychiatric rehabilitation specialist that are included in § 5230.51(b) and (f) (relating to staff qualifications) from 1 year to 2 years of initial licensing. It also adds the requirement that if a PRS agency serves individuals under 18 years of age, a minimum of 25% of the PRS agency's full-time equivalent staff complement must have CFRP certification within the later of 2 years of initial licensing or within 2 years of the date the agency received approval of its service description that includes that the PRS agency will be serving individuals 14 years of age or older but under 18 years of age. This requirement was added to ensure that staff providing PRS have the right type of training and qualifications to provide services to individuals under 18 years of age.

*Individual services (§ 5230.53)*

This proposed rulemaking clarifies that in addition to being provided in a PRS facility or in the community, individual services can be provided in an individual's home.

*Group services (§ 5230.54)*

This proposed rulemaking clarifies that group services can be provided in a PRS facility, in the community or in the home, but limits the provision of group services in the home to services provided only through telehealth. This proposed rulemaking also specifies that group services delivered in the community may include only individuals who receive PRS from the agency. This requirement ensures that only the individuals receiving group services from the PRS agency receive the group services and protects confidentiality. In addition, the Department proposes to amend the requirement to design group services to protect confidentiality to require that confidentiality be protected wherever group services are provided and not just if they are provided in the community.

*Supervision (§ 5230.55)*

The requirement that the meetings between staff and a PRS director or psychiatric rehabilitation specialist designated as a supervisor be face-to-face is proposed to be



deleted from the regulation because the meeting is no longer required to be face-to-face.

*Staff training requirements (§ 5230.56)*

This proposed rulemaking adds resiliency as an optional training topic for staff serving individuals under 18 years of age because resiliency training is important for helping professionals deal with common challenges relating to skill development or retention that may impact individuals under 18 years of age. In addition, this proposed rulemaking requires a minimum of 6 hours of training be specifically focused on youth services. This proposed rulemaking also requires that staff who serve individuals under 18 years of age receive training in the child abuse mandated reporter requirements found in 23 Pa.C.S. §§ 6301—6388. Finally, this proposed rulemaking clarifies that the 6 hours of mentoring new staff must receive prior to delivering services must be completed in person.

*Criminal history checks and child abuse certification (§ 5230.57)*

This proposed rulemaking adds a requirement that a PRS agency that serves individuals under 18 years of age complete criminal history checks and child abuse certifications for staff as required under 23 Pa.C.S. §§ 6301—6388 and Chapter 3490 (relating to protective services). This proposed rulemaking requires PRS agencies that serve individuals under 18 years of age to develop and implement written policies and procedures regarding personnel decisions that comply with 23 Pa.C.S. §§ 6301—6388 and Chapter 3490.

*Service Planning and Delivery*

*Assessment (§ 5230.61)*

This proposed rulemaking requires that an assessment be completed in collaboration with the individual and the individual's natural and formal supports, including family members, as directed by the individual, to identify any other services or resources that may be needed to assist the individual. It proposes to add the requirement that in addition to addressing the multiple dimensions of the individual's living, learning, working and socializing domains, the assessment must also address the wellness domain if identified as a goal by the individual. In addition, the proposed amendment requires that the assessment identify any human services programs or facilities that could support the individual so that the individual is made aware of other programs or benefits that could help meet the individual's health or other needs. Information and referral to additional supports may be necessary for individuals transitioning to adulthood. This proposed rulemaking also adds the requirement that an assessment be updated when the individual's diagnosis and identified needs change and allows for documentation that the assessment was reviewed with the individual to allow for the provision of PRS through telehealth.

*Individual rehabilitation plan (§ 5230.62)*

This proposed rulemaking allows individuals the option of verbally consenting to their individual rehabilitation plan and any updates to the plan. This change will allow the PRS agency to document the individual's consent to the individual rehabilitation plan when the individual is not available to sign the plan in person. This proposed rulemaking also deletes the requirement that an individual rehabilitation plan update include documentation of the reason the individual did not sign the individual rehabilitation plan because the individual is no longer required to sign the individual rehabilitation plan.

*Daily entry (§ 5230.63)*

This proposed rulemaking deletes the requirement for the individual to sign the daily entry. This change is being made to remove an unnecessary burden on staff and the individual. Section 5230.23 (relating to access to individual record) allows an individual to review, provide written comments and sign daily entries in their individual record. As a result, individuals still have access to their files, but do not have the burden of signing the daily entry every day.

*Quality Improvement*

*Quality improvement requirements (§ 5230.81)*

This proposed rulemaking amends the information to be included in the annual quality improvement plan to align with changes to the admission requirements for PRS. The annual quality improvement plan must include the number of individuals admitted to PRS that do not have one of the diagnoses specified in § 5230.31(a)(2) (relating to admission requirements) and their average length of stay in PRS.

*Affected individuals and organizations*

This proposed rulemaking affects agencies that provide PRS and individuals who will be eligible for PRS as a result of the proposed amendments.

The Department convened a workgroup to review and provide input on this proposed rulemaking. The workgroup included family members, Office of Mental Health and Substance Abuse Services staff and representatives from the following entities: Pennsylvania Healthy Transitions Partnership; Pennsylvania Council of Children, Youth and Family Services; Drexel University/Behavioral Healthcare Education; Dickinson Center, Inc.; Holcomb Behavioral Health Systems Berks County; Community Services Group; Commerce Park Clubhouse; Philadelphia Department of Behavioral Health; Threshold Rehabilitation Services, Inc.; Family Services of Western Pennsylvania; Child and Family Focus, Inc.; Allied Services; Aurora Social Rehabilitation Services; Office of Vocational Rehabilitation; Transition Age Advisory Group; Rehabilitation and Community Providers Association; Pennsylvania Association of Psychiatric Rehabilitation Services; Mental Health Association in Pennsylvania; and the mental health service system in Allegheny, Beaver, Berks, Bucks and Montgomery Counties.

*Accomplishments and benefits*

PRS promotes resiliency and recovery, full community integration and improved quality of life for individuals who have been diagnosed with serious mental illness or serious emotional disturbance. The proposed amendments to the PRS rulemaking benefit individuals 14 years of age or older but under 18 years of age with a serious emotional disturbance by allowing these individuals to access evidence-based PRS as they transition into adulthood, which fosters engagement in PRS into adulthood and may reduce the need for or shorten the length of stay in inpatient, partial hospitalization and outpatient treatment. This proposed rulemaking adds requirements that ensure the health and safety of individuals 14 years of age or older but under 18 years of age who receive PRS by requiring that services are provided by qualified and adequately trained staff and that the PRS agency has completed criminal history checks and child abuse certifications for staff. It also proposes to add requirements that promote the engagement of youth and families in the recovery process, which will result in better outcomes for individuals receiving services.

This proposed rulemaking will also benefit individuals diagnosed with posttraumatic stress disorder, attention deficit hyperactivity disorder, bipolar disorder, major depressive disorder or anxiety disorders because individuals with these disorders will no longer need to use the exception process to be eligible for PRS. This will assist individuals diagnosed with these disorders to develop skills needed to live, learn, socialize and work in their community and improve or maintain their physical and mental health.

This proposed rulemaking also adds wellness as a domain in which PRS agencies may assist individuals receiving PRS to develop skills. This addition will allow an individual to learn how to manage his or her physical and mental health needs to promote or support his or her recovery and resiliency.

Finally, this proposed rulemaking will benefit all individuals who receive PRS by clarifying that PRS can be provided in the home and by removing barriers to the provision of PRS through telehealth.

#### *Fiscal Impact*

It is anticipated that the implementation of this proposed rulemaking may result in a small initial increase in costs for PRS agencies that serve individuals 14 years of age or older but under 18 years of age because the director, psychiatric rehabilitation specialist and 25% of the full-time equivalent staff complement will need to obtain CFRP certification, and the PRS agencies will need to obtain child abuse certifications for staff. The cost to obtain the CFRP certification is approximately \$395 (registration and examination fee) per person. The costs to obtain child abuse certifications include a child abuse clearance for \$13 per person and an FBI background check for \$22.60 per person.

The Department is unable to determine the fiscal impact of a PRS agency's decision to provide PRS through telehealth because of the individualized nature of the cost to provide PRS through telehealth. Each agency will need to determine whether it wants to provide PRS through telehealth. If an agency chooses to provide PRS through telehealth, the cost to provide PRS through telehealth will depend on the PRS agency's current technical capabilities, including access to telehealth equipment, and the cost of the telehealth equipment the PRS agency chooses to use. In addition, the cost to provide PRS through telehealth will fluctuate based on the number of individuals served through telehealth.

The Department does not expect that there will be costs to the Department as a result of this proposed rulemaking. While more individuals will be eligible for PRS and more individuals may be able to access PRS through telehealth in addition to in person, the Department expects to realize savings from the implementation of this proposed rulemaking. Allowing individuals 14 years of age or older but under 18 years of age to receive PRS will allow more individuals access to an evidence-based practice. National research indicates that evidence-based practices and programs result in shorter periods of treatment, reduced need for more expensive higher levels of care, decreased juvenile justice system involvement, improved school attendance and performance and better overall outcomes for children and their families.

The Department also does not anticipate any costs to local governments or individuals who receive PRS as a result of the proposed rulemaking.

#### *Paperwork Requirements*

This proposed rulemaking will result in a minimal increase in paperwork for PRS agencies because they will need to submit an updated agency service description.

#### *Effective Date*

This proposed rulemaking will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Department of Human Services, Office of Mental Health and Substance Abuse Services, Attention: Laurie Madera, Bureau of Policy, Planning and Program Development, Commonwealth Towers, 11th Floor, 303 Walnut Street, Harrisburg, PA 17105, RA-PWPpsychRehab@pa.gov within 30 calendar days after the date of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference Regulation No. 14-548 when submitting comments. Persons with a disability who require an auxiliary aid or service may submit comments by using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

#### *Regulatory Review Act*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 23, 2022, the Department submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Human Services Committee and the Senate Health and Human Services Committee. In addition to submitting the proposed rulemaking, the Department has provided the Committees and IRRC with a copy of a Regulatory Analysis Form prepared by the Department. A copy of this form is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

MEG SNEAD,  
*Acting Secretary*

**Fiscal Note:** 14-548. No fiscal impact; (8) recommends adoption.

#### **Annex A**

#### **TITLE 55. HUMAN SERVICES**

#### **PART VII. MENTAL HEALTH MANUAL**

#### **Subpart D. NONRESIDENTIAL AGENCIES/FACILITIES/SERVICES**

#### **CHAPTER 5230. PSYCHIATRIC REHABILITATION SERVICES**

#### **GENERAL PROVISIONS**

#### **§ 5230.3. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

[ *Axis I*—

(i) One of five dimensions relating to different aspects of the diagnosis of a psychiatric disorder or disability as organized in the DSM-IV-TR or subsequent revisions.

(ii) Axis I specifies clinical disorders, including major mental disorders. ]

*BH-MCO—Behavioral health managed care organization*—An entity that manages the purchase and provision of mental health and substance abuse services.

*Best practice*—Service delivery practice based directly on principles and standards that are generally recognized by a profession and are documented in the professional literature.

*CFRP—Child and Family Resiliency Practitioner*—A person who has satisfied the required education, experience and testing, and who is certified as a Child and Family Resiliency Practitioner by the Psychiatric Rehabilitation Association or its successor.

*CPRP—Certified Psychiatric Rehabilitation Practitioner*—A person who has [ completed ] satisfied the required education, experience and testing, and who is [ currently ] certified as a Certified Psychiatric Rehabilitation Practitioner by the [ USPRA ] Psychiatric Rehabilitation Association or its successor.

*CPS certificate—Certified peer specialist certificate*—A certificate awarded to a person who has successfully completed the Department-approved training in peer support services.

*Clubhouse*—A PRS facility that is accredited by [ the ICCD ] Clubhouse International or its successor.

*Coordination of [ care ] services*—Direct contact by a PRS agency with other mental health, physical health or human services formal and natural supports, to ensure continuity in service planning [ between service agencies ].

\* \* \* \* \*

[ *DSM-IV-TR—Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision.* ] *DSM*—The current version of the *Diagnostic and Statistical Manual of Mental Disorders*.

\* \* \* \* \*

*FTE—Full-time equivalent*—37.5 hours per [ calendar ] week of staff time.

[ *Face-to-face*—Contact between two or more people that occurs at the same location, in person. ]

*Formal support*—An agency, organization or person who provides assistance or resources to others within the context of an official role.

*Functional impairment*—[ The loss or abnormality of the ability to complete necessary tasks. ] Difficulties that interfere with or limit skill development or functioning in a domain.

\* \* \* \* \*

*Human services*—Programs or facilities designed to meet basic health, welfare and other needs of a society or group.

[ *ICCD—International Center for Clubhouse Development.*

*ICD-9—International Classification of Diseases, Ninth Edition.* ] *ICD*—The current version of the *International Classification of Diseases*.

*IRP—Individual rehabilitation plan*—A document that describes the current service needs based on the assessment of the individual and identifies the individual's goals, interventions to be provided, the location, frequency and duration of services and staff who will provide the service.

*Individual*—A person [ , 18 ] 14 years of age or older [ who has a functional impairment resulting from mental illness, who uses ] who receives PRS.

*LPHA—Licensed practitioner of the healing arts*—

[ (i) An individual ] A person who is licensed by the Commonwealth to practice the healing arts.

[ (ii) The ] This term is limited to a physician, physician's assistant, certified registered nurse practitioner [ and ], licensed clinical social worker, licensed marriage and family therapist, licensed professional counselor or psychologist.

\* \* \* \* \*

*PRS—Psychiatric rehabilitation service*—A recovery-oriented service offered individually or in groups which is predicated upon the principles, values and practice standards of [ the ICCD, USPRA ] Clubhouse International, the Psychiatric Rehabilitation Association or other Nationally-recognized professional PRS association.

\* \* \* \* \*

*Psychiatric rehabilitation principles*—A list of core values inherent in psychiatric rehabilitation as defined by Nationally-recognized professional associations, including the [ USPRA, the ICCD ] Psychiatric Rehabilitation Association, Clubhouse International and the Coalition for Community Living.

\* \* \* \* \*

*QI plan—Quality improvement plan*—A document outlining the ongoing formal process to ensure optimal care and maximize service benefit as part of the licensing process.

*Serious emotional disturbance*—A condition experienced by an individual under 18 years of age who currently has, or at any time during the past year has had, a diagnosable mental, behavioral or emotional disorder of sufficient duration to meet the diagnostic criteria for the mental, behavioral or emotional disorder specified in the current DSM.

*Serious mental illness*—A condition experienced by an individual 18 years of age or older who currently has, or at any time during the past year has had, a diagnosable mental, behavioral or emotional disorder of sufficient duration to meet diagnostic criteria for the mental, behavioral or emotional disorder specified in the current DSM.

[ *USPRA—The United States Psychiatric Rehabilitation Association.* ]

*Wellness*—A domain that helps an individual to develop skills needed to improve or maintain physical and mental health.

§ 5230.4. **Psychiatric rehabilitation processes and practices.**

(a) A PRS agency shall assist an individual to develop, enhance and retain skills and competencies in living, learning, working [ and ], socializing **and wellness** so that an individual can live in the environment of choice and participate in the community.

\* \* \* \* \*

(f) A PRS agency may offer PRS in a PRS facility [ or ], in the community[ , or both ] **or in the individual's home, or all three**, as is consistent with an approved agency service description.

**GENERAL REQUIREMENTS**

§ 5230.13. **Agency records.**

A PRS agency shall maintain records that contain copies of the following:

\* \* \* \* \*

(6) Human resources policies and procedures that **are consistent with the PRS agency's service description and** address the following:

- (i) Job descriptions for staff positions.
- (ii) Criminal history background [ check ] **checks and child abuse certification** requirements and protocol **in accordance with § 5230.57 (relating to criminal history checks and child abuse certification).**

\* \* \* \* \*

(10) Quality improvement documents, including the following:

- (i) QI plan.
- (ii) Data gathering tools.
- (iii) Annual review reports.

**(11) Child abuse certifications as required under 23 Pa.C.S. §§ 6301—6388 (relating to Child Protective Services Law).**

§ 5230.15. **Agency service description.**

(a) Prior to the initial licensing visit, and when changes occur to the agency service description, a PRS agency shall submit to the Department for prior approval an agency service description that includes the following:

- (1) The governing body, advisory board and an agency table of organization.
- (2) The philosophy of the PRS agency, incorporating psychiatric rehabilitation principles.

**(2.1) Strategies for outreach to and engagement of individuals referred for PRS.**

(3) The population to be served, including the following:

- (i) Anticipated daily attendance.
- (ii) Age range **and age groupings, including information on how different age groups will be separated while services are provided through the scheduling of services, providing services in different locations in the PRS facility's physical space and other procedures.**
- (iii) Diagnostic groups.
- (iv) Plans to identify and accommodate special populations.
- (v) Plans to identify and accommodate culturally diverse populations.

(4) The approach of PRS offered including EBPs and best practices utilized.

(5) A PRS facility identified as a clubhouse must be accredited by [ **the ICCD** ] **Clubhouse International** within 3 years of licensing **and maintain accreditation.**

(6) The location of service, whether in a PRS facility, [ or ] in the community, or **in the individual's home**, or a combination of [ **both** ] the **three locations.**

(7) Expected service outcomes for individuals.

(8) Staffing, including the following:

- (i) Staffing patterns.
- (ii) Staff to individual ratios.
- (iii) Staff qualifications.
- (iv) Staff supervision plans.
- (v) Staff training protocols.

(9) Service delivery patterns, including frequency, duration and method (group or individual) of service delivery.

(10) The days and hours of PRS operation.

(11) The geographic limits of PRS operation.

(12) A description of the physical site, including copies of applicable or licenses and certificates.

(13) A process for development of an IRP with an individual.

(14) Admission and discharge policies and procedures.

(15) The methods by which PRS staff and an individual will collaborate to identify and use the individual's preferred community resources.

(16) A process for developing and implementing a QI plan.

(17) A procedure for filing and resolving complaints.

**(18) A procedure for engaging and involving the individual's family members and natural supports when the individual consents to the involvement.**

(b) The Department may deny agency service descriptions and approaches that do not meet EBP or best practices standards.

**(c) PRS agencies shall deliver services consistent with the approved service description.**

§ 5230.16. **Coordination of [ care ] services.**

(a) A PRS agency shall have written agreements to coordinate [ care ] **services** with other [ service ] providers, including the following:

\* \* \* \* \*

(5) Case management programs.

**(6) Peer support services agencies.**

(b) A PRS agency may have written agreements to coordinate [ care ] **services** with other [ service ] providers as needed, including the following:

(1) Housing and residential programs.

**(2) [ Drug and alcohol programs ] Substance use disorder programs.**

(3) Vocational, educational and social programs.

**(4) Other agencies and systems that serve individuals 14 years of age or older.**

**INDIVIDUAL RECORD**

**§ 5230.21. Content of individual record.**

A PRS agency shall develop and maintain a record for an individual served containing the following:

\* \* \* \* \*

(4) A signed set of documents providing the following:

(i) [ Individual consent to receive services ] Documentation of an individual's consent to receive PRS or, if the individual is 14 years of age or older but under 18 years of age, documentation of an individual's consent to receive PRS or documentation of consent by the individual's parent or legal guardian for the individual to receive PRS.

(ii) [ Individual ] Documentation of an individual's consent to release information to other providers and natural supports, including family members, or, if the individual is 14 years of age or older but under 18 years of age, documentation of the individual's consent to release information to other providers and natural supports, including family members, or, if the parent or legal guardian has provided the consent to receive PRS, documentation of consent by the individual's parent or legal guardian to release information to other providers and natural supports, including family members.

(iii) Verification that the individual received and had an opportunity to discuss the oral and written versions of the PRS statement of rights under § 5230.41 (relating to PRS statement of rights).

\* \* \* \* \*

(8) Staff documentation of coordination with other services and supports [ . ], including:

(i) A description of outreach and engagement efforts with natural supports, including family members, as directed by the individual.

(ii) A description of ongoing contacts and involvement with formal supports.

(9) Discharge summary.

**§ 5230.22. Documentation standards and record security, retention and disposal.**

A PRS agency shall ensure that an individual record meets the following standards:

\* \* \* \* \*

(6) The record [ is ] shall be kept in a permanent, secure location.

\* \* \* \* \*

**ADMISSION, CONTINUED STAY AND DISCHARGE REQUIREMENTS**

**§ 5230.31. Admission requirements.**

(a) [ General rule. ] To be eligible for PRS, an individual [ shall meet ] must be 14 years of age or older and have a written recommendation from an LPHA acting within the scope of professional practice that includes the following information:

(1) [ Have a written recommendation for PRS by an LPHA acting within the scope of professional practice ] (Reserved).

(2) [ Have the presence or history of a serious mental illness, based upon medical records, which includes ] Documentation of one of the following diagnoses [ by an LPHA ]:

(i) Schizophrenia.

(ii) [ Major mood disorder ] Schizoaffective disorder.

(iii) [ Psychotic disorder (not otherwise specified) ] Other specified schizophrenia spectrum and other psychotic disorder.

(iv) [ Schizoaffective disorder ] Major depressive disorder.

(v) [ Borderline personality disorder ] Bipolar disorder.

(vi) Anxiety disorders.

(vii) Posttraumatic stress disorder.

(viii) Attention deficit hyperactivity disorder.

(ix) Borderline personality disorder.

(3) [ As a result of the mental illness, have ] Documentation that as a result of the individual's diagnosis, the individual has a moderate to severe functional impairment that interferes with or limits the individual's performance in at least one of the following domains:

(i) Living.

(ii) Learning.

(iii) Working.

(iv) Socializing.

(v) Wellness.

(4) [ Choose to receive PRS ] (Reserved).

(b) [ Assessment. A PRS agency shall identify and document the functional impairment of the individual in an assessment as required under § 5230.61(b)(1) (relating to assessment) ] (Reserved).

(c) [ Individuals who do not meet the serious mental illness diagnosis requirement under subsection (a) may receive services when the following conditions are met ] An individual who does not have a diagnosis listed in subsection (a)(2) is eligible for PRS if the individual has a written recommendation from an LPHA acting within the scope of professional practice that includes the following information:

(1) [ The written recommendation by the LPHA includes a diagnosis of mental illness ] Documentation of a serious mental illness or serious emotional disturbance with a diagnosis of a mental, behavioral or emotional disorder that is listed [ on Axis I in the DSM-IV-TR or ICD-9 or subsequent revisions ] in the current DSM or ICD.

(2) [ The written recommendation by the LPHA includes a description of the functional impairment resulting from the mental illness as required under subsection (a)(3). ] Documentation that includes a description of a moderate to severe functional impairment in at least one of the following domains

that is a result of the individual's serious mental illness or serious emotional disturbance:

- (i) Living.
- (ii) Learning.
- (iii) Working.
- (iv) Socializing.
- (v) Wellness.

(3) Documentation of the anticipated benefit that PRS will provide for the individual.

(d) Upon an individual's admission to PRS, the PRS agency shall complete an initial functional impairment screening with the individual to confirm the individual's moderate to severe functional impairment that interferes with or limits performance in at least one domain identified in the LPHA's written recommendation.

**§ 5230.32. Continued stay requirements.**

(a) A PRS agency shall determine an individual's eligibility for continued stay during an IRP update required under § 5230.62(c) (relating to individual rehabilitation plan).

(b) An individual's eligibility for continued stay shall be determined by documentation of the following:

- (1) An individual chooses continued participation in the PRS.
- (2) A continued need for service based upon one or both of the following:
  - (i) As a result of a **serious mental illness or serious emotional disturbance**, there is a functional impairment [ **or skill deficit** ] that is addressed in the IRP.
  - (ii) The withdrawal of service could result in loss of rehabilitation gain or goal attained by an individual.

**RIGHTS**

**§ 5230.42. Nondiscrimination.**

A PRS agency may not discriminate against an individual or staff on the basis of [ **age, race, sex, religion, ethnic origin, economic status, sexual orientation or gender identity or expression, or disability** ] **race, color, creed, disability, religious affiliation, ancestry, gender, gender identity or expression, sexual orientation, National origin or age and shall comply with applicable Federal and State statutes and regulations.**

**STAFFING**

**§ 5230.51. Staff qualifications.**

(a) A [ **PRS** ] **director of a PRS agency that serves individuals 18 years of age or older** shall have one of the following:

- (1) A bachelor's degree and CPRP certification.
- (2) A bachelor's degree and at least 3 years work experience in mental health direct service, 2 years of which must be work experience in PRS. CPRP certification shall be attained within 2 years of hire as a PRS director.
- (3) An [ **associate of arts** ] **associate's** degree and CPRP certification, if employed as the PRS director of a licensed PRS facility for at least 6 months immediately prior to May 11, 2013.

(b) A psychiatric rehabilitation specialist **who works with individuals 18 years of age or older** shall have one of the following:

- (1) A bachelor's degree and 2 years work experience in mental health direct service, 1 year of which must be work experience in PRS. CPRP certification shall be attained within 2 years from the date of hire as a psychiatric rehabilitation specialist.
- (2) CPRP certification.

\* \* \* \* \*

(d) A psychiatric rehabilitation assistant shall have a high school diploma or GED and 6 months experience in human services.

(e) A director of a PRS agency that serves individuals 14 years of age or older but under 18 years of age shall meet the qualifications for a PRS director in subsection (a) and have or attain CFRP certification within either 2 years of the date of hire as a PRS director or within 2 years of the date the PRS agency received approval of its service description that identifies that it will be serving individuals 14 years of age or older but under 18 years of age, whichever is later.

(f) A psychiatric rehabilitation specialist who works with individuals 14 years of age or older but under 18 years of age shall have one of the following:

- (1) A bachelor's degree and 2 years work experience in mental health direct service, 1 year of which must be work experience in PRS. CFRP certification shall be attained either within 2 years from the date of hire as a psychiatric rehabilitation specialist or within 2 years of the date the PRS agency received approval of its service description that identifies that it will be serving individuals 14 years of age or older but under 18 years of age, whichever is later.
- (2) CFRP certification.

(g) An associate's degree or bachelor's degree must be awarded by a college or university accredited by an agency recognized by the United States Department of Education or the Council for Higher Education Accreditation, or an equivalent degree from a foreign college or university that has been evaluated by the Association of International Credential Evaluators, Inc. or the National Association of Credential Evaluation Services. The Department will accept a general equivalency report from the listed evaluator agencies to verify a foreign degree or its equivalency.

**§ 5230.52. General staffing requirements.**

\* \* \* \* \*

(e) A PRS agency shall develop a schedule that includes a plan to maintain staffing requirements during:

- (1) Staff absence.
- (2) Deployment of staff for PRS delivered in the **home or** community.

(f) A PRS agency shall document staffing by maintaining work schedules, time records and utilization data.

(g) When a PRS agency operates more than one PRS facility, the PRS director shall be present at each licensed PRS facility an average of 7.5 hours per week in a calendar month.

(h) A minimum of 25% of the [ FTE staff complement ] staff based on the number of FTE positions shall meet the qualifications of a psychiatric rehabilitation specialist provided under § 5230.51(b) **or (f)** (relating to staff qualifications) within [ 1 year ] 2 years of initial licensing.

(i) [ A ] When a PRS agency serves individuals 18 years of age or older, a minimum of 25% of the [ FTE staff complement ] staff based on the number of FTE positions shall have CPRP certification within 2 years of initial licensing.

(i.1) When a PRS agency serves individuals 14 years of age or older but under 18 years of age, a minimum of 25% of the staff based on the number of FTE positions shall have CFRP certification within either 2 years of initial licensing or within 2 years of the date the PRS agency received approval of its service description that identifies that it will be serving individuals 14 years of age or older but under 18 years of age, whichever is later.

(j) Trained staff shall be available, or other accommodations made, to address the language needs of an individual, including American Sign Language and Braille.

§ 5230.53. Individual services.

A PRS agency shall provide individual services in a PRS facility [ or ], in the community or in the home on a one staff to one individual (1:1) ratio.

§ 5230.54. Group services.

(a) A PRS agency shall provide group services in a PRS facility [ or ], in the community or in the home.

(1) When a group service is provided in a PRS facility, group size may vary as long as the requirement under § 5230.52(c) (relating to general staffing requirements) is met.

(2) When a group service is delivered in the community, one staff shall serve a group of no more than five individuals. Group size in the community may not exceed five individuals.

(3) When an individual receives a group service in a home, all other individuals receiving the group service must be in another location.

(b) Group services delivered in the community shall be limited to individuals who have IRP goals that specify the need for services in the community.

\* \* \* \* \*

(f) A PRS agency shall design group services [ delivered in the community ] to protect confidentiality [ in a public location ].

(f.1) Only individuals who receive PRS from the PRS agency may be included in group services delivered in the community.

(g) A PRS agency shall arrange for group discussion of the experience before and after service is conducted in the community. The group discussion shall occur in a setting which assures confidentiality.

§ 5230.55. Supervision.

\* \* \* \* \*

(c) A PRS director or psychiatric rehabilitation specialist designated as a supervisor shall meet with staff individually [ , **face-to-face,** ] no less than two times per calendar month.

\* \* \* \* \*

§ 5230.56. Staff training requirements.

A PRS agency shall implement a staff training plan that ensures initial and ongoing training in PRS practices as specified under § 5230.4 (relating to psychiatric rehabilitation processes and practices).

(1) Staff providing services in a PRS agency shall complete a Department-approved 12-hour psychiatric rehabilitation orientation course no later than 1 year after hire. This course shall be credited to the annual training requirement listed under paragraph (2) for the calendar year in which it is completed.

(2) Staff providing services in a PRS agency shall complete 18 hours of training per calendar year [ with 12 hours specifically focused on psychiatric rehabilitation or recovery practices, or both. ] as follows:

(i) If the PRS agency serves individuals 18 years of age or older, 12 hours of the required training shall be specifically focused on psychiatric rehabilitation or recovery practices, or both.

(ii) If the PRS agency serves individuals 14 years of age or older but under 18 years of age, 12 hours of the required training shall be specifically focused on psychiatric rehabilitation or resiliency, or both, with a minimum of 6 hours specifically focused on youth services.

(2.1) If the PRS agency serves individuals 14 years of age or older but under 18 years of age, training in the child abuse mandated reporter requirements of 23 Pa.C.S. §§ 6301—6388 (relating to Child Protective Services Law) and Chapter 3490 (relating to protective services) shall be completed.

(3) A PRS agency shall assure competency of new staff by providing an additional PRS service-specific orientation that includes the following:

(i) Six hours of training in the specific PRS model or approach outlined in the agency service description prior to new staff working independently. This training is required within the first year of employment.

(ii) Six hours of [ **face-to-face** ] mentoring for new staff prior to new staff delivering services independently. Mentoring shall be provided by a PRS director or psychiatric rehabilitation specialist designated as a supervisor and [ **is required** ] must be completed in person within the first year of employment.

(4) A PRS agency shall assure that training has learning objectives.

(5) A PRS agency shall maintain documentation of training hours in the PRS agency records under § 5230.13(6)(v) (relating to agency records).

§ 5230.57. Criminal history [ **background check** ] **checks and child abuse certification.**

(a) A PRS agency **that serves individuals 18 years of age or older** shall complete a criminal history background check for staff that will have direct contact with [ **an individual** ] individuals receiving PRS.

(b) A PRS agency **that serves only individuals 18 years of age or older** shall develop and consistently

implement written policies and procedures regarding personnel decisions based on the criminal history background check.

**(c) A PRS agency that serves individuals 14 years of age or older but under 18 years of age shall complete criminal history background checks and child abuse certifications for staff as required under 23 Pa.C.S. §§ 6301—6388 (relating to Child Protective Services Law) and Chapter 3490 (relating to protective services).**

**(d) A PRS agency that serves individuals 14 years of age or older but under 18 years of age shall develop and consistently implement written policies and procedures regarding personnel decisions in accordance with 23 Pa.C.S. §§ 6301—6388 and Chapter 3490.**

**SERVICE PLANNING AND DELIVERY**

**§ 5230.61. Assessment.**

(a) A PRS agency shall complete an assessment of an individual prior to developing the IRP.

(b) The assessment shall be completed in collaboration with the individual **and as directed by the individual, with formal and natural supports, including family members,** and must:

(1) Identify the functioning of the individual in the living, learning, working [ **and** ], socializing **and well-ness** domains.

(2) Identify the strengths and needs of the individual.

(3) Identify existing and needed natural and formal supports, including other [ **health care facilities and social service agencies** ] **human services programs or facilities.**

(4) Identify the specific skills, supports and resources the individual needs and prefers to accomplish stated goals.

(5) Identify cultural needs and preferences of the individual.

(6) Be signed by the individual and staff **or include documentation that the assessment was reviewed with the individual and the date of review.**

(7) Be updated annually and when one of the following occurs:

(i) The individual requests an update.

**(i.1) The individual’s diagnosis and identified needs change.**

(ii) The individual completes a goal.

(iii) The individual is not progressing on stated goals.

**§ 5230.62. Individual rehabilitation plan.**

(a) A PRS staff and an individual shall jointly develop an IRP that is consistent with the assessment and includes the following:

\* \* \* \* \*

(7) Dated signatures of the individual, the staff working with the individual and the PRS director **or docu-**

**mentation of consent to the IRP by the individual and the date consent was provided and the dated signatures of the staff working with the individual and the PRS director.**

\* \* \* \* \*

(d) An IRP update must include a comprehensive summary of the individual’s progress that includes the following:

\* \* \* \* \*

(5) The dated signature of the individual **or documentation of consent by the individual and date consent was provided.**

(6) [ **Documentation of the reason if the individual does not sign** ] **(Reserved).**

(7) The dated signature of the PRS staff working with the individual and the dated signature of the PRS director.

**§ 5230.63. Daily entry.**

A PRS agency shall include an entry for the day service was provided in the record of an individual as follows:

(1) Indicates the date, time, duration, location and type of interaction.

(2) Documents service provided in the context of the goal.

(3) Documents the individual response to service.

(4) [ **Includes the signature of the individual, or if the individual does not sign, documents the reason** ] **(Reserved).**

(5) Is signed and dated by staff providing the service.

**QUALITY IMPROVEMENT**

**§ 5230.81. Quality improvement requirements.**

(a) A PRS agency shall establish and implement a written QI plan that meets the following requirements:

(1) Provides for an annual review of the quality, timeliness and appropriateness of services, including the following:

(i) Outcomes for PRS.

(ii) Individual record reviews.

(iii) Individual satisfaction.

(iv) [ **Use of exceptions to admission and continued stay requirements** ] **Number of individuals admitted to PRS that did not have a diagnosis listed in § 5230.31(a)(2) (relating to admission requirements).**

**(iv.1) Average length of stay in PRS for individuals who did not have a diagnosis listed in § 5230.31(a)(2).**

(v) Evaluation of compliance with the **approved** agency service description.

\* \* \* \* \*

[Pa.B. Doc. No. 22-1008. Filed for public inspection July 8, 2022, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF AGRICULTURE

### Controlled Plant and Noxious Weed Committee Public Meeting

The Department of Agriculture (Department) announces a public meeting of the Controlled Plant and Noxious Weed Committee (Committee), established by 3 Pa.C.S. § 1511 (relating to designation of noxious weeds and controlled plants). The meeting will be held at 1 p.m. on July 21, 2022, by means of Microsoft Teams. The call in number is (267) 332-8737. The conference ID is 869154361#.

The purpose of the meeting is to consider the addition of three plants to the noxious weed list. If time permits, these three plants will be considered at this meeting:

- Wild Chervil (*Anthriscus sylvestris*) Class A consideration
- Chocolate Vine (*Akebia quinata*) Class A consideration
- Lesser Celadine (*Ficaria verna*) Class B consideration

Public comment will be accepted either in person at the meeting or in writing prior to the meeting. Written comments may be sent to RA-plant@pa.gov or to the Department of Agriculture, Bureau of Plant Industry Noxious Weed Program, 2301 North Cameron Street, Harrisburg, PA 17110. Written comments must be received by July 20, 2022, to be considered. Written comments will become a part of the record, with the same force as if presented during the public meeting.

The public meeting agenda related to this consideration is as follows: presentation of background information on plants for consideration; public comment period; Committee discussion; and Committee action on plants under consideration.

Individuals with questions regarding this public meeting should contact the Department at (717) 787-4843.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 22-1009. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending June 28, 2022.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
06-21-2022	Truist Bank Charlotte Mecklenburg County, NC	3600 Lancaster Avenue Philadelphia Philadelphia County, PA	Filed
06-22-2022	First Citizens Community Bank Mansfield Tioga County	3840 Kennett Pike Greenville New Castle County, DE	Approved
06-22-2022	Truist Bank Charlotte Mecklenburg County, NC	821 Lancaster Avenue Wayne Chester County, PA	Approved
06-24-2022	CNB Bank Clearfield Clearfield County	160 Apron Road Hardy Franklin County, VA	Approved
06-27-2022	Mid Penn Bank Millersburg Dauphin County	3900 Hamilton Boulevard Allentown Lehigh County	Approved
06-27-2022	Mid Penn Bank Millersburg Dauphin County	480 Norristown Road Blue Bell Montgomery County	Approved

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
06-27-2022	First Keystone Community Bank Berwick Columbia County	1503 Linden Street Bethlehem Northampton County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
06-27-2022	Peoples Security Bank and Trust Co. Scranton Lackawanna County	<i>To:</i> 300 Warrendale Drive Warrendale Allegheny County  <i>From:</i> 802B Warrendale Village Drive Warrendale Allegheny County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-25-2022	Penn Community Bank Doylestown Bucks County	200 Manor Avenue Langhorne Bucks County (Limited Service Facility)	Closed

**Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
06-22-2022	MCS Bank Lewistown Mifflin County	Effective

Amendment to Article II of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 19 North Brown Street, Lewistown, Mifflin County, PA, to 100 Commerce Drive, Milroy, Mifflin County, PA.

Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.

**CREDIT UNIONS**

No activity.

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 22-1010. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### DHD II, LLC and DHD III, LLC v. Commonwealth of Pennsylvania, Department of Community and Economic Development, Doc. No. DCED-2022- 0001

On February 3, 2022, Petitioner DHD II, LLC and DHD III, LLC filed an appeal of a denial of an application for benefits under the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act (73 P.S. §§ 820.101—820.1310).

**Notice**

A hearing will be conducted before the Department of State Chief Hearing Examiner Debra A. Rand, Esquire, at 9:30 a.m. on July 14, 2022, at 2601 North Third Street, Harrisburg, PA 17110. The filing of petitions and notices to intervene in the previously-captioned matters must be submitted in writing to [ra-de-chief-counsel@pa.gov](mailto:ra-de-chief-counsel@pa.gov) by July 13, 2022. The hearing will be conducted in accord-

ance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

NEIL WEAVER,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1011. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

**Revisions to Schedule of Prices for State Parks****A. Summary and Background**

Under section 314 of the Conservation and Natural Resources Act (71 P.S. § 1340.314) and 17 Pa. Code § 11.224 (relating to prices), the Department of Conservation and Natural Resources, Bureau of State Parks, will revise its price schedule for State Park activities, uses and privileges effective July 17, 2022. The updated schedule, which is in section D as follows, increases the

fee ranges for Presque Isle Marina fees, the Statewide marina transfer and waitlist fees, whitewater launch fees at Ohiopyle State Park, amenity fees for a new “Great Gathering Friends and Family” 2 unit full hookup site type and swimming pool splash pad entrance only fees when the main pool cannot be opened.

The updated price schedule is needed to adjust existing rates to the market. The resulting fees are comparable to those of state parks in neighboring states and will narrow the gap between State Parks in this Commonwealth and private facilities, resulting in a more favorable competitive climate for the private sector.

For comparison purposes, the current price schedule can be found at the State Parks web site at [http://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/](http://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx)

default.aspx. It can also be obtained by calling State Parks Reservations and Information at (888) PA-PARKS. When the updated price schedule becomes effective, it will be posted on the State Parks web site.

*B. Contact Person*

Questions may be directed to Ryan Dysinger, Assistant Director, Bureau of State Parks, Rachel Carson State Office Building, P.O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640, [rdysinger@pa.gov](mailto:rdysinger@pa.gov). Persons with a disability may use the Pennsylvania Hamilton Relay Service by calling (800) 654-5984 (TDD users).

*C. Effective Date*

The effective date of the updated price schedule is July 17, 2022.

*D. Price Schedule*

	<i>Unit or Timeframe</i>	<i>Resident</i>	<i>Non-Resident</i>
<i>Presque Isle Marina</i>			
Cost Per Foot of Stall	Per Season	\$41.50—\$50	\$83—\$100
Cost Per Foot of Stall with Utilities	Per Season	\$46.25—\$56	\$92.50—\$111
Bascomb Holder—18’ Slip	Per Season	\$404.25—\$485	\$808.50—\$970
Cradle Summer Storage	Per Season	\$44—\$53	\$89.50—\$107
Travel Lift	Per Lift Per Foot	\$5.25—\$6.50	\$9.50—\$11.50
Winter Boat Storage Includes Lift In and Out	Per Foot Per Season	\$18—\$22	\$35.75—\$43
Daily Transient	Per Day Per Foot	\$1—\$1.25	\$1.75—\$2.25
Daily Transient with Utilities	Per Day Per Foot	\$1.25—\$1.50	\$2—\$2.50
<i>Other Boating</i>			
Statewide Marina Transfer/Wait List Entry	Per Application per List	\$15—\$25	\$15—\$25
Ohiopyle State Park Whitewater Launch (Soft and Hard Boat Launch)	Per Person	\$10—\$15	\$10—\$15
Ohiopyle State Park Whitewater Season Pass	Per Person	\$40—\$90	\$40—\$90
<i>Camping—Campsite Amenities</i>			
Great Gathering Friends and Family: 2 Unit Modern Fee	Per Site Per Night	\$26—\$36	\$26—\$36
Great Gathering Friends and Family: 2 Unit Sewage/Water Fee	Per Site Per Night	\$26—\$36	\$26—\$36
Great Gathering Friends and Family: 2 Unit Electric Fee	Per Night Per Site	\$14—\$24	\$14—\$24
Great Gathering Friends and Family: Multi-Campsite Fee	Per Night Per Site	\$36—\$46	\$36—\$52
Great Gathering Friends and Family: 2 Unit Pet Fee	Per Night Per Site	\$4—\$14	\$4—\$14
Great Gathering Friends and Family: 2 Unit Premium—Friday, Saturday, Holiday, Events Fee	Per Night Per Site	\$12—\$22	\$12—\$22
<i>Swimming Pools</i>			
Splash Pad Entrance Only—State Park Operated Pools (when main pools are closed)	Per Person	\$3—\$7	\$3—\$7

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 22-1012. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS UNDER THE CLEAN STREAMS LAW AND FEDERAL CLEAN WATER ACT

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit [www.dep.pa.gov](http://www.dep.pa.gov) and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

*Section*            *Category*

- |     |  |
|-----|--|
| I   | Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received                                |
| II  | Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs |
| III | Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity  |

Section I identifies the following applications and NOIs that have been received by DEP:

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP's website at [www.dep.pa.gov/CWPublicNotice](http://www.dep.pa.gov/CWPublicNotice).

Section II identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP's website at [www.dep.pa.gov/CWPublicNotice](http://www.dep.pa.gov/CWPublicNotice). Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

Section III provides notice of applications and draft individual permits for stormwater discharges associated with construction activities. Where indicated, DEP has made tentative determinations, based on preliminary review, to issue permits subject to proposed effluent limitations consisting of best management practices identified in the erosion and sediment control (E&S) plans and post-construction stormwater management (PCSM) plans submitted with the applications, as well as other terms and conditions based on the permit applications. A 30-day public comment period applies to these applications.

Applications, NOIs and draft permits, where applicable, may be reviewed at the DEP office that received the application or NOI. Members of the public are encouraged to use DEP's website to obtain additional information as discussed previously.

Comments received within the appropriate comment periods for WQM and NPDES permit applications will be retained by DEP and considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform DEP of the exact basis of a comment and the relevant facts upon which it is based.

DEP office contact information to review applications and NOIs and to submit comments for those applications, when applicable, is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES\_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES\_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES\_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES\_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.*

*DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES\_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.*

*DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES\_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.*

*DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES\_Permits@pa.gov.*

*DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.*

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if the Department determines that there is a significant public interest. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. DEP will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

**I. Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received.**

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAS802217	Industrial Stormwater Individual NPDES Permit	Transfer	TForce Freight, Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Bethlehem City Northampton County	NERO
0586401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Hopewell Borough Bedford County P.O. Box 160 Hopewell, PA 16650-0160	Hopewell Borough Bedford County	SCRO
0613801	Joint DEP/PFBC Pesticides Permit	Renewal	Boyertown Borough 100 S Washington Street Boyertown, PA 19512-1521	Earl Township Berks County	SCRO
1513893	Joint DEP/PFBC Pesticides Permit	Renewal	Hershey's Mill Landscape Co. 1000 Mill Road West Chester, PA 19380-6950	East Goshen Township Chester County	SERO
3504401	Major Sewage Treatment Facility Individual WQM Permit	Amendment	PA American Water Co. 2699 Stafford Avenue Scranton, PA 18505-3608	Scranton City Lackawanna County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0098345	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	DP134, LLC 333 N Bedford Road Suite 145 Mount Kisco, NY 10549-1158	Saltlick Township Fayette County	SWRO
0466S24	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	DP134, LLC 333 N Bedford Road Suite 145 Mount Kisco, NY 10549-1158	Saltlick Township Fayette County	SWRO
PAR800045	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	TForce Freight, Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	West Pottsgrove Township Montgomery County	SERO
PAR800046	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	TForce Freight, Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Bensalem Township Bucks County	SERO
PAR802219	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	TForce Freight, Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Old Forge Borough Lackawanna County	NERO
PAG041166	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Anthony Lore & Catisha Christy Lore 2751 Scranton Hollow Road Warren, PA 16365-8824	Farmington Township Warren County	NWRO
PAG103586	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	Texas Eastern Trans LP 5400 Westheimer Court Houston, TX 77056-5353	North Heidelberg Township Berks County	SCRO
PAG133599	PAG-13 NPDES General Permit for MS4s	Renewal	Swatara Township Lebanon County 68 Supervisor Drive Jonestown, PA 17038	Swatara Township Lebanon County	SCRO
PAG136113	PAG-13 NPDES General Permit for MS4s	Renewal	Pennsbury Village Borough Allegheny County 1043 Pennsbury Boulevard Pittsburgh, PA 15205-1643	Pennsbury Village Borough Allegheny County	SWRO
2322404	Pump Stations Individual WQM Permit	New	Delcora 100 East Fifth Street City of Chester, PA 19016-0999	Chester City Delaware County	SERO
PA0290246	Single Residence STP Individual NPDES Permit	Transfer	Decaprio Anthony 3028 Frampton Road Hermitage, PA 16148-6204	Hermitage City Mercer County	NWRO
0222401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Midler Chase 1502 Fox Chapel Road Pittsburgh, PA 15238-1203	Indiana Township Allegheny County	SWRO
4321414	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Decaprio Anthony 3028 Frampton Road Hermitage, PA 16148-6204	Hermitage City Mercer County	NWRO
6122402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Vargason Matthew 138 Turkey Farm Road Titusville, PA 16354	Cherrytree Township Venango County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6216402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Marino Linda 354 Stilson Hill Road Pittsfield, PA 16340-7210	Sugar Grove Township Warren County	NWRO
6222407	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Foust Roy E 778 Egypt Hollow Road Warren, PA 16365-8121	Glade Township Warren County	NWRO
6322402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Riggle Brandon 1349 Smith Township State Road Burgettstown, PA 15021-2830	Smith Township Washington County	SWRO
0281441	Small Flow Treatment Facility Individual WQM Permit	Transfer	Rocksauce Operations, LLC 1851 North Road McDonald, PA 15057	North Fayette Township Allegheny County	SWRO
WQG01621403	WQG-01 WQM General Permit	Transfer	Anthony Lore & Catisha Christy Lore 2751 Scranton Hollow Road Warren, PA 16365-8824	Farmington Township Warren County	NWRO

**II. Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.**

*Northcentral Regional Office*

**PA0032492**, Sewage, SIC Code 4952, **PA DCNR Bald Eagle State Park**, 149 Main Park Road, Howard, PA 16841-3508. Facility Name: Bald Eagle State Park. This existing facility is located in Liberty Township, **Centre County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Bald Eagle Creek (WWF), is located in State Water Plan watershed 9-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .45 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	94	150	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Total Suspended Solids Raw Sewage Influent	113 Report	169 Report Daily Max	XXX XXX	30.0 Report	45.0 XXX	60 XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Nitrate-Nitrite as N Nitrate-Nitrite as N (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs) Total Kjeldahl Nitrogen	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs) Total Phosphorus	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo Report Total Mo	XXX XXX XXX	XXX XXX XXX	XXX XXX XXX	XXX XXX XXX	XXX XXX XXX

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	8,219 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	Report Total Annual 1,096 Total Annual	XXX	XXX	XXX	XXX

\*This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

**PA0233218**, Sewage, SIC Code 4952, **Deryk R. Spicher**, 25 Spruce Street, Force, PA 15841-1015. Facility Name: Spicher SRSTP. This proposed facility is located in Huston Township, **Clearfield County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Unnamed Tributary to Mountain Run, is located in State Water Plan watershed 8-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 500 GPD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Annl Avg	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX



You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

**PA0234044**, Sewage, SIC Code 4952, **Nathan Singer**, 2210 Balsam Road, Wellsboro, PA 16901-7438. Facility Name: Singer SRSTP. This existing facility is located in Delmar Township, **Tioga County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated SRSTP sewage.

The receiving stream(s), Unnamed Tributary to Wilson Creek, is located in State Water Plan watershed 9-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 400 GPD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	Report
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

Northwest Regional Office

**PA0290548**, Storm Water, SIC Code 2411, 2421, **Renewable Natural Products, Inc.**, 350 Main Street, Kersey, PA 15846-9126. Facility Name: Former D&F Lumber Location. This proposed facility is located in Henderson Township, **Jefferson County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated industrial stormwater.

The receiving stream(s), Unnamed Tributary to Stump Creek, is located in State Water Plan watershed 17-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions:

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PAI138304**, MS4, **Buffalo Township**, 109 Bear Creek Road, Sarver, PA 16055-9227.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Buffalo Township, **Butler County**. The receiving stream(s), Unnamed Tributary to Little Bull Creek (TSF), Unnamed Tributary to Sarver Run (HQ-TSF), Little Buffalo Creek (HQ-TSF), Buffalo Creek (TSF), Unnamed Tributary to Buffalo Creek (TSF), Sarver Run (HQ-TSF), and Unnamed Tributary to Little Buffalo Creek (HQ-TSF), is located in State Water Plan watershed, 18-F and 18-A and is classified for Trout Stocking and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA waiver is in effect.

**PA0254851**, Industrial, SIC Code 4941, **Ford City Borough**, 1000 4th Avenue, Ford City, PA 16226-1214. Facility Name: Ford City Borough WTP. This existing facility is located in Ford City Borough, **Armstrong County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream(s), Allegheny River (WWF), is located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0648 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	Report
Aluminum, Total	XXX	XXX	XXX	4.0	XXX	8.0
Iron, Total	XXX	XXX	XXX	2.0	XXX	4.0
Manganese, Total	XXX	XXX	XXX	1.0	XXX	2.0

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0023124**, Sewage, SIC Code 4952, **Albion Borough**, 53B East State Street, Albion, PA 16401-1110. Facility Name: Albion Borough WWTP. This existing facility is located in Conneaut Township, **Erie County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving streams, the Conneaut Creek (WWF, MF) and the East Branch Conneaut Creek (CWF, MF) are located in State Water Plan watershed 15-A and are classified for Warm Water Fishes, Migratory Fishes, and Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.2	XXX	0.62
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	292.0	467.0	XXX	25.0	40.0	50
May 1 - Oct 31	198.0	292.0	XXX	17.0	25.0	34
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids	350.0	525.0	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	187.0	XXX	XXX	16.0	XXX	32
May 1 - Oct 31	64.0	XXX	XXX	5.5	XXX	11
Total Phosphorus	12.0	XXX	XXX	1.0	XXX	XXX
Arsenic, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Interim	551.1	1,102.2	XXX	47.2	94.4	118
Final		Daily Max			Daily Max	
Copper, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Cyanide, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 1.4 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.2	XXX	0.62
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Nov 1 - Apr 30	292.0	467.0	XXX	25.0	40.0	50
May 1 - Oct 31	198.0	292.0	XXX	17.0	25.0	34
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	350.0	525.0	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	187.0	XXX	XXX	16.0	XXX	32
May 1 - Oct 31	64.0	XXX	XXX	5.5	XXX	11
Total Phosphorus	12.0	XXX	XXX	1.0	XXX	XXX
Arsenic, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Interim	551.1	1,102.2	XXX	47.2	94.4	118
Final		Daily Max			Daily Max	
Copper, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Cyanide, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX

In addition, the permit contains the following major special conditions:

- Water Quality-Based Effluent Limitations for Toxic Pollutants
- Solids Management
- Whole Effluent Toxicity (WET)
- Requirements Applicable to Stormwater Outfalls

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is not in effect.

**PA0026832**, Sewage, SIC Code 4952, **Ellwood City**, 525 Lawrence Avenue, Ellwood City, PA 16117-8528. Facility Name: Ellwood City WWTP. This existing facility is located in Ellwood City Borough, **Lawrence County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, the Connoquenessing Creek (WWF), is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	688.0	1,100.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	825.0	1,238.0	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	440.0	XXX	XXX	16.0	XXX	32
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total (ug/L)	1,359.5	2,719.1	XXX	49.4	98.8	123.5
Zinc, Total (ug/L)	XXX	XXX Daily Max	XXX	Report Avg Qrtly	XXX Daily Max	XXX

In addition, the permit contains the following major special conditions:

- Solids Management
- Requirements Applicable to Stormwater Outfalls
- Whole Effluent Toxicity (WET)

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is not in effect.

**PA0222348**, Sewage, SIC Code 4952, 8800, **Thomas L Holden**, 40 Spicer Road, Sheffield, PA 16347. Facility Name: Thomas L Holden SRSTP. This existing facility is located in Sheffield Township, **Warren County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream is an unnamed tributary to South Branch Tionesta Creek, located in State Water Plan watershed 16-F and classified for High Quality Waters—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0264385**, Sewage, SIC Code 4952, 8800, **Scott Crossley**, 9870 Donation Road, Waterford, PA 16441-4240. Facility Name: Scott Crossley SRSTP. This existing facility is located in Summit Township, **Erie County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream is an Unnamed Tributary to LeBoeuf Creek, located in State Water Plan watershed 16-A and classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0264822**, Sewage, SIC Code 4952, 8800, **Melissa & Ryan Nuhfer**, 1124 E 5th Avenue, Warren, PA 16365-8404. Facility Name: Melissa & Ryan Nuhfer SRSTP. This existing facility is located in Glade Township, **Warren County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream is Indian Hollow, is located in State Water Plan watershed 16-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0264857**, Sewage, SIC Code 8800, **William J. Isenerg**, 105 Arberg Lane, Slippery Rock, PA 16057-1801. Facility Name: William J Isenberg SRSTP. This existing facility is located in Mercer Township, **Butler County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated SRSTP sewage.

The receiving stream(s), Unnamed Tributary of Wolf Creek, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0290645**, Sewage, SIC Code 8800, **Jacob Milliron**, 68 Apple Tree Lane, Coudersport, PA 16915-8477. Facility Name: Jacob Milliron SRSTP. This proposed facility is located in Limestone Township, **Warren County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Allegheny River, is located in State Water Plan watershed 16-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0290653**, Sewage, SIC Code 8800, **Edward & Susan Davies**, 5027 Union Street, Finleyville, PA 15332-1131. Facility Name: Edward & Susan Davies SRSTP. This proposed facility is located in Wayne Township, **Crawford County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Lake Creek, is located in State Water Plan watershed 16-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0290823**, Sewage, SIC Code 8800, **Roy E. Foust**, 778 Egypt Hollow Road, Warren, PA 16365-8121. Facility Name: Roy E. Foust SRSTP. This proposed facility is located in Glade Township, **Warren County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Unnamed Tributary to Hatch Run, is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0281875, Concentrated Animal Feeding Operation (CAFO), Chad Peifer (Chad Peifer Poultry Farm CAFO)**, 235 Academy Road, Kirkwood, PA 17536-9649.

Chad Peifer has submitted an application for an Individual NPDES permit for a new CAFO known as Chad Peifer Poultry Farm CAFO, located in Colerain Township, **Lancaster County**.

The CAFO is situated near Gables Run (HQ-CWF, MF) in Watershed 7-K, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO will be designed to maintain an animal population of approximately 85.00 animal equivalent units (AEUs) consisting of 19,000 Duck Starters and 19,000 Duck Finishers. Manure will be stored in a proposed concrete circular manure storage. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

**PA0020214**, Sewage, SIC Code 4952, **Mount Union Municipal Authority, Huntingdon County**, 9 West Market Street, Mount Union, PA 17066. Facility Name: Mt Union STP. This existing facility is located in Mount Union Borough, **Huntingdon County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Juniata River (WWF, MF), is located in State Water Plan watershed 12-C and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.1 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instnt. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	225.0	365.0 Wkly Avg	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	275.0	410.0 Wkly Avg	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light dosage (mWsec/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	20,091	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	2,679	XXX	XXX	XXX	XXX

\*This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

In addition, the permit contains the following major special conditions:

- Stormwater prohibition
- Notification of designation of responsible operator
- WETT requirement
- Hauled-in waste restriction

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

**PA0082589**, Sewage, SIC Code 4952, **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055. Facility Name: PA American Water Fairview Township South STP. This existing facility is located in Fairview Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary to Fishing Creek (CWF (existing use)), is located in State Water Plan watershed 7-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report Daily Max	XXX



The proposed effluent limits for Outfall 001 are based on a design flow of .5 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.64
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	104	167	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	125	187	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	21	XXX	XXX	5.1	XXX	10
May 1 - Oct 31	7.0	XXX	XXX	1.7	XXX	3.4
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	8.3	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net						
Copper, Total	0.042	0.064 Daily Max	XXX	0.01	0.015 Daily Max	XXX
Zinc, Total	0.49	0.54 Daily Max	XXX	0.118	0.131 Daily Max	XXX
Ultraviolet light dosage (mWsec/cm <sup>2</sup> )	XXX	XXX	Report	Report	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

**PA0087661**, Sewage, SIC Code 4952, **Chestnut Ridge Area Joint Authority**, 320 Lane Metal Road, New Paris, PA 15554-9238. Facility Name: Chestnut Ridge Area Joint Authority STP. This existing facility is located in East Saint Clair Township, **Bedford County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Dunning Creek (WWF), is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .915 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	147	235	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	176	264	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	50	XXX	XXX	8.5	XXX	17
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .915 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .915 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Semi Avg Report	XXX	XXX	Semi Avg Report	XXX	XXX
	Semi Avg			Semi Avg		

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

*Southeast Regional Office*

**PA0052647**, Industrial, SIC Code 4941, **Pottstown Borough Authority**, 100 East High Street, Pottstown, PA 19464. Facility Name: Pottstown Borough Water Treatment Plant. This existing facility is located in Pottstown Borough, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream(s), Schuylkill River (WWF, MF), and UNT to Schuylkill River (WWF, MF), are located in State Water Plan watershed 3-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	50.0	100.0	XXX	30.0	60.0	75
Aluminum, Total	6.67	13.34	XXX	4.0	8.0	10
Iron, Total	3.34	6.67	XXX	2.0	4.0	5
Manganese, Total	1.67	3.34	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are based on a design flow of .0098 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0

In addition, the permit contains the following major special conditions:

- Dry stream discharge
- Development and implementation of an O&M Plan
- Sedimentation Basin cleaning

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0058467**, Industrial, SIC Code 4952, **The American College**, 630 Allendale Road, King of Prussia, PA 19406-1695. Facility Name: The American College, 630 Allendale Rd. This existing facility is located in Upper Merion Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream(s), Unnamed Tributary to Trout Creek (WWF, MF), is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0019 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	Report

In addition, the permit contains the following major special conditions:

- I. Other Requirements
  - A. Property Rights
  - B. Sludge Removal
  - C. BAT/BCT Requirements
  - D. Discharge to Small Stream
- II. Chemical Additives
  - A. Approved Chemical Additives List
  - B. New Chemical Additives, Not on Approved Chemical Additives List
  - C. Chemical Additives Usage Reporting Requirements
  - D. DEP Amendment
  - E. Usage Rate

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0054704**, Sewage, SIC Code 8099, **Qtown Properties, LLC**, 1620 Wrightstown Road, Newtown, PA 18940-2814. Facility Name: Success Rehabilitation Clinic WWTP. This existing facility is located in East Rockhill Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary of Tohickon Creek (TSF, MF), is located in State Water Plan watershed 2-D and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0077 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.12
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	1.6	XXX	XXX	25.0	XXX	50
Total Suspended Solids	2.0	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	0.38	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	0.12	XXX	XXX	2.0	XXX	4
Total Phosphorus	0.0321	XXX	XXX	0.5	XXX	1

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0077 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

In addition, the permit contains the following major special conditions:

- No stormwater into sewage
- Proper disposal of collected screenings, slurries, sludges and other solids
- Optimize chlorine dosages used for disinfection to minimize TRC in effluent
- Notification of the designation of responsible operator
- Development of operations and maintenance (O&M) plan
- Seasonal fecal coliform limitations

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0255998**, Storm Water, SIC Code 3273, **Daniels Concrete, Inc.**, 1463 State Route 819, Greensburg, PA 15601. Facility Name: Daniels Concrete Batch Plant. This proposed facility is located in Salem Township, **Westmoreland County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of Stormwater Associated with Industrial Activity from concrete batch plant.

The receiving stream(s), Unnamed Tributary to Beaver Run (HQ-CWF), is located in State Water Plan watershed 18-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0215872**, Sewage, SIC Code 4952, **Jonathan R Luciana**, 1989 Drennen Road, New Kensington, PA 15068-1804. Facility Name: Luciana SRSTP. This existing facility is located in Plum Borough, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated SRSTP sewage.

The receiving stream(s), Pucketa Creek (TSF), is located in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	1,000.0

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0216925**, Sewage, SIC Code 1222, **Monongalia County Coal Resources, Inc.**, 46226 National Road, Saint Clairsville, OH 43950-8742. Facility Name: Blacksville # 2 Kuhntown Portal. This existing facility is located in Wayne Township, **Greene County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary to Hoovers Run (WWF), is located in State Water Plan watershed 19-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.014 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.014 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.014	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.063

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	3.5	XXX	7.0
May 1 - Oct 31	XXX	XXX	XXX	1.58	XXX	3.16

In addition, the permit contains the following major special conditions:

- Optimization of chlorine dosage
- Solids management for non-lagoon system
- Resuming operation of the treatment plant

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

### III. Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity.

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD230065	New	Ryan Development Group LLC 3283 Dune Drive Avalon, NJ 08202	Lower Chichester Township Upper Chichester Township Delaware County	SERO
PAD480137 A-1	Major Amendment	NP Forks Township Industrial LLC c/o Dan Zuk 12977 N. Outer 40 Rd. Suite 203 St. Louis, MO 63141	Forks Township Northampton County	NERO
PAD350030	Renewal	Pennsylvania Turnpike Commission 700 S Eisenhower Blvd Middletown, PA 17057	South Abington Township Lackawanna County	NERO
PAD180027 A-1	Individual Amendment	Horses of Hope, Inc. Dutch Hollow Road Woolrich, PA 17779	Pine Creek Township Clinton County	NCRO
PAD410022	New Individual Permit	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	Porter Township Lycoming County	NCRO
PAD100019	New	Summit Township Authority 502 Bonniebrook Road Butler, PA 16002	Summit Township Butler County	NWRO

## STATE CONSERVATION COMMISSION

### PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

**ACT 38**  
**NUTRIENT MANAGEMENT PLANS**  
**CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Shady Rill Farm, LLC Neil & Jay Paul Hoover 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder	686.7	1,033.58	Swine	NA	Renewal
Jake Kahler 2375 Line Mountain Road Dornsife, PA 17823	Northumberland	4.95	266.05	Poultry— Layers	NA	New
Barry Farms 221 Michters Road Schaefferstown, PA 17088	Lebanon	654.7	1,034.61	Beef, Swine	NA	Renewal
Mahosky Farms, LLC 210 Back Road Canton, PA 17724	Tioga	88.4	685.68	Swine	HQ	Renewal
Spring Valley Dairy, LLC 1577 Auction Road Manheim, PA 17545	Lancaster	203.6	485.74	Dairy, Pullets	NA	Renewal
Keith Martin 1111 Forest Hill Road Stevens, PA 17578	Lancaster	43	275.89	Broilers	NA	Renewal
Melvin Huber 457 Cold Spring Road Elizabethtown, PA 17022	Lancaster	53.3	394.51	Layers, Beef	NA	Renewal
Scattered Acres Farms 190 Tyson School Road Catawissa, PA 17820	Columbia	2,746.79	852.03	Finishing, Swine, Broilers	HQ-CWF	Renewal
Clifford Zimmerman 2993 Mill Road Elizabethtown, PA 17022	Dauphin	0	397.58	Poultry (Layer)	NA	Renewal
Lamar High Farm 920 West Matteredtown Road Millersburg, PA 17601	Dauphin	23.6	314.64	Poultry (Layer)	NA	Renewal

## PUBLIC WATER SUPPLY PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it

is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

### SAFE DRINKING WATER

#### Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

*Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Pehala, Clerical Assistant 2, 570-830-3077.*

#### Application No. 5422505, Public Water Supply.

Applicant	<b>Summit Station Fire Company No. 1</b> 266 West Deer View Dr. Auburn, PA 17922
Municipality	Wayne Township
County	<b>Schuylkill</b>
Type of Facility	Public Water Supply
Consulting Engineer	Charles A. Kehew, II, P.E. James R. Holley & Associates, Inc. 18 South George St. Suite 300 York, PA 17401
Application Received Date	April 6, 2022
Description of Action	Summit Station Fire Company No. 1 proposes the addition of a sodium hypochlorite disinfection system, along with well casing modifications to their existing source.

#### Application No. 3922501, Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b> 852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Roaring Brook Township
County	<b>Lackawanna</b>
Type of Facility	Public Water Supply
Consulting Engineer	Joseph Durkin Reilly Associates 49 South Main St. Suite 200 Pittston, PA 18640
Application Received Date	February 22, 2022
Description of Action	Pennsylvania American Water Company proposes modifications to the Lake Scranton Water Treatment Plant including Alum Chemical Feed Improvements, Sodium Permanganate Conversion, and Chemical Feed Pump Conversion.

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

#### Application No. 3622520, Public Water Supply.

Applicant	<b>Charles Farms, Inc. dba Pine View Dairy</b> 2927 Charlestown Road Lancaster, PA 17603
Municipality	Pequea Township
County	<b>Lancaster</b>
Responsible Official	Clifford L. Charles President 2927 Charlestown Road Lancaster, PA 17603
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Application Received Date	May 31, 2022
Description	Installation of nitrate treatment, an acid neutralizer, softener, and UV light.

#### Application No. 3622516, Public Water Supply.

Applicant	<b>Safe Harbor Village</b> 1903 Lititz Pike Lancaster, PA 17601
Municipality	<b>Conestoga Township</b>
County	Lancaster
Responsible Official	William Stull President 1706 Lititz Pike Lancaster, PA 17601
Consulting Engineer	Jamie Lorah, P.E. Spotts Stevens & McCoy 1047 North Park Road Reading, PA 19610
Application Received Date	April 14, 2022
Description	The application is for a proposed corrosion control treatment project via orthophosphate and caustic soda addition.

*Northcentral Region: Safe Drinking Water Program, 208 West Third Street, Williamsport, PA 17701.*

#### Permit No. 4922504, Major, Public Water Supply.

Applicant	<b>Aqua PA Roaring Creek Division</b> 204 East Sunbury Street Shamokin, PA 17872
Municipality	Coal Township
County	<b>Northumberland</b>
Responsible Official	Joseph G. Thurwanger
Type of Facility	Public Water Supply
Consulting Engineer	Charlie Liu, P.E. BCM Engineers/ Atlas Technical Consultants 920 Germantown Pike Suite 200 Plymouth Meeting, PA 19462



Application Received Date June 24, 2022  
 Description of Action Roaring Creek Water Treatment Plant (WTP) Chlorine Dioxide System, to install a chlorine dioxide system at the WTP to apply chlorine dioxide to raw water.  
*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 0221535, Major Construction, Public Water Supply.**

Applicant **Lighthouse Pointe at Chapel Harbor—Seneca Place**  
 3600 Forbes Avenue  
 Suite 10072  
 Pittsburgh, PA 15213  
 Municipality O'Hara Township  
 County **Allegheny**  
 Responsible Official Roger Davis  
 Chief Operating Officer  
 Type of Facility Senior Living Community  
 Consulting Engineer Allen Shariff  
 22412 Perry Highway  
 Suite 412C  
 Zelienople, PA 16063

Application Received Date June 2, 2022  
 Description of Action Installation of a liquid chlorine (sodium hypochlorite) secondary disinfection treatment unit at the UPMC Senior Living Community Facility, Lighthouse Pointe at Chapel Harbor.

**Permit No. 2622504, Public Water Supply—Application.**

Applicant **Pennsylvania American Water Company**  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Municipality West Brownsville  
 County **Washington**  
 Responsible Official Bruce Aiton  
 Vice President  
 Type of Facility Pump Station  
 Application Received Date June 8, 2022  
 Description of Action Replacement of four pumps at the SR-88 pump station.

**Permit No. 5622504, Public Water Supply—Application.**

Applicant **Somerset Township Municipal Authority**  
 P.O. Box 247  
 Somerset, PA 15501  
 Municipality Somerset Township  
 County **Somerset**  
 Responsible Official Carolyn Zambanini  
 Manager

Type of Facility Interconnect  
 Consulting Engineer Somerset Engineering, LLC  
 Application Received Date June 9, 2022  
 Description of Action Friedens Water System Interconnect  
*Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Application No. 2522501, Public Water Supply.**

Applicant & Address **Erie City Water Authority**  
 240 W 12th Street  
 Erie, PA 16501  
 Municipality City of Erie  
 County **Erie**  
 Responsible Official Craig H. Palmer P.E.  
 240 W 12th St.  
 Erie, PA 16501  
 Consulting Engineer Jason G. Saylor P.E.  
 Utility Services Co., Inc  
 1230 Peachtree St. NE  
 Suite 1100  
 Atlanta, GA 30309  
 Application Received Date May 2, 2022  
 Description Renovation and Mixer installation at five (5) finished water storage tanks

**WATER ALLOCATIONS**

**Applications Received Under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.**

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA.*

**WA04-1018A, Water Allocations. Beaver Borough Municipal Authority, 469 Third Street, Beaver, PA 15009, Beaver County.** The applicant is requesting the right to withdraw 3,600,000 gallons of water per day, peak day, from their wells located along the Ohio River.

*Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WA3-1005A, Water Allocations. Worthington-West Franklin Joint Municipal Authority, 102 West Main Street, Worthington, PA 16262, Worthington Township and West Franklin Township, Armstrong County.** Water Allocation permit renewal for the purchase of 100,000 gallons per day from the Kittanning Suburban Joint Water Authority. The interconnection is for emergency use only and the primary source of water is five ground water wells in the Worthington—West Franklin Joint Municipal Authority public water system.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
 PREAMBLE 1**

**Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a NOI to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(e)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Charline Bass, 484-250-5787.*

**Valley Brook Apartments**, 5001 Pennell Road, Aston, PA 19007, Aston Township, **Delaware County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of James Logue, Esquire, The Ecological Rainbow Living Trust, 1500 Bay Road, # 1538S,

Miami Beach, FL 33139 submitted a Notice of Intent to Remediate. Soil has been contaminated with benzene, ethylbenzene, isopropylbenzene, MTBE; naphthalene, toluene, 1,2,4-trimethylbenzene; 1,3,5-trimethylbenzene and xylenes. The property will continue to be an apartment complex. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Times* on June 3, 2022.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Dorsch Unit Unconventional Well Site**, Primary Facility ID # **858926**, 201 Arden Drive, Harmony, PA 16037, Lancaster Township, **Butler County**. Moody & Associates, Inc., 11548 Cotton Road, Suite 101, Meadville, PA 16335 on behalf of PennEnergy Resources, LLC, 1000 Commerce Drive, Park Place One, Suite 400, Pittsburgh, PA 15275 has submitted a Notice of Intent to Remediate. There was an unknown quantity of production fluids released impacting site soil and site groundwater. Future use of the site will be for oil and gas development. The Notice of Intent to Remediate was published in *The Butler Eagle* on June 12, 2022.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Regulated Medical and Chemotherapeutic Waste Transporter License, Applications Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste.**

*Central Office: Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.*

*New Applications Received*

**Aftermath Services, LLC**, 75 Executive Drive, Aurora, IL 60504. License No. **PA-HC 0290**. Effective December 22, 2021.

*Renewal Applications Received*

**Advant-Edge Solutions of Middle Atlantic, Inc.**, 17 Shea Way, Newark, DE 19713. License No. **PA-HC 0220**. Effective June 23, 2022.

**Chesapeake Waste Solutions LLC**, 190 Shellyland Road, Manheim, PA 17545. License No. **PA-HC 0283**. Effective May 10, 2022.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Hazardous Waste Transporter License, Applications Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Transport Hazardous Waste.**

*Renewal Applications Received*

**Page E.T.C., Inc.**, 2758 Trombley Road, Weedsport, NY 13166. License No. **PA-AH 0338**. Effective June 23, 2022.

**West Central Environmental Corp.**, P.O. Box 83, Rensselaer, NY 12144. License No. **PA-AH 0422**. Effective June 24, 2022.

**National Waste Clean, Inc.**, 304 Pulaski Street, South Plainfield, NJ 07080. License No. **PA-AH 0528**. Effective May 26, 2022.

**U.S. Industrial Technologies, Inc.**, 12000 Globe Street, Livonia, MI 48150. License No. **PA-AH 0747**. Effective May 5, 2022.

**South Park Motor Lines, Inc. DBA CAST Transportation**, 9850 Havana Street, Henderson, CO 80640. License No. **PA-AH 0755**. Effective May 26, 2022.

**Clean Earth Specialty Waste Solutions, Inc.**, 2337 North Penn Road, Hatfield, PA 19440. License No. **PA-AH 0770**. Effective May 16, 2022.

**McVac Environmental Services, Inc.**, 481 Grand Avenue, New Haven, CT 06513. License No. **PA-AH 0801**. Effective June 24, 2022.

**Tri-County Industries, Inc.**, 159 TCI Park Drive, Grove City, PA 16127. License No. **PA-AH 0820**. Effective May 10, 2022.

**Midwest Sanitary Service, Inc.**, P.O. Box 83, Wood River, IL 62095. License No. **PA-AH 0872**. Effective May 26, 2022.

**Westmoreland Sanitary Landfill, LLC**, 111 Conner Lane, Belle Vernon, PA 15012. License No. **PA-AH 0874**. Effective June 23, 2022.

**Subsurface Technologies Inc.**, 1130 Business Parkway S, Westminster, MD 21157. License No. **PA-AH 0877**. Effective June 24, 2022.

**Noble Environmental Specialty Recycling, LLC**, 500 Technology Drive, Canonsburg, PA 15317. License No. **PA-AH 0903**. Effective June 23, 2022.

**Flaw Inc. dba Recycle Oil Company**, 1600 S 25th Street, Easton, PA 18042. License No. **PA-AH 0904**. Effective May 26, 2022.

**Radiac Research Corp.**, 261 Kent Avenue, Brooklyn, NY 11249. License No. **PA-AH S007**. Effective May 26, 2022.

**Ken's Marine Service, Inc.**, P.O. Box 4001, Bayonne, NJ 07002. License No. **PA-AH S154**. Effective June 14, 2022.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief, (484) 250-5920.*

**46-0027I: Janssen Research & Development, LLC**, 1400 McKean Road, Spring House, PA 19477, to permit three existing and two temporary (rental) emergency generator sets at its existing pharmaceutical research and development facility located in Lower Gwynedd Township, **Montgomery County**. The emergency generator sets were previously exempted from Plan Approval requirements under the following Requests for Determination (RFDs) with the respective Source ID in the current Title V Operating Permit (TVOP) No. 46-00027, but are now proposed to be permitted under Plan Approval to remove their exempt status:

- RFD No. 790 (approved April 7, 2009): 1,000-ekW emergency generator set equipped with a diesel fuel/No. 2 fuel oil-fired engine (Source ID 113).

- RFD No. 3783 (approved July 15, 2013): 750-ekW emergency generator set equipped with a diesel fuel/No. 2 fuel oil-fired engine (Source ID 119).

- RFD No. 6354 (approved June 1, 2017): 1,000-ekW emergency generator set equipped with a natural gas-fired engine (Source ID 122).

- RFD No. 8716 (approved September 25, 2020): two temporary (rental) 2,000-ekW emergency generator sets, each equipped with a diesel fuel/No. 2 fuel oil-fired engine.

Currently, the engines of the emergency generator sets, as well as two existing fire pumps (Source ID 121), are subject to combined nitrogen oxides (NO<sub>x</sub>) emission rate restrictions of 100 lbs/hr, 1,000 lbs/day, 2.75 tons/ozone season, and 6.6 tons/yr, calculated monthly as a 12-month rolling sum. Under the Plan Approval, the engines of the emergency generator sets will be subject to the following NO<sub>x</sub> emission rate restrictions based on total operating times of 500 hrs/yr for the existing units and 150 hrs/yr for the temporary (rental) units:

- Source ID 113: 12.91 lbs/hr and 3.23 tons/yr, calculated monthly as a 12-month rolling sum.

- Source ID 119: 9.65 lbs/hr and 2.41 tons/yr, calculated monthly as a 12-month rolling sum.

- Source ID 122: 6.47 lbs/hr and 1.62 tons/yr, calculated monthly as a 12-month rolling sum.

- Temporary (rental) units: 41.987/83.974 lbs/hr (each/total) and 3.149/6.298 tons/yr, calculated monthly as a 12-month rolling sum (each/total).

Since the engines of the existing emergency generator sets are currently subject to total operating time restrictions of 500 hrs/yr each, DEP does not consider them to have undergone a modification, as defined in 25 Pa. Code § 121.1 (i.e., “a change in the method of operation of a source which would increase the amount of an air contaminant emitted by the source.”) However, since the temporary emergency generator sets are no longer onsite, will only be brought onsite only if an existing cogeneration unit (Source ID 118 in TVOP No. 46-00027) is down for maintenance or otherwise not operational, and may not be the same units as previously onsite, DEP will permit the temporary emergency generator sets as new sources. (The fire pumps are not included in the Plan Approval.)

Based on the NO<sub>x</sub> and volatile organic compounds (VOCs) from the engines of the temporary emergency generator sets, as well as the other historical emissions increases and decreases of NO<sub>x</sub> and VOCs at the facility, including the aforementioned combined (exempt) annual NO<sub>x</sub> emission rate restriction, the project is not subject to New Source Review (NSR) requirements.

Each of the engines of the emergency generator sets is/will be EPA-certified and rated at greater than 1,000 bhp power output. Therefore, the engine is subject to the Standards of Performance for New Stationary Sources (NSPS) for Stationary Compression or Spark Ignition Internal Combustion Engines [40 CFR Part 60, Subparts IIII and JJJJ, respectively], as applicable, and the additional NO<sub>x</sub> requirements specified in 25 Pa. Code §§ 129.203 and 129.204.

The Plan Approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**28-05002T: Letterkenny Army Depot**, One Overcash Ave., Chambersburg, PA 17201, to approve Alternate Opacity Limitations and Compliance Assurance Monitoring for the Ammonium Perchlorate Rocket Motor Destruction (ARMD) Facility at the facility located in Letterkenny/Greene Townships, **Franklin County**. The approval of Alternate Opacity Limitations and Compliance Assurance Monitoring will not affect the allowable emissions from the facility. The Department proposes to issue a plan approval to approve Alternate Opacity Limitations and Compliance Assurance Monitoring for the ARMD facility. If, after the project has been implemented, the Department determines that the sources are operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

#### OPERATING PERMITS

##### **Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**06-05085: New Morgan Landfill Company, Inc.**, 420 Quarry Road, Morgantown, PA 19543, to issue a Title V Operating Permit for their municipal waste landfill in New Morgan Borough, **Berks County**. Actual emissions from the facility in 2021 were reported to be 5.89 tons CO, 5.09 tons NO<sub>x</sub>, 38.02 tons PM<sub>10</sub>, 5.25 tons PM<sub>2.5</sub>, 6.78 tons SO<sub>x</sub>, 26.48 tons VOC, 1.99 tons of a single HAP (toluene), and 6.86 tons of combined HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 62, Subpart OOO—Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014, 40 CFR 63 Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, 40 CFR 60, Subpart IIII—Standards of Perfor-

mance for Stationary Compression Ignition Internal Combustion Engines, and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

**31-05011: US Silica Co., Mapleton Depot Plant,** 12942 Oriskany Road, Mapleton Depot, PA 17052, for the industrial sand processing facility permit, located in Brady Township, **Huntingdon County.** The primary emissions from the facility's crushing and screening operations is particulate matter. The facility's 2021 actual emissions were 14.12 tons PM<sub>10</sub> and 10.43 tons PM<sub>2.5</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, record-keeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other requirements, certain sources at the facility are subject to the requirements of 40 CFR 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants Standard for Particulate Matter Emissions, 40 CFR 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, Compliance Assurance Monitoring requirements derived from 40 CFR Part 64, and 25 Pa. Code § 129.63 requirements of degreasing operations.

**67-05005: Brunner Island, LLC,** P.O. Box 221, York Haven, PA 17370, for the modification of the facility's Title V operating permit, including the removal of a system-wide NO<sub>x</sub> averaging plan, and inclusion of a site-wide NO<sub>x</sub> averaging plan as the Reasonably Available Control Technology 2 (RACT 2) approach for Sources 031A, 032, and 033A (tangentially fired boilers), and the addition of provisions derived from Consent Decree # 1:18-CV-01042-CCC dated May 17, 2018, at the electric generation station located in East Manchester Township, **York County.**

Air emissions reported by the facility in calendar year 2021 were, in tons per year:

NO <sub>x</sub>	3,297.5
SO <sub>x</sub>	3,644.1
CO	275.9
PM <sub>10</sub>	46.2
PM <sub>2.5</sub>	40.9
VOC	5.4
HCl	2.1
HF	3.5
Lead	0.1
Mercury	0.0
POM	0.0
Total HAPs	5.8
Ammonia	11.4
CO <sub>2</sub>	2,501,680.2
Methane	51.7
N <sub>2</sub> O	37.0
PM (con)	171.6
H <sub>2</sub> SO <sub>4</sub>	25.2

In accordance with 25 Pa. Code §§ 129.91—129.100, the Department of Environmental Protection has made a preliminary determination to approve the RACT 2 site-

wide NO<sub>x</sub> emission averaging plan to be submitted as part of the PA State Implementation Plan (SIP) for the Brunner Island facility.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT 2 approval, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed RACT 2 plan, if approved by DEP, will be issued as a modification of the facility's Title V operating permit (67-05005). The relevant RACT 2 requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 2 approval will be excluded from the SIP submittal.

The proposed RACT 2 requirements for this facility that are proposed to be submitted to the EPA as part of the SIP, are found in Group 012 of the draft permit, and require that Sources 031A, 032, and 033A shall comply with the facility-wide averaging plan requirements of 25 Pa. Code § 129.98 in order to comply with presumptive RACT requirements of 25 Pa. Code § 129.97. Facility-specific details will be included in the condition to ensure compliance with the RACT 2 requirements.

Additionally, the permit modification will incorporate the following requirements:

All terms in this condition are as defined in Consent Decree # 1:18-CV-01042-CCC dated May 17, 2018.

1. By the end of the Ozone Season of 2022, the permittee shall cease combustion of coal at Brunner Island during the Ozone Season (May 1 through September 30 of any calendar year), except that such combustion shall be allowed during each Ozone Season in the interim period from January 1, 2023 to December 31, 2028 (Interim Period), as long as the following conditions are met:

a. The 30-Day Rolling Average NO<sub>x</sub> Emission Rate (for Brunner Island Units 1—3) is at or below 0.12 lb/MMBtu, calculated at the end of each operating day during each Interim Period Ozone Season when coal has been burned, with the first compliance demonstration made at the end of the 30th operating day in each Ozone Season during which coal has been burned. The permittee shall notify DEP of each operating day when coal was burned during the Ozone Season, within thirty (30) days after the end of any Ozone Season during which coal was burned.

b. Brunner Island shall emit less than 6,800,000 tons of carbon dioxide ("CO<sub>2</sub>") from Brunner Island Units 1—3 per calendar year during which coal has been burned during the Ozone Season during the Interim Period.

2. By December 31, 2028, the permittee shall cease combustion of coal at Brunner Island, other than during periods of time (including time required for startup and shutdown) when PJM has declared an Emergency Action as defined in PJM Manual 13 (Emergency Operations) or an equivalent standard, and when gas is not available or the supply of gas to Brunner Island is interrupted.

3. The 30-Day Rolling Average NO<sub>x</sub> Emission Rate (for Brunner Island Units 1—3) during the Ozone Season shall be determined using the methodology found in 25 Pa. Code § 129.100(a)(1)(i)—(iii) (for units measuring emissions with continuous emissions monitors (CEMs)), with total NO<sub>x</sub> emissions and total heat input from

Brunner Island Units 1—3 used in the calculation. Furthermore, an operating day shall be defined as one with emissions reported from any one of the three units. For the purposes of this permit condition, Day shall mean, unless otherwise specified, calendar day.

**Public Comment Details:** Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Thomas Bianca, P.E., West Permit Section Chief, Air Quality Program, at [tbianca@pa.gov](mailto:tbianca@pa.gov), or at DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed permit.

**Public Hearing:** A public hearing to accept oral comments on the proposed permit action and the proposed SIP revision will be held on Wednesday, August 24, 2022 at 10:00 a.m. at DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. Individuals who wish to observe or present testimony must contact John Repetz at 717-705-4904 or [jrepetz@pa.gov](mailto:jrepetz@pa.gov) a minimum of 24 hours in advance of the hearing to reserve a time to present testimony. Verbal comments are limited to 5 minutes for each presenter. Organizations are limited to designating one individual to present verbal comments on their behalf. Video demonstrations will not be permitted. Any persons presenting verbal comments are requested to submit a written copy of their verbal testimony by e-mail to Tom Bianca, P.E., at [tbianca@pa.gov](mailto:tbianca@pa.gov), by no later than September 3, 2022.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Tom Bianca, P.E., at [tbianca@pa.gov](mailto:tbianca@pa.gov) or make accommodations through the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD).

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review, upon request to Tom Bianca, P.E., Environmental Engineering Manager, at [tbianca@pa.gov](mailto:tbianca@pa.gov), or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**08-00002: DuPont Specialty Products USA, LLC**, 192 Patterson Blvd., Towanda, PA 18848, for renewal of the Title V operating permit for their Towanda Plant located in North Towanda Township, **Bradford County**. The facility's sources include four (3) No. 2 fuel oil/natural gas-fired boilers, five (5) surface coating operations, two (2) emergency engines, one (1) thermal fluid heater and one (1) parts washer. The facility has the potential to emit 96.82 tons of nitrogen oxides (NO<sub>x</sub>) per year, 32.28 tons of carbon monoxide (CO) per year, 115.94 tons of volatile organic compounds (VOCs) per year, 1.79 tons of sulfur oxides per year (SO<sub>x</sub>), 26.02 tons of particulate matter (PM/PM<sub>10</sub>) per year, 69.69 tons of hazardous air pollutants (HAPs) per year and

105,169 tons of greenhouse gases (GHGs) per year. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Subpart Dc of 40 CFR Part 60, Subparts JJJJ and ZZZZ of 40 CFR Part 63 and 25 Pa. Code Article III, Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.*

**46-00247: Universal Concrete Products Corporation**, 400 Old Reading Pike, Stowe, PA 19464, located in West Pottsgrove Township, **Montgomery County**. This action is a renewal of a Natural Minor Operating Permit. This facility manufactures pre-cast concrete panels. Resins used in the facility's Mold Coating Process (Source ID No. 111) has the potential to emit VOC and HAPS. The facility operates one (1) blast machine (Source ID No. 103) that has the potential to emit PM. Water is used to control PM emissions resulting from hydroblasting operations. The facility also operates the following miscellaneous sources: One (1) cement batch plant with four (4) outdoor silos, each equipped with bin vents, that vents indoors; Twenty-two (22) kerosene heaters and one (1) Kemco natural gas hot water heater. Potential emissions at the facility are as follows: 11.86 tons per year of particulate matter; less than 3 tons per year of NO<sub>x</sub>, less than 2 tons per year of CO; and less than 1 ton per year each of SO<sub>x</sub>, VOC and HAPs. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at [RA-EPSEROAQPUBCOM@pa.gov](mailto:RA-EPSEROAQPUBCOM@pa.gov).

**46-00228: PR Plymouth Meeting, L.P.**, 500 Germantown Pike, Suite 150, Plymouth Meeting, PA 19462 located in Plymouth Township, **Montgomery County**. This is for the renewal of a non-Title V (State only, Natural Minor) operating permit of a retail shopping mall. Sources of air emissions are two (2) gas-fired boilers and two (2) emergency generators, with potential-to-emit below the thresholds. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be

submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**15-00053: Penn Medicine Chester County Hospital**, 701 E. Marshall St., West Chester, PA 19380, for a renewal of a State Only, Synthetic Minor Operating Permit in West Chester Borough, **Chester County**. The facility operates several combustion sources consisting of three (3) boilers, four (4) emergency electric generators, and one (1) emergency fire pump. The facility shall continue to maintain a synthetic minor operating status by limiting total nitrogen oxide (NO<sub>x</sub>) emissions to 24.9 tons per year. The operating permit includes monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**48-00067: New Enterprise Stone and Lime, Nazareth Quarry**, 382 Tatamy Road, Nazareth, PA 18064. The Department intends to issue an administrative amendment to the State-Only (Synthetic Minor) Permit for the crushed and broken granite facility in Lower Nazareth Township, **Northampton County**. The proposed administrative amendment is for the update in capacity/throughput at sources. The sources at this facility consist of crushers, conveyors, and screens. The control devices consist of water sprays. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The proposed administrative amendment contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**21-03021: Amsted Rail Company Inc.**, 3420 Simpson Ferry Road, Camp Hill, PA 17011-3690, for the railcar equipment manufacturing facility in Lower Allen Township, **Cumberland County**. This is for a significant modification of the existing State-Only Permit, which will add the following condition at Section E, Group 02, Condition # 002: "To comply with the VOC emission limits in 25 Pa. Code § 129.52d, the permittee may use the following emissions calculation to demonstrate equivalency pursuant to §§ 129.51(a) and 129.52d(d)(3):

(1) Total actual VOC emissions from averaging together usage of all coatings subject to VOC emissions limits under 25 Pa. Code § 129.52d shall not result in an increase in emissions when compared to the total VOC emissions using a compliant coatings approach as specified in Table I of 25 Pa. Code § 129.52d. This equivalency shall be calculated as follows:

(2) Allowable emissions (AE) shall be calculated as follows on a monthly basis:

(i) determine the gallons of each coating used

(ii) determine lb allowable VOC emissions for each coating used by multiplying the gallons of solids by the relevant emission limit in Table I of 25 Pa. Code § 129.52d. [see end of Section E, Group 02, condition # 002]

(iii) add the allowable VOC emissions for each affected coating to get a monthly total (AE) for all affected coatings

(3) Total actual emissions (TE) shall be calculated as follows on a monthly basis:

(i) determine the lb VOC per gallon of each coating used (LB/GAL)

(ii) determine the number of gallons of each coating used (# GAL)

(iii) determine the actual emissions by multiplying LB/GAL by # GAL

(4) TE shall be less than or equal to AE.

(5) The permittee shall keep the following records:

(i) Monthly records of the following data:

(A) name of material;

(B) product number;

(C) material density;

(D) volume of each material used;

(E) VOC content in pounds per gallon for each material;

(F) VOC content in percent by weight for each material; and

(G) the regulatory VOC content limit in pounds of VOC per gallon of each material.

(ii) Monthly calculations of AE (Allowable Emissions) and TE (Total Actual Emissions) used to verify that TE is less than or equal to AE. These records shall be retained for a minimum of 5 years and shall be made available to DEP upon request.

(6) The permittee shall submit annual reports of the calculations of AE and TE verifying that TE is less than or equal to AE. The annual reports shall be submitted to DEP no later than March 1 for the previous calendar year.

The proposed permit language adds equivalency provisions pursuant to 25 Pa. Code § 129.51(a) to comply with requirements of 25 Pa. Code § 129.52d.

**21-05044: Dairy Farmers of America, Inc.**, 4825 Old Gettysburg Road, Mechanicsburg, PA 17055, for a natural minor operating permit renewal for Mechanicsburg plant located in Lower Allen Township, **Cumberland County**. The 2021 AIMS emissions are: NO<sub>x</sub> 6.88 tons, CO 11.57 tons, PM<sub>10</sub> of 1.05 tons, SO<sub>x</sub> 0.08 ton, VOC 0.76 ton including HAPs of 0.24 ton. The Operating Permit will include emission standards and work practice standards along with monitoring, recordkeeping, and reporting requirements designed to ensure the facility complies with the applicable air quality regulations. Among other item, the boilers are subject to 40 CFR 60, Subpart Dc—Standards of Performance For Small Industrial-Commercial-Institutional Steam Generating Units.

**29-03007: Mellott Wood Preserving Co. Inc.**, 1398 Sawmill Road, P.O. Box 209, Needmore, PA 17238,

for a natural minor operating permit renewal for the wood pressure treatment facility located in Belfast Township, **Fulton County**. The PTE of the facility were calculated to be 8.22 tpy VOC, 38.62 tpy PM<sub>10/2.5</sub>, 1.75 tpy HAP, 20.40 tpy NO<sub>x</sub>, 2.34 tpy SO<sub>x</sub>, and 55.35 tpy CO. The Operating Permit will include emission standards and work practice standards along with monitoring, recordkeeping, and reporting requirements designed to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63 Subpart JJJJJ-NESHAP for Industrial, Commercial, and Institutional Boilers as well as 40 CFR Part 60 Subpart Dc NSPS for small Industrial-Commercial-Institutional Steam Generating Units.

**31-03036: Sunoco Pipeline LP**, U.S. 522 South Croghan Pike, Mt. Union, PA 17066 to issue a State Only Operating Permit for the natural gas liquid (ethane, propane, butane or a mixture of these) Mount Union pumping station located in Shirley Township, **Huntingdon County**. The potential emissions from the facility are estimated to be less than 1 ton for each of the following pollutants: NO<sub>x</sub>, CO, SO<sub>x</sub>, PM and HAPs, less than 2 tons of VOCs and 137 tons of GHGs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**36-03121: Intellicor, LLC**, 3575 Hempland Road, Lancaster, PA 17601, to issue a State Only Operating Permit for the printing operation at their facility located in West Hempfield Township, **Lancaster County**. The potential emissions from the facility are estimated at 5.53 tpy of NO<sub>x</sub>, 4.65 tpy of CO, 0.42 tpy of PM<sub>10</sub>, 0.03 tpy of SO<sub>x</sub> and 38.08 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 25 Pa. Code § 129.67b Control of VOC emissions from offset lithographic printing presses and letterpress printing presses.

**36-03197: Sunoco Pipeline, LP**, State Route 1057, Reinholds, PA 17569, to issue a State Only Operating Permit for the natural gas liquid (ethane, propane, butane or a mixture of these) Blainsport pumping station located in West Cocalico Township, **Lancaster County**. The potential emissions from the facility are estimated to be less than 1 ton for each of the following pollutants: NO<sub>x</sub>, CO, SO<sub>x</sub>, PM, VOCs and HAPs and 108 tons of GHGs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.*

**24-00160: North Star Aggregates, Inc.**, P.O. Box 51, Penfield, PA 15849. The Department intends to issue a renewal of the State Only Operating Permit for the Oyster Run Mine located in Horton Township, **Elk County**. The facility is a Natural Minor. Estimated

annual emissions are as follows: 3.5 tpy PM<sub>10</sub>; 12.02 tpy NMHC+NO<sub>x</sub>; 2.26 tpy CO; & 0.49 tpy SO<sub>x</sub>. The primary sources at the facility are sandstone processing plants, sandstone stockpiles, and associated diesel engines to power the processing plants. The facility is subject to the following Federal regulations: 40 CFR Part 60 Subpart OOO, NSPS for Non-metallic Mineral Processing Plants; 40 CFR Part 63 Subpart ZZZZ, NESHAP for Stationary RICE; and Part 60 Subpart IIII, NSPS for Stationary CI ICE. The permit includes requirements from the previously issued plan approvals and operating permits and contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**37-00274: Kasgro Rail Corporation**, 121 Rundle Road, New Castle, PA 16102. The Department intends to issue a renewal operating permit for the facility located in Taylor Township, **Lawrence County**. The facility manufactures and surface coats rail cars. The significant sources at the facility are the M/U air furnace, a paint booth, a blast booth, and welding/fabricating operations. The VOC emissions from the facility are limited to less than 2.7 TPY on a 12-month rolling total. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit.

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient



detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

#### *Coal Applications*

*Effluent Limits*—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 1

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

*California District Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100, (Contact: Bonnie Herbert).*

**Mining Permit No. 30841317. NPDES No. PA0213527. Consol Pennsylvania Coal Company, LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, to revise the permit and related NPDES Permit for installation of three (3) degas boreholes in Richhill Township, **Greene County** and Morris Township, **Washington County**, affecting 10.0 proposed surface acres. Application received: April 7, 2022.

**Mining Permit No. 56090701. NPDES No. PA0235938. PBS Coals, Inc.**, 1576 Stoystown Road, Friedens, PA 15541, to renew the permit and related NPDES Permit in Stonycreek Township, **Somerset County**. Application received: April 8, 2022.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EPCAMBRIA@pa.gov (Contact: Melanie Ford-Wigfield).*

**Mining Permit No. 56120102. Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 114.7 acres. Receiving streams: unnamed tributaries to Coal Run and unnamed tributaries to Pickings Run classified for the following uses: CWF and HQ-CWF. Application received: June 22, 2022.

**Mining Permit No. 56110105. NPDES No. PA0263257. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, renewal of a NPDES permit for a bituminous surface mine in Southampton Township, **Somerset County**, affecting 318.4 acres. Receiving streams: unnamed tributaries to the North Branch of Jennings Run; unnamed tributary to Rush Run, classified for the following uses: CWF & HQ-CWF. Application received: June 22, 2022.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EPMOSHANNON@pa.gov (Contact: Ashley Smith).*

**Mining Permit No. 17980104. NPDES No. PA0237922. Swisher Contracting, Inc.**, P.O. Box 1223, Clearfield, PA 16830, modification of an NPDES permit for a coal surface mining site located in Lawrence Township, **Clearfield County**, affecting 84 acres. Modification requesting maximum pH level of NPDES Point 011 be increased. Receiving stream(s): Moose Creek classified for the following use(s): CWF, MF. Application received: June 21, 2022.

**Mining Permit No. 17990102. RES Coal, LLC**, 51 Airport Road, Clearfield, PA 16830, application for a Change of Post-Mining Land Use from forestland to unmanaged natural habitat on an existing bituminous surface coal and auger mine located in Decatur Township, **Clearfield County**, affecting 344.2 acres. Receiving stream(s): Unnamed Tributary to Little Laurel Run and Little Laurel Run classified for the following use(s): CWF. Application received: June 21, 2022.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEWSTANTON@pa.gov (Contact: Tracy Norbert).*

**Mining Permit No. 65020101. NPDES No. PA0250082. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal of an existing bituminous surface mine in Unity Township, **Westmoreland County**, affecting 68.0 acres. Receiving streams: unnamed tributary to Nine Mile Run, classified for the following uses: WWF. Application received: June 14, 2022.

**Mining Permit No. 26060106. NPDES No. PA0250988. Charles L. Swenglich & Sons Coal Company, Inc.**, 2 Swenglich Lane, Smithfield, PA 15478, renewal of an existing bituminous surface mine in Georges and Springhill Townships, **Fayette County**, affecting 529.9 acres. Receiving streams: unnamed tributaries to Rubles Run and unnamed tributaries to Mountain Creek, classified for the following uses: CWF. Application received: June 15, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).*

**Mining Permit No. 49950202. Gilberton Coal Company**, 10 Gilberton Road, Gilberton, PA 17934, renewal of an anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County**, affecting 142.0 acres. Receiving stream: Shamokin Creek, classified for the following uses: WWF, MF. Application received: June 2, 2022.

*Noncoal Applications*

*Effluent Limits*—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 2

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity.			
pH must always be greater than 6.0; less than 9.0.			

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).*

**Mining Permit No. 45020301. NPDES Permit No. PA0224235. H & K Group, Inc.**, P.O. Box 196, Skippack, PA 19474, correction to increase the discharge rate of an NPDES Permit on a quarry operation in Smithfield Township, **Monroe County**, affecting 61.6 acres. Receiving stream: Marshalls Creek, classified for the following uses: EV—CWF, MF. Application received: May 25, 2022.

**Mining Permit No. 64112502. NPDES Permit No. PA0225061. Johnston & Rhodes Bluestone Company**, P.O. Box 130, East Branch, NY 13756, renewal of an NPDES Permit on a quarry operation in Manchester Township, **Wayne County**, affecting 12.0 acres. Receiving stream: Weston Brook, classified for the following uses: CWF, MF. Application received: June 6, 2022.

**Mining Permit No. 64162801. GP105 No. 64222501. NPDES Permit No. PA0225428. Leo's 848 Products, LLC**, P.O. Box 277, Lake Como, PA 18437, transfer of an NPDES Permit from Joshua Smith in Scott Township, **Wayne County**, affecting 10.0 acres. Receiving stream: Balls Creek classified for the following uses: HQ-CWF, MF. Application received: June 8, 2022.

**Mining Permit No. 22220301. National Quarries, LLC**, P.O. Box 562, Villanova, PA 19085, commencement, operation and restoration of a quarry operation in West Hanover Township, **Dauphin County**, affecting 68.2 acres. Receiving stream: Fishing Creek classified for the following uses: WWF, MF. Application received: June 8, 2022.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEWSTANTON@pa.gov (Contact: Tracy Norbert).*

**Mining Permit No. 63920301. NPDES No. PA0203424. Langeloth Metallurgical Company, LLC**, 10 Langeloth Plant Drive, Langeloth, PA 15054-0608, renewal of an NPDES permit associated with a large noncoal permit in Smith Township, **Washington County**, affecting 13 acres. Receiving stream: Burgetts Fork, classified for the following use: WWF. No changes are proposed. Application received: June 16, 2022.

**MINING ACTIVITY NPDES DRAFT PERMITS**

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

*Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse

disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

#### *Additional criteria*

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan, and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters of this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

#### *Submittal of comments*

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit notice within 30-days of this notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and phone number of the writer and a concise statement to inform the Department of the basis of a comment and the relevant facts upon which it is based.

Requests or petitions for a public hearing on any NPDES permit applications will be accepted as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, phone number and the interest of the party filing the request and state the reasons why a hearing is warranted. The Department may hold a public hearing if the public interest is significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EPMOSHANNON@pa.gov (Contact: Ashley Smith).*

**NPDES No. PA0243132. Mining Permit No. 17010110. River Hill Coal Company, Inc.,** P.O. Box 141, Kylertown, PA 16847, renewal of an NPDES permit for discharge of water resulting from bituminous coal surface mining in Bigler & Woodward Township, **Clearfield County**, affecting 25.5 acres. Receiving stream: Upper Morgan Run, classified for the following use: CWF. This receiving stream is included in the North Branch Upper Morgan Run Watershed TMDL. Application received: February 15, 2022.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following outfall discharges to Unnamed Tributary No. 6 to Upper Morgan Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
016	Existing	Treated Subchapter F Discharge 15E	Continuous (7.6 gpm average)

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfalls: 016 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Net Acid Load (lbs/day)	—	—	0.476
Iron Load (lbs/day)	—	—	0.202
Manganese Load (lbs/day)	—	—	0.135
Aluminum Load (lbs/day)	—	—	0.0461
Total Suspended Solids (mg/L)	Report		

<i>Outfalls: 016 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

This site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87, Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEWSTANTON@pa.gov (Contact: Tracy Norbert).*

**NPDES No. PA0201618. Mining Permit No. 65960107. Amerikohl Mining, Inc.**, 1384 State Route 711, Stahls-town, PA 15687, renewal of an NPDES permit in Mount Pleasant Township, **Westmoreland County**, for treatment of a post-mining discharge related to a coal mining activity permit. Receiving stream: Laurel Run, classified for the following use: CWF. Application received: April 26, 2021.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following treated wastewater outfalls discharge to Laurel Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate [MGD]</i>
001 (PW)	Existing	TFO	0.022

The proposed effluent limits for the previously listed outfall is as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)		3.0	6.0	7.0
Total Manganese (mg/L)		2.0	4.0	5.0
Total Aluminum (mg/L)		2.0	4.0	5.0
Total Suspended Solids (mg/L)		35	70	90
pH (S.U.)	6.0			9.0
Total Alkalinity (mg/L)				Report
Total Acidity (mg/L)				Report
Total Net Alkalinity (mg/L)	0.0			
Flow (gpm)				Report
Sulfate (mg/L)				Report
Specific Conductivity (µmhos/cm)				Report
Temperature (°C)				Report

#### *Noncoal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EPCAMBRIA@pa.gov (Contact: Melanie Ford-Wigfield).*

**NPDES No. PA0613169. Mining Permit No. 50820303. Pennsy Supply, Inc.**, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17104, renewal of a NPDES permit in Oliver Township, **Perry County**, affecting 69.84 acres. Receiving stream: Little Buffalo Creek, classified for the following use: CWF. Application received: February 2, 2022.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to Little Buffalo Creek:

<i>Outfall number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001 Little Buffalo Creek	Existing	Sediment Trap	0.02 MGD
002 Little Buffalo Creek	Existing	Sediment Trap	0.03 MGD

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Dissolved Solids (mg/L)	-	35.0	70.0	90.0
pH (S.U.)	6.0	-	-	9.0

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EPMOSHANNON@pa.gov (Contact: Ashley Smith).*

**NPDES Permit No. PA0257478. Mining Permit No. 08100307. Insinger Excavating, Inc.**, (3046 Dushore-Overton Road, Dushore, PA 18614), renewal of an NPDES permit for discharge of water resulting from surface mining of industrial minerals in Springfield Township, **Bradford County**, affecting 62.9 acres. Receiving stream(s): UNT to Bentley Creek, classified for the following use(s): WWF, MF. Application received: February 15, 2022.

The following outfall discharges to UNT to Bentley Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Sediment Pond	Precipitation

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfalls: 001 (Dry Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Suspended Solids (mg/L)	35	70	90
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 001 (≤10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
<i>Outfalls: 001 (&gt;10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

**NPDES No. PA0226246. (GP-105 No. 58212513). Gary Morrison**, 478 Mountain View Estates, Montrose, PA 18801, new NPDES permit in Liberty Township, **Susquehanna County**, affecting 11.5 acres. Receiving stream: unnamed tributary to Silver Creek/Snake Creek Watershed classified for the following uses: Designated Use—CWF, MF; Existing Stream Use—EV Application received: November 2, 2021.

Non-Discharging BMPs will be in effect.

**NPDES No. PA0612880. Mining Permit No. 7874SM2. New Enterprise Stone & Lime Co., Inc.**, 3912 Brumbaugh Road, New Enterprise, PA 16664, renewal of an NPDES permit in North Whitehall Township, **Lehigh County**, affecting 272 acres. Receiving stream: Coplay Creek, classified for the following use: CWF. Application received: January 10, 2022.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to Coplay Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate MGD</i>
001	Existing	TFO	1.4
002	Existing	TFO	1.4

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant</i> <i>Maximum</i>
Flow (MGD)		1.4		
pH (S.U.)	6.0			9.0
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Acidity, Total (mg/L)				Report
Alkalinity, Total (mg/L)				Report
Net Alkalinity (mg/L)	0.0			
Oil & Grease (mg/L)				Report

**NPDES No. PA0595543. Mining Permit No. 38870301. Pennsy Supply, Inc.**, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, renewal of an NPDES permit in N. & S. Annville, Annville & N. Londonderry Townships, **Lebanon County**, affecting 1,039.90 acres. Receiving streams: Killinger & Quittapahilla Creeks, classified for the following use: TSF. TMDL: Quittapahilla Creek. Application received: January 21, 2022.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to Killinger Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate [MGD]</i>
001	Existing	TFO	8.72
002	Existing	TFO	20.44
003	Existing	TFO	3.00

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant</i> <i>Maximum</i>
001 Flow (MGD)		8.72	8.72	

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
002 Flow (MGD)		20.44	24	
003 Flow (MGD)		3.00	21	
pH (S.U.)	6.0			9.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Turbidity (mg/l)				40.0
Total Acidity (mg/l)				Report
Net Alkalinity (mg/l)	0.0			
Total Alkalinity (mg/l)				Report
Oil & Grease (mg/l)				Report

The following treated wastewater outfall discharge to Quittapahilla Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
004	Existing	SWO	Emergency Only

The proposed effluent limits for the previously listed outfall are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0			9.0
Total Acidity (mg/l)				Report
Net Alkalinity (mg/l)	0.0			
Total Alkalinity (mg/l)				Report

The following treated wastewater outfalls discharge to Killinger Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate [MGD]</i>
005	Existing	SWO	Emergency Only
006	Existing	SWO	Emergency Only
007	Existing	SWO	Emergency Only

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0			9.0
Total Acidity (mg/l)				Report
Net Alkalinity (mg/l)	0.0			
Total Alkalinity (mg/l)				Report

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the state to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant state requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data perti-

nent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.*

**Permit No. E0901222-002, Bucks County**, 1260 Alms-house Road, Doylestown, PA 18901, Doylestown and Warwick Townships, **Bucks County**, Army Corps of Engineers Philadelphia District.

Bucks County is proposing to construct and maintain a 10-foot-wide paved multi-use path associated with the

Dark Hollow Trail Project within the floodway and floodplain of the Neshaminy Creek (TSF-MF). This activity includes:

1. Construct and maintain paved areas within the floodway and floodplain resulting in 23,886 square feet of permanent floodway impact and 6,785 square feet of permanent floodplain impact.

2. To excavate and grade within the floodway and floodplain resulting in 967 square feet of permanent floodway impact and 4,538 square feet of permanent floodplain impact. This activity involves the removal of fill from the floodway and floodplain.

3. To place riprap stabilization with the floodway and floodplain resulting in 606 square feet of permanent floodway impact and 3,064 square feet of permanent floodplain impact.

4. To temporarily store a soil stockpile and place a filter sock concrete washout within the 100-year floodplain resulting in 1,503 square feet of temporary floodplain impact.

This project will provide a strategic connection in the Neshaminy Creek Trail System and include two end segments at Almshouse Road in Doylestown Township and Valley Road in Warwick Township, Bucks County (USGS PA Buckingham; Doylestown Quadrangle, Latitude 40.276382 N, Longitude -75.097635).

**Permit No. E0901222-003, 213 Industrial, LLC, c/o Foxfield Industrial, LLC**, 265 Franklin Street, Suite 1001, Boston, MA 02110, Middletown Township, **Bucks County**, Army Corps of Engineers Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with the East Old Lincoln Highway Industrial Facility—South Site. The project proposes the construction of a 451,000 SF warehouse with associated parking and stormwater facilities, impacting 0.071 acre of coastal wetlands associated with Mill Creek (WWF). There will be no stream, floodway, or floodplain impacts.

The site is approximately located at 1700 East Old Lincoln Highway (Perkiomenville, PA Lat. 40.175431; Long -74.894689) in Middletown Township, Bucks County.

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Gillian Pehala, Clerical Assistant 2, 570-830-3077.*

**E4802122-004: PA Department of Transportation, Eng District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, Williams Township, **Northampton County**, Army Corps of Engineers, Philadelphia District.

The following impacts are associated with the SR 0611-05B project:

- To maintain a 145-foot wide 42-inch diameter RCP stream enclosure, with a 1/2-inch thick cementitious liner in the final 95-feet of the structure. The structure carries SR 0611 across a tributary to the Delaware River (TSF, MF) and carries the tributary to the Delaware River under the Delaware Canal (TSF, MF) and Delaware Canal Trail. Grouted R-6 riprap will be placed at the culvert inlet and upstream streambanks

- To repair an erosion hole in the watercourse and floodway of the Delaware Canal. Flowable fill and approximately 50' of clay liner along the streambank will be used to repair the area to match existing conditions.

The project is located along SR 0611 Sec 05B, Segment 0070 Offset 2561, approximately 150 feet south of the SR 0611/Brown Drive intersection (Easton, PA Quadrangle, Latitude: 40° 38' 48.90" N, Longitude: -75° 12' 8.03" W).

**E3902222-001. Upper Saucon Township**, 5500 Camp Meeting Road, Center Valley, PA 18034, in Upper Saucon Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Kozy Korner Road Storm Sewer Project:

- To construct and maintain a stormwater outfall in the floodway of Saucon Creek (HQ-CWF, MF) consisting of two (2) 19-inch by 30-inch HERCP pipes with a concrete headwall and rip rap apron.

- To replace an existing 24" culvert pipe crossing of a UNT to Saucon Creek (HQ-CWF, MF) with an 18" RCP culvert and concrete headwall.

- To fill an area of EV wetlands equal to approximately 0.03 acre associated with the stormwater improvements.

The project is located along Kozy Korner Road (T-440) and Limeport Pike (SR 2029) (Allentown East, PA Quadrangle, Latitude: 40° 31' 31"; Longitude: -75° 27' 3") in Upper Saucon Township, Lehigh County.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Dana Drake.*

**E0205222-004, Millvale Sportsmen's Club, Inc.**, 170 Sunny Hill Road, Wexford, PA 15090, Marshall Township, **Allegheny County**; Army Corps of Engineers Pittsburgh District.

The applicant proposes to:

1. Excavate and remove lead contaminated soil from 210 linear feet of Stream-01, an unnamed tributary to the East Branch of Big Sewickley Creek (TSF), and 0.48 acre of the associated floodway, and 0.34 acre of wetlands -01A and -01B, both palustrine emergent wetlands (PEM);

2. Place and maintain the reclaimed soil, along with additional fill, permanently, within these regulated waters of the Commonwealth, as components of a lead reclamation project;

3. Construct and maintain a stilling basin within the Stream-01, at the downstream end of the reclamation area.

For the purpose of addressing existing and future lead contamination.

Mitigation will be provided by the purchase of 210 linear feet of stream credits and 0.34 acre of wetland credits from the Robinson Fork Mitigation bank.

The project site is located at 170 Sunny Hill Road, Wexford, PA 15090 (Emsworth, PA USGS topographic quadrangle; 40.621960°, -80.102681°; Sub-basin 20G; USACE Pittsburgh District), in Marshall Township, Allegheny County.

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E1006222-002, Wee Five Development, LLC**, 1272 Mars Evans City Road, Suite 102, Evans City, PA 16033,

Londonderry Ridge, in Jackson Township, **Butler County**, Army Corps of Engineers Pittsburgh District (Evans City, PA Quadrangle, N: 40°, 46', 19.586"; W: -80°, 5', 39.199").

The applicant is proposing to construct a development in Jackson Township, Butler County directly north of Evans City Reservoir, along Lindsay Road, consisting of

85 townhome units and 100 single-family homes with all associated infrastructure impacting approximately 9,754.5 sf (0.2239 acre) of watercourse, 22,050 sf (0.5062 acre) of floodways and approximately 881.2 sf PEM wetlands, 3,484.8 sf PSS wetlands, and 6,534 sf PFO wetlands (totaling approximately 0.25 acre wetland). The applicant is planning mitigation through bank credit purchase.

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## ACTIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended, and renewed NPDES and WQM permits, applications for permit waivers, and NOIs for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated county conservation district (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at [www.dep.pa.gov/CWPUBLICNOTICE](http://www.dep.pa.gov/CWPUBLICNOTICE).

DEP office contact information to review official files relating to the final actions in Section I is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.*

*DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.*

*DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.*

*DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES\_Permits@pa.gov.*

*DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.*

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.



For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

**I. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.**

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0246948	CAFO Individual NPDES Permit	Issued	Eckman Brian D and Eckman Donald M 357 Black Barren Road Peach Bottom, PA 17563-9798	Fulton Township Lancaster County	SCRO
PA420001D	Chapter 102 Individual NPDES Permit	Issued	Highland Fld Service, LLC 5800 Corporate Drive Suite 300 Pittsburgh, PA 15237-7098	Sergeant Township McKean County	NWRO
PAD090016	Chapter 102 Individual NPDES Permit	Issued	Bensalem Redevelopment, LP 1285 Drummers Lane Suite 100 Wayne, PA 19087-1572	Bensalem Township Bucks County	SERO
PAD100016	Chapter 102 Individual NPDES Permit	Issued	Karns City Area School District 1146 Kittaning Pike Karns City, PA 16041	Chicora Borough Butler County	NWRO
PAD210064	Chapter 102 Individual NPDES Permit	Issued	Diakon Lutheran Social Ministries 960 Century Drive Mechanicsburg, PA 17055-4530	South Middleton Township Cumberland County	SCRO
PAD260020	Chapter 102 Individual NPDES Permit	Issued	PA DCNR 500 Market Street Harrisburg, PA 17101	Stewart Township Fayette County	SWRO
PAD280001	Chapter 102 Individual NPDES Permit	Issued	Grove US, LLC P.O. Box 21 Shady Grove, PA 17256-0021	Antrim Township Franklin County	SCRO
PAD630054	Chapter 102 Individual NPDES Permit	Issued	P2 Developers, LLC 211 Mitchell Road Eighty Four, PA 15330	Somerset Township Washington County	SWRO
PAD670058	Chapter 102 Individual NPDES Permit	Issued	Brady Scott A 250 Zion Church Road Red Lion, PA 17356-8406	Windsor Township York County	SCRO
PA0204811	Industrial Stormwater Individual NPDES Permit	Issued	Vision Profile Extrusions USA, Ltd 1 Contact Place Delmont, PA 15626-1402	Salem Township Westmoreland County	SWRO
0913933	Joint DEP/PFBC Pesticides Permit	Issued	Dutchess Farm Estates Association 975 Easton Road Suite 102 Warrington, PA 18976-1858	Upper Makefield Township Bucks County	SERO
0922809	Joint DEP/PFBC Pesticides Permit	Issued	Emerson Scott 407 E Lancaster Avenue Wayne, PA 19087-4202	Milford Township Bucks County	SERO
1513893	Joint DEP/PFBC Pesticides Permit	Issued	Hershey's Mill Landscape Co. 1000 Mill Road West Chester, PA 19380-6950	East Goshen Township Chester County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2522804	Joint DEP/PFBC Pesticides Permit	Issued	Lakeview CC 8351 Rte 89 Northeast, PA 16428	North East Township Erie County	NWRO
5922801	Joint DEP/PFBC Pesticides Permit	Issued	Pine Hill, Inc. P.O. Box 62 Blossburg, PA 16912-0062	Ward Township Tioga County	NCRO
6122801	Joint DEP/PFBC Pesticides Permit	Issued	Timothy Stephens 174 Carolyn Lane Cranberry, PA 16319	Cranberry Township Venango County	NWRO
6319802	Joint DEP/PFBC Pesticides Permit	Issued	Dustin Darnley and Carrie Torre 160 Eberle Road Hickory, PA 15340-1407	Mount Pleasant Township Washington County	SWRO
1522402	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Wallace Township Municipal Authority Chester County P.O. Box 96 1250 Creek Road Glenmoore, PA 19343	Wallace Township Chester County	SERO
PA0051616	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	East Vincent Township Chester County	SERO
PA0111279	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Hooversville Borough Municipal Authority Somerset County P.O. Box 176 50 Main Street Hooversville, PA 15936-0176	Quemahoning Township Somerset County	SWRO
PA0222771	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	International Waxes, Inc. 1007 E Spring Street Titusville, PA 16354-7826	Titusville City Crawford County	NWRO
PA0261769	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Adhesives Research, Inc. 400 Seaks Run Road Glen Rock, PA 17327-9500	Springfield Township York County	SCRO
PA0039551	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Lebanon Valley MHP, LLC P.O. Box 173 East Petersburg, PA 17520-0173	Bethel Township Lebanon County	SCRO
PA0040843	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Lutheran Camp Assoc, Inc. P.O. Box 245 Jennerstown, PA 15547-0245	Jenner Township Somerset County	SWRO
PA0080748	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Northern Lebanon County Authority P.O. Box 434 Jonestown, PA 17038-0434	Union Township Lebanon County	SCRO
PA0114472	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Cherry Township Sullivan County 11961 Route 87 Dushore, PA 18614-7440	Cherry Township Sullivan County	NCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0986456	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Dublin Borough Authority Bucks County 119 Maple Avenue Dublin, PA 18917-2403	Bedminster Township Bucks County	SERO
3801403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Mount Gretna Borough Authority Lebanon County P.O. Box 61 101 Chautauqua Drive Mount Gretna, PA 17064-0061	Mount Gretna Borough Lebanon County	SCRO
3885409	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Lebanon Valley MHP, LLC P.O. Box 173 East Petersburg, PA 17520-0173	Bethel Township Lebanon County	SCRO
NOEXNW214	No Exposure Certification	Issued	Deist Ind, LLC 3547 Perry Highway Hadley, PA 16130-2325	Saegertown Borough Crawford County	NWRO
NOEXSC378	No Exposure Certification	Issued	Wipro Enterprises, Inc. 1101 Sheffler Drive P.O. Box 371 Chambersburg, PA 17201-4844	Chambersburg Borough Franklin County	SCRO
NOEXSW003	No Exposure Certification	Issued	Extrude Hone Corp 235 Industry Boulevard Irwin, PA 15642-1000	North Huntingdon Township Westmoreland County	SWRO
PAR403503	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Envirite of PA, Inc. 730 Vogelsong Road York, PA 17404-6707	York City York County	SCRO
PAR803624	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Pitt Ohio Express, LLC 15 27th Street Pittsburgh, PA 15222-4729	Swatara Township Dauphin County	SCRO
PAR804872	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PDF, Inc. d/b/a Berman Truck Group 1844 Rich Highway DuBois, PA 15801-3970	Sandy Township Clearfield County	NCRO
PAG132285	PAG-13 NPDES General Permit for MS4s	Waived	McAdoo Borough Schuylkill County 23 N Hancock Street McAdoo, PA 18237-1517	McAdoo Borough Schuylkill County	NERO
PA0270741	Pesticides Individual NPDES Permit	Issued	PA DEP Vector Management P.O. Box 1467 Harrisburg, PA 17105-1467	Statewide Statewide	CO
0313400	Pump Stations Individual WQM Permit	Issued	Manor Township Joint Municipal Authority Armstrong County P.O. Box 993 300 S McKean Street Kittanning, PA 16201-0993	Kittanning Borough Armstrong County	NWRO
0320402	Pump Stations Individual WQM Permit	Issued	Manor Township Joint Municipal Authority Armstrong County P.O. Box 66 Ford City, PA 16226-0066	Ford City Borough Armstrong County	NWRO
0320403	Pump Stations Individual WQM Permit	Issued	Manor Township Joint Municipal Authority Armstrong County P.O. Box 66 Ford City, PA 16226-0066	Ford City Borough Armstrong County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0375401	Pump Stations Individual WQM Permit	Issued	Manor Township Joint Municipal Authority Armstrong County P.O. Box 66 Ford City, PA 16226-0066	Ford City Borough Armstrong County	NWRO
6722403	Sewer Extensions Individual WQM Permit	Issued	Spring Grove Borough York County 1 Campus Avenue Spring Grove, PA 17362-1412	Spring Grove Borough York County	SCRO
PA0055158	Single Residence STP Individual NPDES Permit	Issued	Meadows Investments, LLC P.O. Box 187 Ottsville, PA 18942	Nockamixon Township Bucks County	SERO
PA0233226	Single Residence STP Individual NPDES Permit	Issued	Frederick R Cleaver Jr and Christine R Cleaver 2244 Egypt Road Woodland, PA 16881-8815	Bradford Township Clearfield County	NCRO
PA0240231	Single Residence STP Individual NPDES Permit	Issued	Turnbull Erick 510 Pittsville Road Kennerdell, PA 16374-4708	Rockland Township Venango County	NWRO
PA0263737	Single Residence STP Individual NPDES Permit	Issued	Cathy and Craig Mullen 18 Hinkle Street Warren, PA 16365-2712	Cherry Grove Township Warren County	NWRO
PA0263770	Single Residence STP Individual NPDES Permit	Issued	Dena M and Trent H A Nagy 17973 Townville Road Centerville, PA 16404-2421	Athens Township Crawford County	NWRO
PA0264466	Single Residence STP Individual NPDES Permit	Issued	Frugoli Joseph 145 New Road Churchville, PA 18966-1445	Eldred Township McKean County	NWRO
PA0264741	Single Residence STP Individual NPDES Permit	Issued	Turner Ralph 264 Horn Siding Lane Spring Creek, PA 16436-3810	Spring Creek Township Warren County	NWRO
PA0265241	Single Residence STP Individual NPDES Permit	Issued	Preston Benjamin 155 Miller Hill Road Warren, PA 16365-8655	Conewango Township Warren County	NWRO
PA0271730	Single Residence STP Individual NPDES Permit	Issued	Reinard Douglas 285 Rosewae Avenue Cortland, OH 44410-1237	Harmony Township Forest County	NWRO
PA0288748	Single Residence STP Individual NPDES Permit	Issued	David and Joyce Mahan 1070 Stone Springhouse Road Titusville, PA 16354-7072	Cherrytree Township Venango County	NWRO
PA0290262	Single Residence STP Individual NPDES Permit	Issued	Vogus Daniel 916 State Rte 428 Oil City, PA 16301	Oakland Township Venango County	NWRO
PA0290441	Single Residence STP Individual NPDES Permit	Issued	Sandra and William Thornton 262 Red Mills Road Pine Bush, NY 12566-6218	Conneaut Township Erie County	NWRO
PA0290505	Single Residence STP Individual NPDES Permit	Issued	Pollock Nadine 5909 Route 666 Sheffield, PA 16347-2131	Sheffield Township Warren County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0290564	Single Residence STP Individual NPDES Permit	Issued	Simmers Sandra 159 Ball Park Road Sharpsville, PA 16150-3005	Jefferson Township Mercer County	NWRO
PA0290572	Single Residence STP Individual NPDES Permit	Issued	Andersen Stephen 10564 Route 19 N Waterford, PA 16441-9117	Waterford Township Erie County	NWRO
PA0290629	Single Residence STP Individual NPDES Permit	Issued	Thompson Sherri 10020 Springboro Road Springboro, PA 16435-2448	Spring Township Crawford County	NWRO
1722402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Frederick R Cleaver Jr and Christine R Cleaver 2244 Egypt Road Woodland, PA 16881-8815	Bradford Township Clearfield County	NCRO
2022404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Thompson Sherri 10020 Springboro Road Springboro, PA 16435-2448	Spring Township Crawford County	NWRO
2522405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sandra and William Thornton 262 Red Mills Road Pine Bush, NY 12566-6218	Conneaut Township Erie County	NWRO
2522408	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Andersen Stephen 10564 Route 19 N Waterford, PA 16441-9117	Waterford Township Erie County	NWRO
2718401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Reinard Douglas 285 Rosewae Avenue Cortland, OH 44410-1237	Harmony Township Forest County	NWRO
4322402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Simmers Sandra 159 Ball Park Road Sharpsville, PA 16150-3005	Jefferson Township Mercer County	NWRO
4622403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Stephen And Caroline Grasso 694 W Beidler Road King of Prussia, PA 19406-1422	Upper Merion Township Montgomery County	SERO
5622401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Indian Lake Borough Somerset County 7785 Lincoln Highway Central City, PA 15926-7500	Indian Lake Borough Somerset County	SWRO
6108401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Turnbull Erick 510 Pittsville Road Kennerdell, PA 16374-4708	Rockland Township Venango County	NWRO
6120403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	David and Joyce Mahan 1070 Stone Springhouse Road Titusville, PA 16354-7072	Cherrytree Township Venango County	NWRO

## NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6121405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Vogus Daniel 916 State Rte 428 Oil City, PA 16301	Oakland Township Venango County	NWRO
6210401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Cathy and Craig Mullen 18 Hinkle Street Warren, PA 16365-2712	Cherry Grove Township Warren County	NWRO
6216406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Turner Ralph 264 Horn Siding Lane Spring Creek, PA 16436-3810	Spring Creek Township Warren County	NWRO
6217410	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Preston Benjamin 155 Miller Hill Road Warren, PA 16365-8655	Conewango Township Warren County	NWRO
6222404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Pollock Nadine 5909 Route 666 Sheffield, PA 16347-2131	Sheffield Township Warren County	NWRO
PA0266426	Small Flow Treatment Facility Individual NPDES Permit	Issued	Stroup Donna M 1123 Shippen Dam Road Millersburg, PA 17061-8883	Upper Paxton Township Dauphin County	SCRO
WQG02091101	WQG-02 WQM General Permit	Issued	Warminster Municipal Authority Bucks County 415 Gibson Avenue P.O. Box 2279 Warminster, PA 18974-4163	Warminster Township Bucks County	SERO
WQG02462205	WQG-02 WQM General Permit	Issued	Lower Salford Township Authority Montgomery County 57 Main Street Harleysville, PA 19438-2515	Lower Salford Township Montgomery County	SERO
WQG02482203	WQG-02 WQM General Permit	Issued	Forks Township Northampton County 1606 Sullivan Trail Easton, PA 18040-8332	Forks Township Northampton County	NERO
WQG02672202	WQG-02 WQM General Permit	Issued	Newberry Township York County 1915 Old Trail Road Etters, PA 17319-9130	Newberry Township York County	SCRO

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**II. Final Actions on PAG-01 and PAG-02 General NPDES Permit NOIs.**


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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230035	PAG-02 General Permit	Issued	The Henderson Group 112 Chesley Drive Suite 200 Media, PA 19063	Chadds Ford Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484

## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230099 A-1	PAG-02 General Permit	Issued	Stephen B. Conrad 61 Smithbridge Road Glen Mills, PA 19342-1463	Concord Township Chester Heights Borough	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC510227	PAG-02 General Permit	Issued	SBWF Homes, LLC 1845 Walnut Street Suite 910 Philadelphia, PA 19103	City of Philadelphia Philadelphia Count	DEP, SERO 2 East Main Street Norristown, PA 19401-4915 RA-EPNPDES_SERO@ pa.gov
PAC150026	PAG-02 General Permit	Issued	Main Street Phase II, LP 120 W Germantown Pike Suite 120 Plymouth Meeting, PA 19462	West Whiteland Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150308	PAG-02 General Permit	Issued	Church Farm School 1001 East Lincoln Highway Exton, PA 19341	West Whiteland Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150274	PAG-02 General Permit	Issued	Roller Derby Skate Corp P.O. Box 249 Litchfield, IL 62056	West Sadsbury Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150313	PAG-02 General Permit	Issued	Thorndale Real Estates, LLC 230 North Dupont Highway New Castle, DE 19720	Caln Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC090085	PAG-02 General Permit	Issued	Sea World Parks and Entertainment LLC d/b/a Sesame Place 100 Sesame Road Langhorne, PA 19047	Middletown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550
PAC540118	PAG-02 General Permit	Issued	Sisters Early Learning Center LLC Ms. Holly Bindie 510 West Arch Street Frackville, PA 17931-1602	Frackville Borough Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville PA 17901-9733 570-622-3742
PAC540119	PAG-02 General Permit	Issued	Shenandoah Municipal Sewer Authority Mr. Andrew Szczyrak 15 West Washington Street Shenandoah, PA 17976-1708	West Mahanoy Township Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville PA 17901-9733 570-622-3742
PAC350126	PAG-02 General Permit	Issued	Riverfront Athletics, LLC 5 West Olive Plaza Scranton, PA 18508-2531	City of Scranton Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC580029	PAG-02 General Permit	Issued	Paul Travis 2308 Tripp Lake Road Brackney, PA 18812	Silver Lake Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105
PAC390180	PAG-02 General Permit	Issued	DeSales University 2755 Station Avenue Center Valley, PA 18034	Upper Saucon Township Lehigh County	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583
PAC480134	PAG-02 General Permit	Issued	Lower Saucon Township 3700 Old Philadelphia Pike Bethlehem, PA 18015	Lower Saucon Township Northampton County	Northampton County Conservation District 14 Gracedale Avenue Greystone Building Nazareth, PA 18064-9211 610-829-6276
PAC360462 A-1	PAG-02 General Permit	Issued	Fox Clearing LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360725 A-1	PAG-02 General Permit	Issued	Samuel Stoltzfus 143 Rothsville Station Road Lititz, PA 17543	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360657 A-1	PAG-02 General Permit	Issued	Mennonite Home 1520 Harrisburg Pike Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360729	PAG-02 General Permit	Issued	Lancaster Mennonite School 2176 Lincoln Highway East Lancaster PA 17602	East Lampeter Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC010138 A-1	PAG-02 General Permit	Issued	Hillandale Gettysburg, LP 3910 Oxford Road Gettysburg, PA 17325	Tyrone Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC080050 A-1	PAG-02 General Permit	Issued	William Frandsen Frandsen Real Estate, LLC 19 Orchard Street Spencer, NY 14883	South Waverly Borough Bradford County	Bradford County Conservation District 200 Lake Road Suite E Towanda, PA 18848



## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC140139	PAG-02 General Permit	Issued	Jeff Long 1916 Hileman Road Tyrone, PA 16866	Rush Township Centre County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte PA 16823-1400
PAC140144	PAG-02 General Permit	Issued	Chick-fil-A 1938 North Atherton Street State College, PA 16803	Patton Township Centre County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte PA 16823-1400
PAC410068 A-1	PAG-02 General Permit	Issued	Loyalsock Township School District 1605 Four Mile Drive Williamsport, PA 17701	Loyalsock Township Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754-9209
PAD530009	Individual Permit	Issued	Galeton Borough 539 Galeton 6 E Galeton, PA 16922	Galeton Borough Pike Township Potter County	NCRO 208 W 3rd St Ste 101 Williamsport, PA 17701
PAC600092	PAG-02 General Permit	Issued	Country View Family Farms, LLC Old Route 15 & I-80 New Columbia, PA 17856	White Deer Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600097	PAG-02 General Permit	Issued	PNK P2, LLC Alex Rozengaus Enterprise Blvd Allenwood, PA 17810	Gregg Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PA600002C	PAG-02 General Permit	Issued	PPL EU Corp Nelson Klitzka Beagle Road Lewisburg, PA 17837	Lewisburg Borough Kelly Township Buffalo Township E. Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600091	PAG-02 General Permit	Issued	Family Trust of Stylianios Nikoloas and Georgeanne Xagorarakis 157 Buffalo Creek Road Mifflinburg, PA 17844	Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC040113	PAG-02 General Permit	Issued	Center Township Sanitary Authority 224 Center Garage Road Aliquippa, PA 15001	Center Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
PAC560064	PAG-02 General Permit	Issued	Richard Schoedel 4411 Run Road New Tripoli, PA 18066	Allegheny Township Somerset County	Somerset County Conservation District Somerset County AG Center 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC63247	PAG-02 General Permit	Issued	Trinity Area School District 231 Park Avenue Washington, PA 15301	North Franklin Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
PAC250154	PAG-02 General Permit	Issued	Primax Properties, LLC 1100 East Morehead Street Charlotte, NC 28204	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC420022	PAG-02 General Permit	Denied	PA American Water Company 203 Sycamore Street Punxsutawney, PA 15767	Wetmore Township Kane Borough McKean County	McKean County Conservation District 17137 Route 6 Smethport, PA 16749 814-887-4001
PAC430068	PAG-02 General Permit	Issued	SP Hermitage Rd Hermitage PA, LLC 8801 River Crossing Blvd Suite 300 Indianapolis, IN 46240	Hermitage City Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC690010	PAG-02 General Permit	Issued	PADEP—Bureau of Abandoned Mine Reclamation South Grassflat 4 AML Site Peale Road Grassflat, PA 16839	Cooper Township Clearfield County	Bureau of Abandoned Mine Reclamation 400 Market Street 13th Floor P.O. Box 69205 Harrisburg, PA 17106-9205
PAC040034A-1	PAG-02 General Permit	Issued	Pennsylvania Turnpike Commission P.O. Box 67676 Harrisburg, PA 170106-7676	Big Beaver Borough Homewood Borough North Sewickley Township Beaver County	DEP, RPCO 400 Market Street Harrisburg, PA 17101 RA-EPREGIONAL PERMIT@pa.gov

## PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

*Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Pehala, Clerical Assistant 2, 570-830-3077.*

**Permit No. 2400024, Operations Permit, Public Water Supply.**

Applicant

**Bonnieville, Inc.**  
(Bonham's Nursing &  
Rehabilitation Center)  
477 Bonnieville Road  
Stillwater, PA 17878

Municipality      Huntington Township  
 County             **Luzerne**  
 Type of Facility    PWS  
 Consulting Engineer Mr. N. Peter Fleszar, P.E.  
                           Project Engineer Glace  
                           Associates, Inc.  
                           3705 Trindle Road  
                           Camp Hill, PA 17011  
 Permit to Operate   May 9, 2022  
 Issued

**Permit No. 2400068, Operation Permit, Public Water Supply.**

Applicant           **Paul J. Goettner, Owner**  
                           **Hyland Mobile Home Park**  
                           239 Main Street  
                           Suite 203  
                           East Greenville, PA 18041

Municipality      Foster Township  
 County             **Luzerne**  
 Type of Facility    Public Water Supply  
 Consultant         Eugene Ruddy  
                           Operator Utility  
                           Management Services  
                           121 Sandwedge Drive  
                           Mountain Top, PA 18707

Permit Issued       May 11, 2022  
 Description of Action Issuance of an Operation Permit for Designation of Optimal Water Quality Parameters for the Hyland Mobile Home Park water system.

**Permit No. 4022504, Construction Permit, Public Water Supply.**

Applicant           **CAN DO, Inc.**  
                           1 South Church Street  
                           Hazleton, PA 18201  
 Municipality      Hazle Township  
 County             **Luzerne**  
 Type of Facility    Public Water Supply  
 Consultant         Robert Horvat, P.E.  
                           Entech Engineering, Inc.  
                           400 Industry Drive  
                           Suite 200  
                           Pittsburgh, PA 15275

Description of Action Iron and Manganese treatment systems at Humboldt Industrial Park Well Nos. 1, 3, 7, 8 and 9.

Application Received Date    April 15, 2022

Permit Issued       June 27, 2022

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Construction Permit No. 0621544, Public Water Supply.**

Applicant           **St. Paul's United**  
                           **Methodist Church**  
                           P.O. Box 6  
                           Geigertown, PA 19523

Municipality      Union Township

County             **Berks**  
 Consulting Engineer Charles A. Kehew II, P.E.  
                           James R. Holley &  
                           Associates, Inc.  
                           18 South George Street  
                           York, PA 17401  
 Permit Issued       June 15, 2022  
 Description         New sodium hypochlorite disinfection system and contact tanks to provide 4-log virus inactivation.

**Construction Permit No. 2122502, Public Water Supply.**

Applicant           **Calvary Chapel Harrisburg**  
                           702 Lisburn Road  
                           Camp Hill, PA 17011

Municipality      Mechanicsburg Borough

County             **Cumberland**

Permit Issued       June 22, 2022

Description         Construction permit for Calvary Chapel Harrisburg for a new system (well and treatment) for the church and school.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 0222502, Major. Public Water Supply.**

Applicant           **University of**  
                           **Pittsburgh Medical Center**  
                           UPMC Mercy Pavilion  
                           1400 Locust Street  
                           Pittsburgh, PA 15219

Borough or Township City of Pittsburgh

County             **Allegheny**

Type of Facility    Medical Center

Consulting Engineer CJL Engineering  
                           1555 Coraopolis Heights Road  
                           Suite 4200  
                           Moon Township, PA 15108

Permit Issued       June 22, 2022

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Operation Permit No. 4422501** issued to: **JLM Real Estate Investments, LLC**, 950 E Main Street, Schuylkill Haven, PA 17972, **PWSID # 4440371**, Granville Township, **Mifflin County**, on June 24, 2022 for facilities at Dollar General Lewistown 23038 approved under Construction Permit No. 4422501. Operation of system and treatment for Dollar General Lewistown 23038. The system and treatment includes a well, water softener, cartridge filtration, and 4-log treatment for viruses.

**Transferred Comprehensive Operation Permit No. 7500879** issued to: **Veolia Water Pennsylvania, Inc.**, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, **PWSID # 7500879**, Penn Township, **Perry County**, on June 22, 2022. Action is for a Change in Ownership for Business Campus One, Perry County for the operation of facilities previously issued to Suez Water Pennsylvania, Inc.. Transfer to Veolia Water Pennsylvania, Inc.

**Transferred Comprehensive Operation Permit No. 7210028** issued to: **Veolia Water Pennsylvania, Inc.**,

6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, **PWSID # 7210028**, Upper Allen Township, **Cumberland County**, on June 22, 2022. Action is for a Change in Ownership for Mechanicsburg System, Cumberland County for the operation of facilities previously issued to Suez Water Pennsylvania, Inc. Transfer to Veolia Water Pennsylvania, Inc.

**Transferred Comprehensive Operation Permit No. 7670061** issued to: **Veolia Water Pennsylvania, Inc.**, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, **PWSID # 7670061**, Newberry Township, **York County**, on June 22, 2022. Action is for a Newberry System, for the operation of facilities previously issued to Suez Water Pennsylvania, Inc. Transfer to Veolia Water Pennsylvania, Inc.

**Rescission of Operation Permit No. 7670861** issued to: **Sensenig Meats**, 6999 Cannery Road, Hanover, PA 17331, **PWSID # 7670861**, Heidelberg Township, **York County**, on June 23, 2022. Action is for the Entire rescission of facilities approved under Operation Permit No. 7670861. All Public Water System permits and approvals related to Sensenig Meats, PWS ID No. 7670861, are hereby rescinded.

*Northcentral Region: Safe Drinking Water Program, 208 West Third Street, Williamsport, PA 17701.*

**Operation Permit No. 0820502** issued to: **Dollar General # 21642 Burlington**, 950 East Main St., Suite 107, Schuylkill Haven, PA 17972, **PWSID # 2080884**, Burlington Borough, **Bradford County**, on June 23, 2022, for the operation of facilities approved under construction permit # 0820502. This permit authorizes the operation of an Up-Flow Filter, UV disinfection system, Reverse Osmosis System and Water Softener for the treatment of well-drawn groundwater from Well No. 1. This approval includes Well No. 1 as a source of supply, ATS Up-flow Water Filter Model UF1252D, ATS LT-AE7300 Series Water Softener Model ATS LT-AE7300, ATS ASV-13.5C Ultraviolet disinfection system, Solenoid valve, a HM Digital TDS DM-2 monitor, REO-Pure RO Filter Model LP3-WMS-750 Reverse Osmosis Unit and its components, Watts Series LF007 Double Check Valve Assembly that will be placed to prevent a cross connection with the waste system, sampling ports, pressure tank, isolation valve and the distribution system. Note that the entire water system is now approved by a public water supply construction permit under 25 Pa. Code § 109.503 and no longer qualifies for noncommunity approval under § 109.505.

**Operation Permit No. 0821501-T1, 0818503MA-T2, 0807502-T2, 0890501-T2, 0889502-T2**, issued to: **Gillett MHC, LLC**, 1602 West Allen Street, Allentown, PA 18102, **PWSID # 2080025**, Ridgebury Township, **Bradford County**, on June 23, 2022, for the operation of facilities approved under construction permit # 0821501, 0818503MA, 0807502, 0890501, 0889502.

The transfer of permits:

- Permit No. 0821501-T1, permit authorizes the installation of the following water treatment plant capabilities in accordance with 25 Pa. Code § 109.602(g)—(i):

1. Continuous monitoring of each individual filter effluent (IFE) for turbidity.

2. Continuous monitoring of entry point free chlorine residual.

3. Alarm/shutdown measures to prevent exceedance of operational conditions of IFE turbidity, CFE turbidity, free chlorine residual and storage tank water elevation.

- Permit No. 0818503MA-T2, permit approves operation of the SUEZ, Flotrex GF-C, model FGF012EHS-C, for the final filter.

- Permit No. 0807502-T2, permit approves operation of replacement Well Nos. 1 and 2 pumps and booster pumps, two 5,000-gallon finished water storage tanks, and a cartridge filtration plant.

- Permit No. 0890501-T2, permit approves operation of general corrosion control treatment system, including chemical (AQUA MAG) feed pump and day tank.

- Permit No. 0889502-T2, permit approves operation of Well Nos. 1 and 2, a baffled 1,000-gallon contact tank, two hydropneumatic tanks, disinfection system, including chemical (sodium hypochlorite) feed pump and day tank, and distribution system.

**Operation Permit No. 1897502-A2** issued to: **Crawford Township Authority**, P.O. Box 273, 2552 Rauchtown Road, Jersey Shore, PA 17740, **PWSID # 4180062**, Crawford Township, **Clinton County**, on June 27, 2022 for the operation of facilities approved under construction permit # 1897502. This permit authorizes the water system to install three Toshiba 3-inch Mag meters, Model LF654HM1FPCAAF, one on each raw water supply line and one on the raw water storage tank overflow line.

**Operation Permit No. 4920512MA** issued to: **Aqua Pennsylvania, Inc.**, East Cameron Township, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, **PWSID # 4490011**, East Cameron Township, **Northumberland County**, on June 22, 2022, for the operation of facilities approved under construction permit # 4920512MA. This permit authorizes Aqua Pennsylvania, Inc.—East Cameron Township to operate a 102,800-gallon welded steel water storage tank, having 27.0 ft. diameter and 24.0 ft. to overflow elevation.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Operations Permit** issued to: **Pittsburgh Water and Sewer Authority**, Penn Liberty Plaza 1, 1200 Penn Avenue, Pittsburgh, PA 15222, **PWSID # 5020038**, City of Pittsburgh, **Allegheny County**, on June 16, 2022 for the operation of facilities approved under construction permit 0210521. Operation permit number 0210521-A1 permits the operation of 18 high-rate dual media filters at a peak filter flow rate of up to 4.0 gallons per minute per square foot (gpm/sf).

**Emergency Permit** issued to: **Pittsburgh Water & Sewer Authority**, Penn Liberty Plaza 1, 1200 Penn Avenue, Pittsburgh, PA 15222, **PWSID # 5020038**, City of Pittsburgh, **Allegheny County**, on June 14, 2022 for the construction/operation of facilities approved under emergency permit 0222522-E for the emergency use of sodium permanganate (NaMnO<sub>4</sub>) as a temporary replacement for the current pre-oxidant, potassium permanganate (KMnO<sub>4</sub>) at the Aspinwall water treatment plant.

#### WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.**

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**WA67-62C**, Water Allocations. **The York Water Company**, 130 East Market Street, York, PA 17401, **PWSID**

# **7670100**, City of York, **York County**. The permittee is seeking to extend the temporary allocation withdrawal from Lake Redman. Permittee Contact: Mark S. Snyder, Engineering Manager, The York Water Company, 130 East Market Street, P.O. Box 15089, York, PA 17405-7089. Consulting Engineer: Steven Metzler, P.E., The York Water Company, 130 East Market Street, York, PA 17401. Permit Issued: June 22, 2022.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222.*

**WA03-957A**, Water Allocations. **Gilpin Township Municipal Authority**, 874 State Route 66, Leechburg, PA 15656, Gilpin Township, **Armstrong County**. The right to purchase 288,000 gallons of water per day (as a 30-day average) from the Municipal Authority of Westmoreland County.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

*Southcentral Region: Clean Water Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

Municipality	Municipality Address	County
East Hanover Township	8848 Jonestown Road Grantville, PA 17028	Dauphin

*Plan Description:*

Approval of a Minor Update Revision to the official plan of East Hanover Township, **Dauphin County**, has been issued. This action is a result of the review of the East Hanover Township Special Study (DEP Code No. D1-22913-ACT; APS ID No. 501635). The Special Study proposes to pursue Alternative 11 for the Manada Creek Drainage Basin as presented in the Township’s Act 537 Plan—continuing to use on-lot systems in the area and implementing the on-lot Sewage Management Program with possible enhancements. The Department’s review of the Special Study has not identified any significant impacts resulting from this proposal.

*Southwest Region: Clean Water Program, 400 Water-front Drive, Pittsburgh, PA 15222-4745.*

*Plan Location:*

Municipality	Municipality Address	County
Pocono Township	112 Township Drive Tannersville, PA 18372	Monroe

*Plan Description:*

The approved plan provides for the extension of sanitary sewer lines to four (4) special study areas and two (2) minor expansions areas within Pocono Township, **Monroe County**. The Department’s review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

Municipality	Municipality Address	County
Jefferson Township	670 Cedar Grove Road Burgettstown, PA 15021	Washington

*Plan Description:*

The approved plan provides for the installation of a Single Residence Sewage Treatment Plant at 999 Eldersville Road, Jefferson Township, **Washington County**, to remedy an existing malfunction. The proposed discharge is to an unnamed tributary of North Fork Cross Creek—Cross Creek, a 25 Pa. Code Chapter 93—designated Warm Water Fishery. This approval was granted in part based on the Department’s Water Quality Antidegradation Implementation Guidance policy. The approved sewage facility plan evaluated all non-discharge alternatives and determined no environmentally sound and cost effective non-discharge alternative is available under subsection (b)(1)(i)(A.). The Department’s review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

*Southcentral Region: Clean Water Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

Municipality	Municipality Address	County
Derry Township	73 Reserve Lane Lewistown PA 17044	Mifflin

*Plan Description:*

The request for planning exception for the Goss Subdivision (DEP Code No. A3-44907-201-1; APS ID No. 1065477) has been disapproved. The proposed development—located on Vira Road in Derry Township, **Mifflin County**, PA—consists of sewage planning for two new residential lots utilizing an on-lot disposal systems with total project flows of 800 gallons per day. The submission does not qualify as an Exception to the Requirement to revise the Official Plan because the subdivision is in an area of the municipality where the Official Plan requires preliminary hydrogeologic studies.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995 PREAMBLE 2**

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act’s remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation

performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Charline Bass, 484-250-5787.*

**920 North 9th Street**, 920 North 9th Street, Philadelphia, PA 19123, City of Philadelphia, **Philadelphia County**. Stephan D. Brower, PG, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Elise Halter, Post Quaker Property Owner, LLC, 1021 North Hancock Street, Suite 1, Philadelphia, PA 19123 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

**Edlon, Inc.**, 150 Pomeroy Avenue, Avondale, PA 19331, Avondale Borough, **Chester County**. Sean Fullmer, PG, Compliance Management International, Inc., 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of Gabriel Skidd, Edlon, Inc., 150 Pomeroy Avenue, Avondale, PA 19311 submitted a Final Report concerning remediation of site soil contaminated with naphthalene and tetrahydrofuran. The report is intended to document remediation of the site to meet the Statewide health standard.

*Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Eric Supey, Environmental Program Manager.*

**Lattimer Breaker**, 10 Louis Schiavo Drive, Hazleton, PA 18202, Hazle Township, **Luzerne County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Blaschak Anthracite, P.O. Box 12, Mahanoy City, PA 17948, submitted a Final Report concerning remediation of soil contaminated with releases of petroleum from aboveground storage tanks, drums, and totes. The report is intended to document remediation of the site to meet Statewide health standards.

**Valmont Plaza Shopping Center Former Poly Clean Dry Cleaners**, 276 Susquehanna Boulevard, West Hazleton, PA 18202, Hazle Township, **Luzerne County**. Penn Environmental & Remediation, 400 Old Dublin Pike, Doylestown, PA 18901, on behalf of One Trinity Real Estate Investment, LLC, 908 Monaghan Court, Luther-ville, MD 21093, submitted a combined Remedial Investigation Report, Cleanup Plan, and Final Report concerning remediation of site soil and groundwater contaminated with Tetrachloroethene (PCE) from a dry cleaning operation. The report is intended to document remediation of the site to meet a combination of site-specific and State-wide health standards.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**2901/3005 Grand Ave**, 2901/3005 Grand Avenue, Pittsburgh, PA 15225, **Primary Facility ID # 843273**, Neville Township, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Jarco Services, LLC, 2445 East Southlake Boulevard, Southlake, TX 76092, has submitted a combined Risk Assessment Report, Remedial Investigation Report, and Cleanup Plan concerning remediation of site soils contaminated with arsenic, chromium, and lead, and groundwater contaminated with benzene, ethylbenzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzo(a)-anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, naphthalene, arsenic, and cadmium. The reports and plan are intended to document remediation of the site to meet the site-specific standard.

**CNX GH 84 Well Pad**, Pettit Road, Sycamore, PA 15364, **Primary Facility ID # 858996**, Washington Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317, has submitted a Final Report concerning remediation of site soil contaminated with brine. The report is intended to document remediation of the site to meet the Background Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a

remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Eric Supey, Environmental Program Manager.*

**Central Transport**, 6955 Chrisphalt Drive, Bath, PA 18014, East Allen Township, **Northampton County**. Liberty Environmental, 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of Crown Enterprises LLC, P.O. Box 869, Warren, MI 48090, submitted a revised Final Report concerning remediation of soil contaminated by runoff of petroleum compounds from the facility's parking lot areas. The Final Report demonstrated attainment of Statewide Health Standards and was approved by DEP on June 27, 2022.

**Former Concrete Batch Plant**, 3311 Farmersville Road, Bethlehem, PA 18020, Bethlehem Township, **Northampton County**. Whitestone Associates, 1600 Manor Drive, Suite 220, Chalfont, PA 18914, on behalf of Tristate Ventures, LP, 992 Old Eagle School Road, Suite 915, Wayne, PA 19087, submitted a Final Report concerning remediation of soil contaminated with heating oil from storage tanks. The Final Report demonstrated attainment of Statewide Health Standards and was approved by DEP on June 21, 2022.

**Range Unit 75 SGL-A Well Pad**, 866 Darrow Road, New Milford, PA 18834, Great Bend Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated by release of production fluid (brine). The Final Report demonstrated attainment of a combination of Background and Statewide Health Standards and was approved by DEP on June 27, 2022.

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

*Contact: Charline Bass, 484-250-5787.*

**Broad and Washington**, 1001-29 South Broad Street, Philadelphia, PA 19147, City of Philadelphia, **Philadelphia County**. Stephen D. Brower, PG, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Sarina Rose, Broad & Washington Property Owner, LLC, 1021 Hancock Street, Suite 1, Philadelphia, PA 19123 submitted a Final Report concerning the remediation of site soil contaminated with PAHs and PCBs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on June 14, 2022.

**Former Baum Farm**, 491 Forty Foot Road, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Michael D. Lattanze, Penn Environmental & Remediation, Inc., 400 Old Dublin Pike, Doylestown, PA 18901 on behalf of Bob Hermley, Pulte Group, 1210 Northbrook Drive, Suite 260, Trevese, PA 19053 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on June 15, 2022.

**1530 South 33rd Street**, 1530 South 33rd Street, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**. Teresa Blauch, PG, Liberty Environmental Inc., 315 West James Street, Suite 205, Lancaster, PA 17603 on behalf of Paul Frank, 1450 South 33rd, LLC, 750 South West End Boulevard, Quakertown, PA 18951 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead. The Report was approved by the Department on June 15, 2022.

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**Actions on application for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. § 6018.1003) and regulations to transport hazardous waste.**

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*Central Office: Bureau Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.*

*Transporter Licenses Reissued*

**Page E.T.C., Inc.**, 2758 Trombley Rd, Weedsport, NY 13166. License No. **PA-AH 0338**. Effective June 23, 2022.

**West Central Environmental Corp.**, P.O. Box 83, Rensselaer, NY 12144. License No. **PA-AH 0422**. Effective June 24, 2022.

**National Waste Clean, Inc.**, 304 Pulaski Street, South Plainfield, NJ 07080. License No. **PA-AH 0528**. Effective May 26, 2022.

**U.S. Industrial Technologies, Inc.**, 12000 Globe Street, Livonia, MI 48150. License No. **PA-AH 0747**. Effective May 5, 2022.

**South Park Motor Lines, Inc. DBA CAST Transportation**, 9850 Havana Street, Henderson, CO 80640. License No. **PA-AH 0755**. Effective May 26, 2022.

**Clean Earth Specialty Waste Solutions, Inc.**, 2337 North Penn Road, Hatfield, PA 19440. License No. **PA-AH 0770**. Effective May 16, 2022.

**McVac Environmental Services, Inc.**, 481 Grand Avenue, New Haven, CT 06513. License No. **PA-AH 0801**. Effective June 24, 2022.

**Tri-County Industries, Inc.**, 159 TCI Park Drive, Grove City, PA 16127. License No. **PA-AH 0820**. Effective May 10, 2022.

**Midwest Sanitary Service, Inc.**, P.O. Box 83, Wood River, IL 62095. License No. **PA-AH 0872**. Effective May 26, 2022.

**Westmoreland Sanitary Landfill, LLC**, 111 Conner Lane, Belle Vernon, PA 15012. License No. **PA-AH 0874**. Effective June 23, 2022.

**Subsurface Technologies Inc.**, 1130 Business Parkway S, Westminster, MD 21157. License No. **PA-AH 0877**. Effective June 24, 2022.

**Noble Environmental Specialty Recycling, LLC**, 500 Technology Dr, Canonsburg, PA 15317. License No. **PA-AH 0903**. Effective June 23, 2022.

**Flaw Inc. d/b/a Recycle Oil Company**, 1600 S 25th St, Easton, PA 18042. License No. **PA-AH 0904**. Effective May 26, 2022.

**Radiac Research Corp.**, 261 Kent Avenue, Brooklyn, NY 11249. License No. **PA-AH S007**. Effective May 26, 2022.

**Ken's Marine Service, Inc.**, P.O. Box 4001, Bayonne, NJ 07002. License No. **PA-AH S154**. Effective June 14, 2022.

*Transporter Licenses Expired*

**Fortress Trucking Limited**, 7079 Wellington Road 124, Guelph, ON N1H6J3. License No. **PA-AH 0512**. Effective March 1, 2022.

**REGULATED MEDICAL AND  
CHEMOTHERAPEUTIC WASTE TRANSPORTER  
LICENSE**

**Regulated Medical and Chemotherapeutic Waste Transporter License, Actions Taken Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste.**

*Central Office: Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.*

*Transporter License Issued*

**Aftermath Services, LLC**, 75 Executive Drive, Aurora, IL 60504. License No. **PA-HC 0290**. Effective May 4, 2022.

*Transporter License Reissued*

**Advant-Edge Solutions of Middle Atlantic, Inc.**, 17 Shea Way, Newark, DE 19713. License No. **PA-HC 0220**. Effective June 23, 2022.

**Chesapeake Waste Solutions LLC**, 190 Shellyland Road, Manheim, PA 17545. License No. **PA-HC 0283**. Effective May 10, 2022.

**AIR QUALITY**

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**GP2-23-0236: MIPC, LLC**, 920 Cherry Tree Road, Aston, PA 19014. On June 23, 2022, for a storage tank containing volatile organic liquids in Upper Chichester Township, **Delaware County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**AG5-58-00033A: Williams Field Services Company, LLC**, 310 State Route 29 North, Tunkhannock, PA 18657-6817, was issued on June 14, 2022, to construct and operate three (3) Compressor Engines, and to continue operation of the existing three (3) Compressor Engines, one (1) Generator Engine, two (2) Dehydrators, two (2) Reboilers, and three (3) Produced Water Storage Tanks at the Northeast FRP Natural Gas Compressor Station site in Liberty Township, **Susquehanna County**.

**GP3-48-016: Chrin Brothers, Inc.**, 1225 Industrial Drive, Easton, PA 18042, on April 7, 2022 to construct and operate a Portable Crushing Operation with water sprays at the Chrin Commerce Center in Tatamy Boro/Upper Nazareth/Palmer Township, **Northampton County**.

**GP9-48-016: Chrin Brothers, Inc.**, 1225 Industrial Drive, Easton, PA 18042, on April 7, 2022 to install and operate one (1) Diesel I/C engines at the Chrin Commerce Center in Tatamy Boro/Upper Nazareth/Palmer Township, **Northampton County**.

**GP3-54-013: Pierson Middleport, LLC**, 730 Mountain Road, Middleport, PA 17953, on May 11, 2022 to construct and operate a Portable Crushing Operation with water sprays in Walker Township, **Schuylkill County**.

**GP4-40-005: PF Nonwovens, LLC**, 101 Green Mountain Road, Hazleton, PA 18202, on May 11, 2022 to operate one (1) burn off oven at their facility located in Hazle Township, **Luzerne County**.

**AG5-58-00021B: SWN Production Company, LLC**, 917 SR 92 North, Tunkhannock, PA 18657, on May 31, 2022 to operate two (2) IC Engines, one (1) emergency generator, one (1) dehydrator with reboiler, and three (3) condensate tanks at the Valentine CPF # 1 Compressor Station in Clifford Township, **Susquehanna County**.

**AG5A-58-00044A: Coterra Energy Inc.**, 2000 Park Ln, Pittsburgh, PA 15275, on June 13, 2022 to operate one (1) IC Engine, at the Squier, R. Pad 1 well pad site in Brooklyn Township, **Susquehanna County**.

**GP14-45-002A: Paradise Valley Crematory Inc.**, 6148 Paradise Valley Road, Cresco, PA 18326, on June 17, 2022 to install and operate one (1) human remains crematory at their facility in Paradise Township, **Monroe County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**GP1-01-03003B: Mott's, LLP**, 45 Aspers North Road, Aspers, PA 17304, on June 22, 2022, for two existing natural gas-fired boilers, each with heat input of



30.4 MMBtu/hr, under GP1, in Menallen Township, **Adams County**. The GP1 authorization was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.*

**AG5A-59-00004A: NFG Midstream Covington, LLC**, 6363 Main Street, Williamsville, NY 14221, on June 10, 2022, for the construction and operation of one 100 MMSCFD TEG dehydration unit equipped with a 0.75 MMBtu/hr reboiler and 10 MMBtu/hr enclosed flare, one 330 bhp Kohler KG200 emergency generator engine equipped with a 3-way catalyst, one 330 kW Flex Energy microturbine, one 8.04 MMBtu/hr line heater, and one 16,800 gallon waste fluids tank, and for the continued operation of two catalytic heaters, one 295 gallon TEG storage tank, various pneumatic devices, gas venting, blowdowns, fugitive emissions and pigging operations. All combustion sources are natural gas fired. These sources will be constructed and operated pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the Crutenden 846 Well Pad located in Middlebury Township, **Tioga County**.

**AG5-41-00020A: ETC Northeast Pipeline, LLC**, 101 West Third Street, Third Floor, Williamsport, PA 17701, on June 10, 2022, for authorization to continue to operate three 1,380 bhp Caterpillar G3516B four stroke, lean burn, natural gas-fired compressor engines, each equipped with oxidation catalysts, one 25 MMscf/day and one 40 MMscf/day dehydration units, each equipped with a reboiler, condenser and enclosed flare, various storage tanks ranging in size from 330 gallons to 10,000 gallons, and other associated equipment pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at their Red Bend Compressor Station located in Cogan House Township, **Lycoming County**.

**AG5-41-00021A: ETC Northeast Pipeline, LLC**, 101 West Third Street, 3rd Floor, Williamsport, PA 17701, on June 10, 2022, for authorization to continue operation of two 1,380 bhp Caterpillar model G3516ULB 4SLB natural-gas fired compressor engines equipped with oxidation catalysts; three 2,370 bhp Caterpillar model G3608LE 4SLB natural-gas fired compressor engines equipped with oxidation catalysts; three 2,370 bhp Caterpillar model G3608LE 4SLB natural-gas fired compressor engines equipped with oxidation catalysts; one 25 MMscf/day dehydrator & 0.75 MMBtu/hr heater controlled by one 8.5 MMBtu/hr thermal oxidizer; one 125 MMscf/day dehydrator & 2.0 MMBtu/hr heater controlled by the same 8.5 MMBtu/hr thermal oxidizer with a 3 MMBtu/hr burner; seven 300-gal oil tanks; one 8.5 MMBtu/hr thermal oxidizer with a 3 MMBtu/hr burner to control emissions from the flash tanks and reboilers of both dehyds; three 8,820-gallon produced water tanks; one 21,000-gallon produced water tank; eight 300-gallon compressor oil tanks; one 4,000-gallon compressor oil tank; one 4,000-gallon engine oil tank; six 230-gallon methanol tanks; one 130-gallon methanol tank; two 520-gallon oily waste water tanks; one 2,900-gallon triethylene glycol tank; five 520-gallon triethylene glycol tanks; pigging operations; truck load-out operations; pneumatic devices; various fugitive emissions; and one 0.95 MMBtu/hr odorant flare pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Pro-

cessing Plants and Transmission Stations (BAQ-GPA/GP-5) at the Barto Compressor Station located in Penn Township, **Lycoming County**.

**AG5-17-00006A: Seneca Resources Corporation, LLC**, 2000 Westinghouse Dr., Ste 400, Cranberry, PA 16066-5238, was issued on June 23, 2022, a re-authorization without modification to allow the use of GP-5 for continued operation of the PHC (Punxsy Hunt Club) compressor station and associated air emission sources pursuant to the PA DEP Air Quality Bureau's General Plan Approval and General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5 revised 6/2018). The facility is located in Lawrence Township, **Clearfield County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**GP5-63-01006A/AG5-63-00019A: UGI Gibraltar Gathering, LLC**, 835 Knitting Mills Way, Wyomissing, PA 19610, on June 24, 2022, to authorized for continued operations for five (5) years. The equipment include: Two (2) Caterpillar G3616 natural gas-fired spark ignition compressor engines, each rated at up to 5,000-bhp, three (3) storage tanks 1,260-gallon each, one (1) natural gas fired Waukesha engine rated at 585 bhp, pigging operations, and fugitives at their existing Gibraltar Compressor Station located in Donegal Township, **Washington County**.

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**Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**09-0152F: Gelest, Inc.**, 11 E. Steel Road, Morrisville, PA 19067, on June 16, 2022, for installation of a 1,000-gallon, glass-lined, steel, high-pressure reactor at their facility in Falls Township, **Bucks County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**48-00084A: L & M Fabrication and Machine, Inc.**, 7230 Beth-Bath Pike, Bath, PA 18014, on June 2, 2022 for the installation and operation of one (1) 8,800 CFM baghouse to control dust from one (1) shot blast booth at their facility in East Allen Township, **Northampton County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**67-05030G: CP Converters Inc.**, 15 Grumbacher Road, York, PA 17406, on June 15, 2022, for the use of a VOC additive in the adhesive coating used in Extruders

# 1 and # 2 for the lamination process at the Manchester facility located in Manchester Township, **York County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**15-0081C: Johnson Matthey, Inc.**, 1401 King Road, West Chester, PA 19380-1467. On June 21, 2022, an extension to allow modification to the existing Metal Room (Source ID 101) and the installation of wet and dry scrubbers (chlorine scrubbers) in West Whiteland Township, **Chester County**.

**09-0240: Mazza Iron & Steel, LLC**, 60 Solar Drive, Fairless Hills, PA 19030. On June 16, 2022, an addition of a portable electric low speed pre-shredder (Stallion 2500) to the equipment and configuration of the non-ferrous metals processing line at this location in Falls Township, **Bucks County**.

**46-0200E: John Middleton Co.**, 418 W. Church Rd., King of Prussia, PA 19406-3134. Minor modification of the Plan Approval No. 46-0200E for the machine-made cigar, pipe tobacco and pipe tobacco products manufacturing facility in Upper Merion Township, **Montgomery County**. The modified plan approval allows an increase in the tobacco throughput, the decrease the throughput of casing material and the revision the emission factor used to calculate volatile organic compounds (VOC) for finished tobacco storage.

**23-0003Z: Monroe Energy, LLC**, 4101 Post Rd., Trainer, PA 19061. On June 24, 2022, an extension for the construction of 3 new cooling towers at the Trainer Refinery in Trainer Borough, **Delaware County**.

**09-0210B: Waste Management of Fairless, LLC**, 1000 New Ford Mill Rd, Morrisville, PA 19067. On June 3, 2022 for a Plan Approval to install three (3) ultra-low emissions flares at Fairless Landfill in Falls Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**05-03022A: Cronimet Specialty Metals USA, Inc.**, 172 Friendship Village Road, Bedford, PA 15522, on June 23, 2022, for the construction of four burnoff ovens and two tungsten carbide cleaning lines at the metals recovery and recycling facility located in Bedford Township, **Bedford County**. The plan approval was extended.

**06-05069AA: East Penn Manufacturing Co., Inc.**, P.O. Box 147, Lyon Station, PA 19536, on June 23, 2022, for proposed changes to operations in the Industrial Battery Manufacturing Facility. The Industrial Battery Manufacturing Facility is located at the Lyon Station Plant in Richmond Township, **Berks County**. The plan approval was extended.

**21-05028C: Fry Communications, Inc.**, Building 3, 800 W. Church Rd., Mechanicsburg, PA 17055, on June 17, 2022, for the installation of a new 75" Manroland

Lithoman IV 4-80 745 lithographic printing press at the Building 3 printing facility located in Mechanicsburg Borough, **Cumberland County**. The printing press includes an integral dryer and afterburner for the control of VOC emissions. The plan approval was extended.

**28-03013A: Grove Bowersox Funeral Home, Inc.**, 50 South Broad Street, Waynesboro, PA 17268-1611, on June 23, 2022, for a new crematory unit at the funeral home facility located in Waynesboro Borough, **Franklin County**. The plan approval was extended.

**28-05002J: Letterkenny Army Depot—US Department of Defense**, One Overcash Avenue, Chambersburg, PA 17201, on June 22, 2022, for a new AP Rocket Motor Destruction (ARMD) Facility within the Letterkenny Munitions Center ammunition storage area, at the Letterkenny Army Depot in Greene/Letterkenny Townships, **Franklin County**. Air emissions from the ARMD will be controlled by a wet scrubber system, followed by an ADIOX packed bed scrubber tower absorption system. The plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.*

**14-00002T: Graymont (PA) Inc.**, 375 Graymont Rd., Bellefonte, PA 16823, on June 20, 2022, to extend the plan approval expiration date to December 18, 2022 to authorize continued operation of several sources for the production of quicklime and hydrated lime at the Pleasant Gap facility in Spring Township, **Centre County**.

**60-00026A: GAF Keystone, LLC**, 2093 Old Route 15, New Columbia, PA 17856, on June 23, 2022, to extend the plan approval expiration date to January 12, 2023 to allow continued operation of the ISO Foam Board Facility located in White Deer Township, **Union County**.

**17-00071B: Continental Carbonic Products, Inc.**, 40 Technology Drive, Clearfield, PA 16830, was issued a plan approval extension revision to allow for completion of the modification and commencement of operation (shakedown) by no later than January 17, 2023, following completion of the expansion project to their CO<sub>2</sub> Recovery Plant. The previous facility is in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

**18-00005E: Eastern Gas Transmission & Storage, Inc.**, 6603 West Broad Street, Richmond, VA 23230, on June 23, 2022, was issued a plan approval extension for the temporary operation of the source authorized under the plan approval while the source awaits confirmation of compliance demonstration. The plan approval for the source located in Leidy Township, **Clinton County**, has been extended to December 25, 2022.

**41-00084C: Hamilton Patriot, LLC**, 50 Patriot Lane, Montgomery, PA 17752, on June 21, 2022, was issued a plan approval extension for the temporary operation of the source authorized under the plan approval while the source awaits confirmation of compliance demonstration. The plan approval for the source at the company's Hamilton Patriot Generation Plant located in Clinton Township, **Lycoming County**, has been extended to December 21, 2022.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**11-00542: Military Resource Enhancement Specialists, Inc.**, 3179 Lincoln Highway, Stoystown, PA 15563-7919. Plan Approval Modification issuance date effective June 23, 2022, expiration November 28, 2022, to allow time for shutdown of sources and air cleaning devices at their MRES Slag Operation facility located in Conemaugh Township, **Cambria County**.

**65-00378: Buckeye Terminals, LLC**, 134 BP Tank Lane, Greensburg, PA 15601, plan approval extension and minor modification effective June 28, 2022, to modify stack testing of the Vapor Recovery Unit (VRU) and extend the temporary operation period of one aboveground storage tank (Tank 1232—Source ID 109), gasoline or lower vapor pressure product storage, 2.2 MMgal capacity, controlled by internal floating roof (“IFR”) at the Greensburg Terminal located in Hempfield Township, **Westmoreland County**. The new expiration date is December 28, 2022.

**63-00916B: Perryman Company**, 213 Vandale Drive, Houston, PA 15342. On June 24, 2022, for modification to PA-63-00916B increase the PM<sub>10</sub> and hydrofluoric acid limits from the scrubbers for the new chem mill process line at the Titanium Conversion Facility located in North Strabane Township, **Washington County**.

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**Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*

**46-00001: JBS Souderton Inc.**, 741 Souder Road, Souderton, PA 18964. On June 15, 2022, a renewal of the Title V Operating Permit for a meat packing and rendering plant was issued, located in Franconia Township, **Montgomery County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**36-05142: Mars Wrigley US, LLC**, 295 South Brown Street, Elizabethtown, PA 17022-2127, on June 22, 2022, for the candy manufacturing facility located in Elizabethtown Borough, **Lancaster County**. The Title V permit was renewed.

**36-05146: EPP Renewable Energy, LLC**, 1605 N. Cedar Crest Blvd., Suite 509, Allentown, PA 18104-2355, on June 23, 2022, for the landfill gas-to-energy facility associated with the Frey Farm Landfill located in Manor Township, **Lancaster County**. The Title V permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**47-00001: Montour, LLC**, PO Box 128, Washingtonville, PA 17884. On May 25, 2022, was issued a revised Title V operating permit for their Montour Steam Electric Station located in Derry Township, **Montour County**, to incorporate applicable requirements pursuant to a Case-by-Case RACT II determination for NO<sub>x</sub> emissions from the facility's two utility boilers. The revised Title V

operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**55-00023: Kerrico Corporation**, 2254 Route 522, Selinsgrove, PA 17870, on June 24, 2022, was issued a renewal Title V Operating Permit for Kerrico Corporation's facility located in Penn Township, **Snyder County**. The official date of issuance of this permit is June 24, 2022, and it will expire on June 23, 2027. The Title V Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*

**46-00252: H&K Group, Inc.**, 394 S. Sanatoga Road, Pottstown, PA 19464. On June 22, 2022 a Renewal for a Non-Title V Facility, State-Only Permit. Rock crushing and screening are done at this location. The facility is subject to 40 CFR 60 Subpart OOO. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations. Located in Lower Pottsgrove Township, **Montgomery County**.

**23-00048: WestRock, CP, LLC**, 100 McDonald Blvd, Aston, PA 19014. On June 23, 2022, a renewal of a facility-wide Operating Permit. The facility's emission points include two large boilers, an emergency generator, an emergency fire pump, a corrugator, a cyclone, two rotary die cutters with flexo, and three Evol flexo folder gluers. There is one new source at the facility. One of the flexo folder gluers replaced a rotary die cutter. Located in Chester Township, **Delaware County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**06-05023: Bimbo Bakeries USA, Inc.**, 640 Park Avenue, Reading, PA 19611-1926, on June 14, 2022, for the commercial bakery located in Reading City, **Berks County**. The State-Only permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**30-00183: EQM Gathering OPCO, LLC**, 2200 Energy Drive, Canonsburg, PA 15317, on June 24, 2022, for their Jupiter Compressor Station facility located in Morgan Township, **Greene County**. The State Only Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**17-00042: Clearfield Leather, Inc. d/b/a Wicket & Craig of America**, 120 Cooper Road, Curwensville, PA 16833, was issued on June 27, 2022, a State Only Natural Minor Operating Permit for authorization to continue to operate the source operations at their leather tannery in Curwensville Borough, **Clearfield County**. All applicable

Federal and State regulatory requirements derived from 25 Pa. Code Chapters 121—145, including appropriate testing, monitoring, recordkeeping, reporting, and work practice to verify compliance are included within the permit.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**37-00268: Commercial Asphalt & Supply/Slippery Rock**, P.O. Box 672, Valencia, PA 16059-0672. On June 22, 2022, the Department issued the renewal State Only Natural Minor Operating Permit for operation of the hot mix asphalt (HMA) facility located in Scott Township, **Lawrence County**. The facility's primary emission sources include the counterflow drum HMA process controlled by a knockout box and baghouse, two hot oil boilers (2.0 and 5.0 mmBtu/hr), a 605 HP emergency generator engine, and a portable crusher driven by a 250 HP engine. The potential emissions of the primary pollutants from the facility are as follows: 19.38 TPY (tons per year) NO<sub>x</sub>, 52.71 TPY CO, 12.71 TPY VOC, 2.58 TPY total HAP, 20.58 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and 1.73 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The HMA process is subject to 40 CFR 60 Subpart I, Standards of Performance for Hot Mix Asphalt Facilities, as well as plan approval limits on throughput for the plant to 750,000 tons per year produced during any 12 consecutive month period as well as emission restrictions on the primary pollutants. The portable crusher plant is subject to 40 CFR 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. The engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.*

**46-00049: Tension International**, 431 Yerkes Rd, King of Prussia, PA 19406. On June 8, 2022 Administrative Amendment of the State-Only Operating Permit for this facility is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 for change of ownership from Logan Marketing Group, DBA Intellus for the facility located in Upper Merion Township, **Montgomery County**.

**09-00115: TOG, LLC**, 1803 N 5th Street, Perkasie, PA 18944. On June 6, 2022 Administrative Amendment of the State-Only Operating Permit under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 for change of ownership from Draper DBS, Inc. to TOG LLC (The Orville Group) and incorporation of Plan Approval 09-0115B. The incorporation of the plan approval changes the status of the facility from a Synthetic Minor to a Natural Minor facility. The facility is located in East Rockhill Township, **Bucks County**.

**15-00085: Lincoln University**, 1570 Baltimore Pike, Lincoln University, PA 19352. On June 22, 2022, an amendment was issued to incorporate the requirements of Plan Approval 15-0085C which was issued to address operation for existing boilers, heaters, and generators at the university in Lower Oxford Township and Upper Oxford Township, **Chester County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**06-05112: WBLF Acquisition Co., LLC/Western Berks Landfill**, 455 Poplar Neck Road, Birdsboro, PA 19508, on June 21, 2022, for the municipal waste landfill in Cumru Township, **Berks County**. The Title V Operating Permit underwent a significant modification to revise Section E, Group SG01, Condition 037, to allow the interim use of a candlestick flare to control landfill gas (LFG) while WBLF works to develop an LFG beneficial use project.

**67-05013: PA American Water Co.**, 400 Hanover St., Birdsboro, PA 19508-9181, on June 23, 2022, for the waste water treatment plant operation located in Manchester Township, **York County**. The State-Only permit was administratively amended to reflect a change of ownership.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**67-05001: Magnesita Refractories Company**, 425 S. Salem Church Road, York, PA 17408. Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for a de minimis emissions increase of 0.03 tpy PM<sub>10</sub>, 0.08 tpy PM<sub>2.5</sub>, 0.08 tpy SO<sub>x</sub>, 0.17 tpy CO, 0.58 tpy NO<sub>x</sub>, and 0.08 tpy VOC, resulting from the ongoing use of a 40 tph portable crusher to process approximately 1,200 tpy of spent refractory brick at the refractories products manufacturing facility located in West Manchester Township, **York County**. This is the first de minimis emissions increase at the facility during the term of the current Operating Permit.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**65-00378: Buckeye Terminals, LLC**, 134 BP Tank Lane, Greensburg, PA 15601. On June 24, 2022, received approval for a de minimis emissions increase of 0.94 ton of VOCs and 0.02 ton of HAPs, per year, pursuant to 25 Pa. Code § 127.449 resulting from changes to floating roof fittings and tank cleaning activities of Tank 1232 (Source ID 109) at its Greensburg Terminal located in Hempfield Township, **Westmoreland County**. The list of de minimis increases for this facility includes only this project.

**GP5-30-00247B: CNXM Midstream Operating Company, LLC**, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506. On June 24, 2022, this Notice is published per 25 Pa. Code Section 127.449(i), for the following de minimis emission increase at its Buckland Compressor Station, located in Richhill Township, **Greene County**:

Project is to increase the capacity of each of the three (3)-tri-ethylene glycol dehydration units from 240 MMscfd to 300 MMscfd. The remaining dehydrator parameters (e.g., pump rate, methanol information) remain unchanged. Emissions from the dehydrators will continue to be controlled by the enclosed flares as represented in the GP-5 application. No change in liquid throughput or blowdowns at the station will occur as submitted in the previous GP-5 application. There will be no other operational changes associated with the project. CNXM will continue to comply with all the applicable terms and conditions of GP-5.

The estimated facility-wide VOC emission increase from this project will be 0.10 ton. The annual potential VOC emissions increase of VOCs are less than 1.0 tpy from a single source during the term of the permit and less than 5 tons of VOCs at the facility during the term of the permit, i.e. below the de minimis threshold per 25 Pa. Code § 127.449(d)(5).

This is the first de minimis emission increase which has occurred since their current GP5-30-00247B was issued on February 17, 2022.

The list of de minimis increases for this facility includes only this project.

**GP5A-63-01055A (AG5A-63-00028A): Range Resources Appalachia, LLC**, 3000 Town Center Boulevard, Canonsburg, PA 15317, on June 14, 2022, received approval for a de minimis emissions increase pursuant to 25 Pa. Code § 127.449 of 0.16 ton of VOC (including Clean Air Act Section 112 HAPs), per year, resulting from the installation and operation one (1) 10 MMscfd vapor separator, two (2) continuous bleed natural gas-driven pneumatic devices, two (2) intermittent bleed natural gas-driven pneumatic devices, and associated fugitive emissions components at its MCC Partners West 11891 in Jefferson Township, **Washington County**. No other de minimis emissions increases have occurred at the facility during the term of its GP-5A authorization.

## ACTIONS ON COAL AND NONCOAL APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103).**

### *Noncoal Permits*

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EP NEWSTANTON@pa.gov, (Contact: Tracy Norbert).*

**Mining Permit No. 3374SM58. NPDES Permit No. PA0591688. Coolspring Mining, Inc.**, P.O. Box 1328, Uniontown, PA 15401. Renewal of an NPDES permit associated with a noncoal mining site in North Union Township, **Westmoreland County**, affecting 148.6 acres. Receiving stream: unnamed tributary to Coolspring Run and Coolspring Run, classified for the following use: WWF. Application received: March 2, 2022. Permit issued: June 22, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EP PottsvilleDMO@pa.gov, (Contact: Theresa Reilly-Flannery).*

**Mining Permit No. 7474SM2. NPDES Permit No. PA0124303. Lehigh Cement Co., LLC**, 7660 Imperial Way, Allentown, PA 18194, renewal of an NPDES permit on a quarry operation in Upper and Lower Nazareth Townships, **Northampton County**. Receiving stream: unnamed tributary to Monocacy Creek. Application received: February 11, 2021. Renewal issued: June 13, 2022.

**Mining Permit No. 6278301. NPDES Permit No. PA0225657. PA Granite Corp.**, 375 Trythall Road, Elverson, PA 19520, renewal of an NPDES Permit on a quarry operation in Warwick Township, **Chester County**. Receiving stream: French Creek. Application received: March 14, 2022. Renewal issued: June 14, 2022.

**Mining Permit No. 58212505. GP104 Permit No. PAM121025. 4D's Ventures, Inc.**, 7295 Kingsley Road, Kingsley, PA 18826, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on a quarry operation in Lanesboro Borough, **Susquehanna County**. Receiving stream: Unnamed tributary to the Susquehanna River. Application received: May 18, 2021. Coverage issued: June 23, 2022.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov, (Contact: Cassandra Stanton).*

**Mining Permit No. 14090301. NPDES No. PA0257087. Hanson Aggregates Pennsylvania, LLC**, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit for a large noncoal mining site located in Marion and Spring Townships, **Centre County**, affecting 60.4 acres. Receiving stream(s): Nittany Creek classified for the following use(s): CWF, MF. Application received: September 28, 2021. Permit Issued: June 15, 2022.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

### *Blasting Permits*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov, (Contact: Ashley Smith).*

**Permit No. 08224102. M & J Explosives LLC**, 104 E Main St., Carlisle, PA 17015. Blasting for a well pad

located in Leroy Township, **Bradford County**, with an expiration date of June 20, 2023. Permit issued: June 21, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EP PottsvilleDMO@pa.gov, (Contact: Theresa Reilly-Flannery).*

**Permit No. 36224118. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Wyndale Development in Clay Township, **Lancaster County**, with an expiration date of May 31, 2023. Permit issued: June 14, 2022.

**Permit No. 36224119. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Lancaster Airport in Manheim Township, **Lancaster County**, with an expiration date of June 10, 2023. Permit issued: June 14, 2022.

**Permit No. 45224103. Hayduk Enterprises, Inc.**, 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Andrew Gerheart Dwelling in Pocono Township, **Monroe County**, with an expiration date of November 30, 2022. Permit issued: June 14, 2022.

**Permit No. 36224120. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Bishop Woods in West Donegal Township, **Lancaster County**, with an expiration date of June 23, 2023. Permit issued: June 15, 2022.

**Permit No. 46224103. Rock Work, Inc.**, 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for Ironwood in Limerick Township, **Montgomery County**, with an expiration date of June 30, 2023. Permit issued: June 15, 2022.

**Permit No. 67224106. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Project Matsuyama Sanitary Line in Jackson Township, **York County**, with an expiration date of June 8, 2023. Permit issued: June 15, 2022.

**Permit No. 36224121. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for 456 Golden Street in Lititz Borough, **Lancaster County**. Application received: June 15, 2022. Permit issued: June 17, 2022. Permit Expires: June 15, 2023.

**Permit No. 36224122. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for The Settlements in Manheim Township, **Lancaster County**. Application received: June 15, 2022. Permit issued: June 17, 2022. Permit Expires: June 14, 2023.

**Permit No. 36224123. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Peregrine Development in West Hempfield Township, **Lancaster County**. Application received: June 15, 2022. Permit issued: June 17, 2022. Permit Expires: June 14, 2023.

**Permit No. 06224108. M & J Explosives, LLC**, 104 East Main Street, Carlisle, PA 17015, construction blasting for Sheds Unlimited in Caernarvon Township, **Berks County**. Application received: June 17, 2022. Permit issued: June 21, 2022. Permit Expires: June 20, 2023.

**Permit No. 15224001. Demtech, LLC**, 5733 Westwood Drive, Weldon Springs, MO 63304, demolition of a single smoke stack at Embreeville in Newlin Township, **Chester County**. Application received: June 16, 2022. Permit issued: June 21, 2022. Permit Expires: June 30, 2023.

**Permit No. 23224001. Demtech, LLC**, 5733 Westwood Drive, Weldon Springs, MO 63304, demolition of a single smoke stack at Marcus Hook in Lower Chichester Township, **Delaware County**. Application received: June 16, 2022. Permit issued: June 21, 2022. Permit Expires: June 30, 2023.

**Permit No. 09224104. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for I-476 Turnpike Reconstruction Milford, West Rockhill and Salford Townships, **Bucks and Montgomery Counties**. Application received: June 17, 2022. Permit issued: June 22, 2022. Permit Expires: June 17, 2023.

**Permit No. 46224104. Rock Work, Inc.**, 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for Reserve at Franconia in Franconia Township, **Montgomery County**. Application received: June 16, 2022. Permit issued: June 22, 2022. Permit Expires: July 1, 2023.

**Permit No. 46224105. Rock Work, Inc.**, 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for Liberty Ridge in Horsham Township, **Montgomery County**. Application received: June 17, 2022. Permit issued: June 22, 2022. Permit Expires: July 1, 2023.

**Permit No. 40224107. Explosive Services, Inc.**, 7 Pine Street, Bethany, PA 18431, construction blasting for Leeward Bluerock Lot 25C in Hazle Township, **Luzerne County**. Application received: June 17, 2022. Permit issued: June 23, 2022. Permit Expires: June 17, 2023.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEWSTANTON@pa.gov, (Contact: Tracy Norbert).*

**Permit No. 65224102. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141-2018. Blasting Activity Permit for the construction of the Trumbull Lady Bug commercial development located in Hempfield Township and New Stanton Borough, **Westmoreland County**, with an expiration date of December 31, 2023. Permit issued: June 13, 2022.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period.

Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

#### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

##### **Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484.250.5160. E-mail: ra-epww-sero@pa.gov.*

**Permit No. E15-892, PA Turnpike Commission (PTC), 700 South Eisenhower Boulevard, Middleton, PA 17057, Charlestown, Upper Uwchlan, Uwchlan, and West Pikeland Townships, Chester County, Army Corps of Engineers Philadelphia District.**

To construct and maintain the following water obstruction and encroachment activities associated with the PA Turnpike (I-76) MP 312-316 Total Reconstruction and Widening Project:

1. To place fill within the floodway of an intermittent stream Waterway 7 (R7) that is an unnamed tributary to Pickering Creek (HQ-TSF, MF) associated with roadway reconstruction and widening resulting in 1,681 square feet of permanent floodway impact and 14,419 square feet of temporary floodway impact. The impacts are located at Sta. 110+00LT (Downingtown, PA Quadrangle; Latitude: 40° 04' 16.19", Longitude: -75° 40' 46.64").

2. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the perennial stream Waterway 4 (R4) that is an unnamed tributary to Pickering Creek (HQ-TSF, MF). The impacts are located both north and south of the PA Turnpike, at Sta. 170+00 (Downingtown, PA Quadrangle; Latitude: 40° 03' 58.68", Longitude: -75° 39' 34.29"). This activity will result in 48 linear feet (122 square feet) of temporary watercourse impact, 2,268 square feet of temporary floodway impact, and 8,861 square feet of permanent floodway impact.

3. To fill the intermittent stream Waterway 2 (R2) within the proposed construction limits that drains to an unnamed tributary to Pickering Creek (HQ-TSF, MF). The impacts are located on the south side of the PA Turnpike, adjacent to the eastbound lanes from approximately Sta. 169+50 RT to Sta. 170+00 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 58.1688", Longitude: -75° 39' 35.5212"). This activity will result in 131 linear feet (390 square feet) of permanent watercourse impact and 9,202 square feet of permanent floodway impact.

4. To fill the intermittent stream Waterway 3B (R3B) within the proposed construction limits that drains to an unnamed tributary to Pickering Creek (HQ-TSF, MF). The impacts are located on the south side of the PA Turnpike, adjacent to the eastbound lanes from approximately Sta. 170+00 RT to Sta. 170+50 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 57.69", Longitude: -75° 39' 34.29"). This activity will result in 104 linear feet (312 square feet) of permanent watercourse impact and 5,333 square feet of permanent floodway impact.

5. To fill the intermittent stream and for temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the intermittent stream Waterway 3A (R3A) that is an unnamed tributary to Pickering Creek (HQ-TSF, MF). The impacts are located on the south side of the PA Turnpike, adjacent to the eastbound lanes at approximately Sta. 170+50 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 57.69", Longitude: -75° 39' 34.29"). This activity will result in 40 linear feet (125 square feet) of permanent watercourse impact and 38 linear feet (135 square feet) of temporary watercourse impact.

6. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for construction of a stormwater basin discharge structure in the intermittent stream Waterway 12 (R12) that is an unnamed tributary to Pickering Creek (HQ-TSF, MF). The impacts are located on the north side of the PA Turnpike, offset by 50 feet from Sta. 177+00 (Downingtown, PA Quadrangle; Latitude: 40° 3' 58.1688", Longitude: -75° 39' 25.9338"). This activity will result in 25 linear feet (78 square feet) of temporary watercourse impact and 5,771 square feet of temporary floodway impact.

7. To place fill for the construction of the additional highway lanes in the emergent wetland WC-PEM that drains to an unnamed tributary to Pine Creek. The impacts are located on the south side of the PA Turnpike, adjacent to the eastbound lanes from Sta. 195+00 RT to 197+00 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 52.3974", Longitude: -75° 39' 1.8786"). This activity will result in 1,437 square feet (0.03 acre) of permanent emergent wetland (WC-PEM) impact and 952 square feet (0.02 acre) of temporary impact to emergent wetland (WC-PEM).

8. To place fill for the construction of the additional highway lanes and a stormwater basin in the emergent wetland WC1-PEM that drains to an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the south side of the PA Turnpike, adjacent to the eastbound lanes from Sta. 199+00 RT to 200+25 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 52.3974", Longitude: -75° 39' 1.8786"). This activity will result in of 2,265 square feet (0.05 acre) of permanent emergent wetland (WC1-PEM) impact.

9. To remove and replace one 158 feet long, 30-inch diameter stream enclosure that carries perennial stream Waterway 5 (R5), an unnamed tributary to Pine Creek (HQ-TSF, MF), under the PA Turnpike. The existing channel will be placed into a new pipe that will be 196 feet in length and include a rock apron and new headwall/wingwalls at the downstream side. On the upstream side, the stream channel will be graded to match the required inlet elevation. The permanent impacts are located on both sides of the PA Turnpike from approximately Sta. 200+00 to Sta. 201+00 (Downingtown, PA Quadrangle; Latitude: 40° 03' 53.66", Longitude: -75° 38' 35.88"). This activity will result in 71 linear feet (204

square feet) of permanent watercourse impact, 72 linear feet (227 square feet) of temporary watercourse impact, 12,061 square feet of permanent floodway impact and 8,378 square feet of temporary floodway impact.

10. To extend one 144 feet long, 66-inch diameter stream enclosure that carries Waterway 5 (R5), a perennial stream that is an unnamed tributary to Pine Creek (HQ-TSF, MF), beneath the PA Turnpike at Sta. 216+43 RT/LT. Impacts are on both the north side and south side of the PA Turnpike, adjacent to both the eastbound and westbound lanes. Permanent impact of 61 linear feet of perennial stream channel (north side of WB Turnpike); and 56 linear feet (south side of EB Turnpike) (Downingtown, PA Quadrangle; Latitude: 40° 03' 57.4596", Longitude: -75° 38' 22.5846"). The existing channel will be placed into two culvert extensions, one north of and one south of the PA Turnpike, for a permanent impact of 95 linear feet of new culvert. This activity will result in 95 linear feet (648 square feet) of permanent watercourse impact and 18,004 square feet of permanent floodway impact, which includes 86 linear feet of permanent loss of perennial stream channel (R5) with 138 linear feet (1,197 square feet) of temporary watercourse impact and 11,813 square feet of temporary floodway impact related to construction of the culvert extensions. A portion of the existing channel that will be filled will be relocated into a new channel 56 feet in length.

11. To fill and relocate the intermittent stream Waterway 15 (R15) within the proposed construction limits that drains to an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the north side of the PA Turnpike, adjacent to the westbound lanes from Sta. 215+25 LT to Sta. 216+50 LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 57.4596", Longitude: -75° 38' 22.5846"). This activity will result in 80 linear feet (260 square feet) of permanent watercourse impact and 1,995 square feet of permanent floodway impact. The existing channel will be filled and relocated into a new channel 80 feet in length.

12. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the perennial stream Waterway 8 (R8) that is an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on both sides of the PA Turnpike, at Sta. 232+00 (Downingtown, PA Quadrangle; Latitude: 40° 03' 55.35", Longitude: -75° 38' 15.7"). This activity will result in 10,184 square feet of permanent floodway impact, 71 linear feet (976 square feet) of temporary watercourse impact and 3,769 square feet of temporary floodway impact.

13. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the perennial stream Waterway 9 (R9) that is an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the north side of the PA Turnpike at Sta. 232+00 LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 56.14", Longitude: -75° 38' 14.65"). This activity will result in 127 linear (938 square feet) of temporary watercourse impact, 817 square feet of temporary floodway impact, and 4,380 square feet of permanent floodway impact.

14. Temporary dewatering for the construction of the additional highway lanes in the emergent/scrub-shrub/forested wetland WO-PEM/PSS/PFO that drains to an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the north side of the PA Turnpike,

adjacent to the westbound lanes from Sta. 230+50 LT to 232+00 LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 57.15", Longitude: -75° 38' 17.56"). This activity will result in 2,705 square feet (0.06 acre) of temporary wetland impact.

15. Temporary impacts related to the placement of a sandbag cofferdam within the forested wetland WH-PFO. Impacts on the south side of the PA Turnpike adjacent to the eastbound lanes at Sta. 242+50 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 51.5844", Longitude: -75° 38' 6.0102"). This activity will result in 349 square feet (less than 0.01 acre) of temporary wetland impact.

16. Permanent impacts related to placement of riprap within the perennial stream Waterway 10 (R10) that is known as Pine Creek (HQ-TSF, MF). The impacts are on the north and south sides of the PA Turnpike adjacent to both the eastbound and westbound lanes at Sta. 243+00 RT and LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 51.5844", Longitude: -75° 38' 6.0102"). The riprap is to support hydraulic changes following headwall reconstruction that is necessary for maintaining foundation support beneath the proposed Retaining Wall in this location. There are also temporary in-stream impacts from a sandbag cofferdam needed for dewatering the area during work on the headwall. This activity will result in 19 linear feet (377 square feet) of permanent watercourse impact and 25,682 square feet of permanent floodway impact with 83 linear feet (1,298 square feet) of temporary watercourse impact and 12,607 square feet of temporary floodway impact.

17. To place fill within the floodway of an intermittent stream Waterway 24 (R24) that is an unnamed tributary to Pine Creek (HQ-TSF, MF) associated with roadway reconstruction and widening resulting in 347 square feet of permanent floodway impact and 1,770 square feet of temporary floodway impact. The impacts are located at Sta. 243+00LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 52.88", Longitude: -75° 38' 01.87").

18. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the intermittent stream Waterway 26 (R26) that is an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the north side of the PA Turnpike, adjacent to the westbound lanes at Sta. 243+00 LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 52.48", Longitude: -75° 38' 1.13"). This activity will result in 23 linear feet (124 square feet) of temporary watercourse impact.

19. Temporary vegetation clearing, and earth disturbance for the construction of the additional highway lanes and temporary impacts related to the replacement of existing ROW fencing within the forested wetland WI-PFO. Impacts on the south side of the PA Turnpike adjacent to the eastbound lanes at Sta. 243+97 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 50.6412", Longitude: -75° 38' 2.998"). This activity will result in 686 square feet (0.02 acre) temporary wetland impact.

20. To place fill (grading) for construction of a stormwater management basin in the emergent wetland WZ-PEM that drains to Pine Creek (HQ-TSF, MF). The impacts are located on the north side of the PA Turnpike, offset from the westbound lanes and Davis Road, from Sta. 260+00 LT to 264+00 LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 45.48", Longitude: -75° 37' 40.17"). The permanent impacts to the wetland will be minimal relative to its overall size therefore, no functions



within the wetland will be lost. This activity will result in 701 square feet (0.02 acre) of permanent emergent wetland (WZ-PEM) impact, and 1,719 square feet (0.04 acre) of temporary impact to emergent wetland (WZ-PEM).

21. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the perennial stream Waterway 18 (R18) that is an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located both north and south of the PA Turnpike, at Sta. 266+00 (Downingtown, PA Quadrangle; Latitude: 40° 03' 41.8", Longitude: -75° 37' 38.64"). This activity will result in 61 linear feet (1,203 square feet) of temporary watercourse impact, 7,335 square feet of temporary floodway impact, and 6,142 square feet of permanent floodway impact.

22. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the intermittent stream Waterway 19 (R19) that is an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located north of the PA Turnpike, adjacent to the westbound lanes from Sta. 265+00 to Sta. 266+00 (Downingtown, PA Quadrangle; Latitude: 40° 03' 54.01", Longitude: -75° 36' 27.87"). This activity will result in 66 linear feet (203 square feet) of temporary watercourse impact, 667 square feet of temporary floodway impact, and 3,596 square feet of permanent floodway impact.

23. Temporary vegetation clearing, earth disturbance, and streambank/streambed disturbance for the construction of the additional highway lanes in the perennial stream Waterway 21 (R21) that is an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the both sides of the PA Turnpike, from Sta. 325+00 to Sta. 325+50 (Downingtown, PA Quadrangle; Latitude: 40° 03' 52.61", Longitude: -75° 36' 26.14"). This activity will result in 24 linear feet (405 square feet) of temporary watercourse impact, 4,653 square feet of temporary floodway impact, and 8,745 square feet of permanent floodway impact.

24. To place fill within the floodway of an intermittent stream Waterway 22 (R22) that is an unnamed tributary to Pine Creek (HQ-TSF, MF) associated with roadway reconstruction and widening resulting in 9,971 square feet of permanent floodway impact and 8,370 square feet of temporary floodway impact. The impacts are located at Sta. 325+00LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 52.52", Longitude: -75° 35' 57.62").

25. To place fill within the floodway of an intermittent stream Waterway 23 (R23) that is an unnamed tributary to Pine Creek (HQ-TSF, MF) associated with roadway reconstruction and widening resulting in 3,327 square feet of permanent floodway impact. The impacts are located at Sta. 325+00RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 53.11", Longitude: -75° 36' 01.18").

26. To extend one 154 feet long, 42-inch diameter stream enclosure that carries Waterway 25 (R25), a perennial stream that is an unnamed tributary to Pine Creek (HQ-TSF, MF), beneath the PA Turnpike at Sta. 346+23 RT/LT. Impacts are on both the north side and south side of the PA Turnpike, adjacent to both the eastbound and westbound lanes. Permanent impact of 36 linear feet of perennial stream channel (north side of WB Turnpike); and 20 linear feet of perennial stream channel (south side of EB Turnpike). Temporary impact of 12 linear feet of perennial stream channel (north side of WB Turnpike) and 33 linear feet of perennial stream

channel (south side of EB Turnpike) (Downingtown, PA Quadrangle; Latitude: 40° 03' 55.7634", Longitude: -75° 38' 17.8542"). The existing channel will be placed into two reinforced concrete culvert extensions, one north of and one south of the PA Turnpike; additional permanent impacts from placement of riprap on the downstream side (north side of WB Turnpike). This activity will result in a total 56 linear feet (379 square feet) of permanent watercourse impact which includes 30 linear feet of permanent loss of perennial stream channel, 11,010 square feet of permanent floodway impact, 45 linear feet (185 square feet) of temporary watercourse impact, and 1,424 square feet of temporary floodway impact.

27. To place fill for the construction of the additional highway lanes in the forested wetland WW-PFO that drains to an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the south side of the PA Turnpike, adjacent to the eastbound lanes from Sta. 345+25 RT to 350+25 RT (Downingtown, PA Quadrangle; Latitude: 40° 03' 51.534", Longitude: -75° 35' 58.1424"). This activity will result in 9,486 square feet (0.22 acre) of permanent forested wetland (WW-PFO) impact, and an additional 4,367 square feet (0.10 acre) of temporary impact to forested wetland (WW-PFO).

28. Temporary vegetation clearing, and earth disturbance for the construction of the additional highway lanes and for extension of a 42-inch diameter pipe in the forested wetland WU1-PFO that drains to an unnamed tributary to Pine Creek (HQ-TSF, MF). The impacts are located on the north side of the PA Turnpike, adjacent to the westbound lanes from Sta. 345+25 LT to 346+00 LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 55.8886", Longitude: -75° 36' 1.9548"). This activity will result in 214 square feet (less than 0.01 acre) of temporary forested wetland (WU1-PFO) impact.

29. To place fill in intermittent stream Waterway 27 (R27), an intermittent tributary to Pigeon Run (HQ-TSF, MF), for a new headwall and rock rip rap apron north of the PTC Maintenance Access Drive. Impacts are on the north side of the PTC Maintenance Access Drive at Sta. 380+00 LT (Downingtown, PA Quadrangle; Latitude: 40° 03' 55.2342", Longitude: -75° 35' 18.0384"). This activity will result in 31 linear feet (246 square feet) of permanent watercourse impact (north side of PTC Maintenance Access Drive), 462 square feet of permanent floodway impact with an additional 34 linear feet (375 square feet) of temporary watercourse impact, and 2,985 square feet of temporary floodway associated with the north side of PTC Maintenance Access.

To compensate for permanent watercourse and wetland impacts, PTC received a mitigation credit commitment letter dated March 8, 2022, from First Pennsylvania Resource, LLC (RES). PTC has acquired 0.532 wetland credits and 359 stream credits from the Quaker Mitigation Bank for the compensatory mitigation for the project. PTC is also replacing in kind of approx. 136 linear feet of stream along waterway R2 and R15.

The project will traverse Upper Uwchlan, Uwchlan, West Pikeland, and Charlestown Townships in Chester County. Work will commence at Milepost 311.60, located 0.43 mile west of the Downingtown Interchange with SR 100 (Downingtown, PA USGS Quadrangle; Latitude: 40.069835 N, Longitude: 75.674797 W) in Uwchlan Township, and terminates at Milepost 316.19, located 0.33 mile east of Bodine Road (Downingtown, PA USGS Quadrangle; Latitude: 40.064973 N, Longitude: 75.592675 W) in Charlestown Township. Permit issued June 24, 2022.

**Permit No. E2301222-002, Chester Township,** 1150 Engle Street, Chester, PA 19013, Chester Township, **Delaware County,** Army Corps of Engineers Philadelphia District.

To construct and maintain a new walking path, upgraded concrete access stairway, rehabilitation of a tennis court, installation of new playground equipment, and construction and maintenance of a new skate park at one of the existing tennis courts within the 100-year floodplain of Chester Creek (TSF-MF). These activities will result in 0.73 acre of permanent floodplain impact.

This project is located in Worrirow Park, Brookhaven—Chester Township, Delaware County (USGS PA Marcus Hook Quadrangle, Latitude: 39.856103 N, Longitude: -75.395270 W). Permit issued June 23, 2022.

**Permit No. E4601222-001, PECO Energy Company,** 2301 Market Street, N3-3, Philadelphia, PA 19103, Upper Merion and Schuylkill Townships, **Montgomery and Chester Counties,** Army Corps of Engineers Philadelphia District.

To construct and maintain approximately 161 LF of 16-inch diameter pipe within a 20-inch diameter steel casing via jack and bore and approximately 25 LF of 16-inch steel pipe across the Valley Creek (EV-MF) associated with the replacement of a 12-inch diameter gas main for the residential community improvements. The existing 12-inch gas main will be abandoned in-place.

The site is located along Valley Forge Road (Valley Forge, PA, USGS Quadrangle, Latitude: 40.100026; Longitude: -75.462546) in Upper Merion Township, Montgomery County and Schuylkill Township, Chester County. Permit issued June 23, 2022.

**Permit No. WL1501222-005/EA1501222-002, Caln Township,** 253 Municipal Drive, Thorndale, PA 19312, Caln Township, **Chester County,** Army Corps of Engineers Philadelphia District.

Caln Township is proposing to remove an abandoned bridge and its abutments carrying East Fisherville Road over Beaver Creek (CWF-MF) and in its place, stabilize and restore both banks of Beaver Creek. This activity will result in 450 square feet of temporary watercourse impact due to temporary coffer dam for abutment removal, 2,225 square feet of permanent floodway impact with 3,210 square feet of permanent floodplain impact due to the removal of bridge approach roadway and fill. Areas with the limit of disturbance will be stabilized and restored.

This project is located at the intersection of East Fisherville and Bondsville Roads in Caln Township, Chester County (USGS PA Wagontown Quadrangle—Latitude 40.015233 N, Longitude 75.753509 W). Permit issued June 22, 2022.

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Gillian Pehala, Clerical Assistant 2, 570-830-3077.*

**E4802122-004: PA Department of Transportation, Eng District 5-0,** 1002 Hamilton Street, Allentown, PA 18101, Williams Township, **Northampton County,** Army Corps of Engineers, Philadelphia District.

The following impacts are associated with the SR 0611-05B project:

To maintain a 145-foot wide 42-inch diameter RCP stream enclosure, with a 1/2-inch thick cementitious liner in the final 95-feet of the structure. The structure

carries SR 0611 across a tributary to the Delaware River (TSF, MF) and carries the tributary to the Delaware River under the Delaware Canal (TSF, MF) and Delaware Canal Trail. Grouted R-6 riprap will be placed at the culvert inlet and upstream streambanks

- To repair an erosion hole in the watercourse and floodway of the Delaware Canal. Flowable fill and approximately 50' of clay liner along the streambank will be used to repair the area to match existing conditions.

The project is located along SR 0611 Sec 05B, Segment 0070 Offset 2561, approximately 150 feet south of the SR 0611/Brown Drive intersection (Easton, PA Quadrangle Latitude: 40° 38' 48.90" N, Longitude: -75° 12' 8.03" W).

**E390222-001. Upper Saucon Township,** 5500 Camp Meeting Road, Center Valley, PA 18034, in Upper Saucon Township, **Lehigh County,** U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Kozy Korner Road Storm Sewer Project:

- To construct and maintain a stormwater outfall in the floodway of Saucon Creek (HQ-CWF, MF) consisting of two (2) 19-inch by 30-inch HERCP pipes with a concrete headwall and rip rap apron.

- To replace an existing 24" culvert pipe crossing of a UNT to Saucon Creek (HQ-CWF, MF) with an 18" RCP culvert and concrete headwall.

- To fill an area of EV wetlands equal to approximately 0.03 acre associated with the stormwater improvements.

The project is located along Kozy Korner Road (T-440) and Limeport Pike (SR 2029) (Allentown East, PA Quadrangle Latitude: 40° 31' 31", Longitude: -75° 27' 3") in Upper Saucon Township, Lehigh County.

*Northcentral Region: Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.*

**E1404222-001: Fisher Eli S,** 615 Manor Road, Centre Hall, PA 13828. Fisher Brdg Construction, Gregg Township, **Centre County,** U.S. Army Corps of Engineers Baltimore District (Spring Mills, PA Quadrangle; 40.84273° N; 77.60053° W).

The applicant is authorized to construct and maintain a new full span private bridge across Sinking Creek (HQ-CWF) to provide landowner access. The project proposes .01 acre of permanent indirect watercourse impacts, and .06 acre of permanent direct floodway impacts.

**E4904221-002. Patton Warehousing, LLC,** 55 Patton Drive, Milton, PA 17847. South Warehouse Project at 60 Belford Boulevard in Milton Borough, **Northumberland County,** Army Corps of Engineers Baltimore District (Northumberland, PA Quadrangle, Latitude: 40° 58' 30.3" N; Longitude: 76° 50' 53.4" W).

The project consists of construction of a 150,000 square foot warehouse/distribution facility, paving and expansion of an existing parking area, utility connections, construction of stormwater management facilities, and creation of a wetland mitigation area. The development will permanently impact 0.653 acre of palustrine emergent wetland (non-EV) and 60 square feet of an unnamed tributary to Chillisquaque Creek (WWF, MF). Compensatory wetland mitigation will be completed onsite by constructing a new 0.653-acre mixed habitat wetland complex. The new wetland will be protected in perpetuity by a deed restriction. Coordination and clearance of impacts to the endan-

gered Eastern Spadefoot Toad was completed by the Pennsylvania Fish and Boat Commission. An NPDES permit application for the earth disturbance was reviewed and approved by the County Conservation District.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Dana Drake.*

**E02052-1825, Village at Marketplace, LLC**, 2000 Georgetown Drive, Suite 100, Sewickley, PA 15143, Moon Township, **Allegheny County**; Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to:

1. Place and maintain fill within 331 LF of an unnamed tributary (UNT) to Montour Run (TSF) (Stream R001), with a drainage area of less than 100 acres,

2. Place and maintain fill within 1,164 LF of a UNT to Montour Run (TSF) (Stream R003C), with a drainage area of less than 100 acres,

3. Place and maintain fill within 650 LF of a UNT to Montour Run (TSF) (Stream R003C-1), with a drainage area of less than 100 acres,

4. Place and maintain fill within another 926 LF section of a UNT to Montour Run (TSF) (Stream R001), with a drainage area of less than 100 acres,

5. Place and maintain fill within 31 LF of an ephemeral stream (Stream R003C-1) with a drainage area of less than 100 acres, and

6. Place and maintain fill within 121 LF of an ephemeral stream (Stream R003C-2) with a drainage area of less than 100 acres,

For the purpose of constructing a mixed residential subdivision. Mitigation will be provided with a combination of on-site and off-site (Pine Creek and UNT to Pine Creek) restoration, including floodplain reconnection, bank stabilization, in-stream structures, and riparian buffer plantings.

The project site is located on Marketplace Boulevard. (Oakdale, PA USGS topographic quadrangle; N: 40°, 27', 46"; W: -80°, 11', 13"; Sub-basin 20G; USACE Pittsburgh District), in Moon Township, Allegheny County.

**E0205221-018, Town of McCandless**, 9955 Grubbs Road, McCandless Township, 15090, **Allegheny County**; Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to:

1. Construct, operate, and maintain a new 6-foot-wide by 75-foot-long single span steel pedestrian bridge over Pine Creek (CWF).

2. Construct, operate, and maintain approach asphalt sidewalks impacting 0.02 acre to Pine Creek's associated floodway.

3. Construct, operate, and maintain asphalt sidewalks impacting 0.041 acre to Pine Creek's associated floodplain.

For the purpose of giving pedestrians a safe and dedicated route to cross Pine Creek for access to the town building, ballfields, and Devin Park.

The project site is located adjacent to the intersection of Aufman Lane and Grubbs Road, (Emsworth, PA USGS topographic quadrangle; N: -40°, 35', 29"; W: -80°, 01', 4.00"; Sub-basin 18A; USACE Pittsburgh District), in McCandless Township, Allegheny County.

**E0205221-021, Borough of Fox Chapel**, 401 Fox Chapel Road, Pittsburgh, PA 15238, Borough of Fox Chapel, **Allegheny County**; Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to:

Regrade and maintain 300 linear feet of streambank along Stony Camp Run (HQ-WWF) and 1,760 linear feet of streambank along Squaw Run (HQ-WWF) and to establish and maintain a riparian buffer through native plantings to an extent of 35 feet perpendicular to the streams' edge on both sides. The total amount of soil to be removed for the stream improvements is approximately 41 cubic yards for Stony Camp Run and 210 cubic yards for Squaw Run, for the purpose of decreasing pollutant and sediment loading to meet municipal MS4 requirements. Two temporary stream crossings will be installed to allow work on both sides of the stream.

The project will cumulatively and permanently impact 2,060 linear feet of streambanks; temporarily impact 319 linear feet of Stony Camp Run and 1,284 linear feet of Squaw Run streambanks; permanently impact 0.48 acre of the floodway of Stony Camp Run and 2.83 acres of the floodway of Squaw Run; temporarily impact 0.09 acre of the floodway of Stony Camp Run and 1.46 acres of the floodway of Squaw Run; permanently impact 0.15 acre of the floodplain of Squaw Run; and temporarily impact 0.15 acre of the floodplain of Squaw Run. No wetland or streambed impacts are proposed.

The project site is located along the west side of Hemlock Hollow Road, approximately 0.3 mile southeast of the intersection Hemlock Hollow Road and Riding Meadow Road (Glenshaw PA USGS topographic quadrangle; N: -40°, 31', 0.53"; W: -79°, 53', 39.124"; Sub-basin 18A; USACE Pittsburgh District), and near the confluence of Stony Camp Run and Squaw Run. The project extends from this location southeast along Squaw Run to an area of the stream just west of the intersection of Hemlock Hollow Road and Hunt Road (Glenshaw PA USGS topographic quadrangle; N: 40°, 30', 41.86"; W: -79°, 53', 34.08"; Sub-basin 18A; USACE Pittsburgh District), in the Borough of Fox Chapel, Allegheny County.

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E1006221-004, Jackson Township**, 140 Magill Road, Zelenople, PA 16163. Reservoir Park Pedestrian Bridge, in Jackson Township, **Butler County**, Army Corps of Engineers Pittsburgh District (Zelenople and Evans City, PA Quadrangle N: 40.804952°; W: -80.133915°).

Constructing and maintain an approximately 8 feet wide by 40 feet long pedestrian bridge over Scholars Run (WWF), construct and maintain an elevated boardwalk over a delineated wetland to connect walking trails, and construction and maintenance of a spillway and other basin features of a non-jurisdictional dam near the confluence of Scholars Run and Connoquenessing Creek within Reservoir Park (Zelenople & Evans City, PA Quadrangle N: 40.804952°; W: -80.133915°) in Jackson Township, Butler County.

**E4306222-002, Wagler, LLC**, 4572 Greenville-Sandy Lake Road, Stoneboro, PA 16153. Rails to Cattails, in Sandy Lake Borough, **Mercer County**, Army Corps of Engineers Pittsburgh District (Sandy Lake, PA Quadrangle N: 41°, 20', 36"; W: 80°, 06', 27").

Maintain 0.43 acre of permanent wetland impact conducted without a permit associated with a residential

subdivision, utility lines and associated roadways located approximately 500 feet north of the intersection of Lake Street and East Cottage Road (Sandy Lake, PA Quadrangle N: 41.3432187°; W: -80.1074685°) in Sandy Lake Borough, Mercer County. The project includes creation of 0.96 acre of replacement wetland adjacent to an existing wetland complex along a former railroad bed approximately 0.4 mile east of Franklin Street (Sandy Lake, PA Quadrangle N: 41.344599°; W: -80.097249°) in Sandy Lake Borough, Mercer County.

**E4206222-001, Highland Field Services, LLC**, 51 Zents Blvd, Brookville, PA 15825. Hexion Expansion, in Sergeant Township, **McKean County**, Army Corps of Engineers Pittsburgh District (Hazel Hurst and Mount Jewett, PA Quadrangle N: 41.682881; W: -78.629507).

Permanently impact 0.88 acre of PEM wetlands for construction of a mineral storage area and associated stormwater management facilities approximately 0.4 mile east of the intersection of Allegany Drive and Temple Drive (Hazel Hurst and Mount Jewett, PA Quadrangle N: 41.682881; W: -78.629507) in Sergeant Township, McKean County. Project includes creation of a minimum of 0.88 acre of replacement wetlands on site.

*Northwest Region: Oil & Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E2408221-003, National Fuel Gas Midstream Clermont, LLC**, 6363 Main Street, Williamsville, NY 14221. Beechwood Phase I, in St. Marys Township, Jones Township, **Elk County**, Army Corps of Engineers Pittsburgh District & Baltimore District, Rich Valley, Wildwood Fire Tower PA Quadrangle N: 41°, 31', 42.49"; W: 78°, 19', 24.97".

The proposed project is for the installation of steel natural gas pipelines and a waterline to connect proposed and existing natural gas well pads to an existing compressor station along Shawmut Grade Road. The total proposed alignment is approximately 14 miles long. Roughly half of the route is in Elk County and half is in Cameron County. The proposed project impacts in Elk County include a total of 100 linear feet of permanent impacts, and 612 linear feet of temporary impacts to Clear Creek (EV, MF), UNT's to Little Clear Creek (EV, MF), Little Clear Creek (EV, MF) and UNT's to Straight Creek (EV). Eight floodways will be impacted having 0.05 acre of permanent impacts and 1.08 acres of temporary impacts. 0.04 acre of permanent impacts and 0.89 acre of temporary impacts to Palustrine Emergent wetland(s) are also proposed.

**E1208221-001, National Fuel Gas Midstream Clermont, LLC**, 6363 Main Street, Williamsville, NY 14221. Beechwood Phase I, in Shippen Township, **Cameron County**, Army Corps of Engineers Pittsburgh District & Baltimore District, Rich Valley, Wildwood Fire Tower PA Quadrangle N: 41°, 31', 42.49"; W: 78°, 19', 24.97".

The proposed project is for the installation of steel natural gas pipelines and a waterline to connect proposed and existing natural gas well pads to an existing compressor station along Shawmut Grade Road. The total proposed alignment is approximately 14 miles long. Roughly half of the route is in Elk County and half is in Cameron County. The proposed project impacts in Cameron County include a total of 60 linear feet of permanent impacts, and 443 linear feet of temporary impacts to Clear Creek (EV, MF), UNT's Clear Creek (EV, MF), and UNT's to Bobby Run (EV, MF). Eight floodways will be impacted having 0.03 acre of permanent impacts and

0.90 acre of temporary impacts. 0.03 acre of permanent impacts and 0.01 acre of temporary impacts to Palustrine Emergent wetland(s) and 0.05 acre of permanent impacts to Palustrine Forested wetland(s) are also proposed. Mitigation for project impact will be located adjacent to the pipeline right of way with 0.21 acre of wetland being created.

*Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**E0829222-010: Chief Oil and Gas, LLC**, 1720 Sycamore Road, Montoursville, PA 17754, Leroy Township, **Bradford County**, Army Corps of Engineers Baltimore District.

To construct, operate and maintain:

1. a 12-inch diameter temporary waterline impacting 3 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and 107 square feet of floodway impacts (Shunk, PA Quadrangle 41.62306°, -76.68681°);

2. a 12-inch diameter temporary waterline impacting 4 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and 137 square feet of floodway impacts (Leroy, PA Quadrangle 41.62528°, -76.68472°);

3. a 12-inch diameter temporary waterline impacting 1 linear feet of an unnamed tributary to Little Schrader Creek (EV, MF) and 104 square feet of floodway impacts (Leroy, PA Quadrangle 41.62639°, -76.68361°);

4. a 12-inch diameter temporary waterline impacting 1 linear feet of an unnamed tributary to Little Schrader Creek (EV, MF) and 113 square feet of floodway impacts (Leroy, PA Quadrangle 41.62944°, -76.68139°);

The project will result in 9 linear feet of stream impacts, 461 square feet (0.01 acre) of floodway impacts, all for the purpose of installing a temporary waterline for Marcellus Shale gas development in Leroy Township, Bradford County.

**E5929221-006: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Osceola Township, **Tioga County**, Army Corps of Engineers Baltimore District.

To construct, operate and maintain:

1. 54.15 acres of PFO, PSS and PEM wetland creation/enhancement and 3,300 linear feet of stream creation/enhancement will temporarily impact 23.61 acres of PEM, PSS and PFO wetlands and 2,593 linear feet of temporary stream impacts. (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°);

This project is the mitigation site for the Chesapeake Audit and Consent Decree United States, et al. v. Chesapeake Appalachia, LLC, Civil Action No. 4:21-00538-MWB, all for the purpose of establishing a mitigation site for permanent wetland and stream impacts that occurred during well pad construction for Marcellus well development.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.*

**D26-135EA. Curtis Fontaine, Municipal Authority of Westmoreland County**, 1067 Philadelphia Street, Indiana, PA 15701; Bullskin Township, **Fayette County**; U.S. Army Corps of Engineers Philadelphia District.

The Department of Environmental Protection, Division of Dam Safety has reviewed and approved the restoration plan to remove the Greenlick Lower Dam to eliminate a threat to public safety and to restore approximately 400 feet of stream channel to a free-flowing condition. The project is located across Greenlick Run (EV) (Connellsville, PA Quadrangle, Latitude: 40.1063, Longitude: -79.5060). Project was approved on June 21, 2022.

**D26-136EA. Curtis Fontaine, Municipal Authority of Westmoreland County**, 1067 Philadelphia Street, Indiana, PA 15701; Bullskin Township, **Fayette County**; U.S. Army Corps of Engineers Philadelphia District.

The Department of Environmental Protection, Division of Dam Safety has reviewed and approved the restoration plan to remove the Greenlick Upper Dam to eliminate a threat to public safety and to restore approximately 300 feet of stream channel to a free-flowing condition. The project is located across Greenlick Run (EV) (Connellsville, PA Quadrangle, Latitude: 40.1053, Longitude: -79.5010). Project was approved on June 21, 2022.

**D35-059EA. Kurt Staller, Project Manager-PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055, South Abington Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District

The Department of Environmental Protection, Division of Dam Safety has reviewed and approved the restoration plan to remove the High Service Dam to eliminate a threat to public safety and to restore approximately 550 feet of stream channel to a free-flowing condition. The project is located across Leggett's Creek (TSF, MF) (Scranton, PA Quadrangle, Latitude: 41.4695; Longitude: -75.6733). Project was approved on June 27, 2022.

**D40-023EA. Bilal Baqai, Pennsylvania Department of Conservation and Natural Resources, Facility Design and Construction**, 2808 Three Mile Run Road, Perkasio, PA 18944, Plains Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

The Department of Environmental Protection, Division of Dam Safety has reviewed and approved the restoration plan to remove the Laurel Run No. 2 Dam to eliminate a threat to public safety and to restore approximately 1,200 feet of stream channel to a free-flowing condition. The defunct masonry/concrete water supply dam is

39 feet high and 275 feet long. The proposed restoration project includes complete dam and sediment removal. The project is located across Laurel Run (CWF, MF) (Wilkes-Barre East, PA Quadrangle, Latitude: 41.2481; Longitude: -75.8179). Project was approved on June 27, 2022.

**EA02-009CO. Nick Saraniecki, SunCap Property Group, LLC**, 6101 Carnegie Boulevard, Suite 180, Charlotte, NC 28209. South Fayette Township, **Allegheny County**, U.S. Army Corps of Engineers Pittsburgh District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to breach the non-jurisdictional, off-stream Behling Dam. The existing pond is spring fed via diversion pipe and is not located on a stream. A permanent bypass pipe will be installed as part of the project to convey the water from the existing spring that currently feeds the pond to a tributary to Chartiers Creek. The project is located adjacent to Chartiers Creek (WWF) (Bridgeville, PA Quadrangle, Latitude: 40.3141, Longitude: -80.1222). The project was approved on June 21, 2022.

*Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**EA0829222-001: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840-1567. Sarah Bra Pad in Athens and Smithfield Township, **Bradford County**, Army Corps of Engineers Baltimore District.

This project seeks after-the-fact authorization in accordance with the Consent Decree Chesapeake Appalachia, LLC entered into with the U.S. Environmental Protection Agency and the PA Department of Environmental Protection on May 20, 2021. As previously referenced, Environmental Assessment for Waived Activities, (EAR) Application EA0829222-001 Chesapeake Appalachia, LLC (Chesapeake) has applied for an Environmental Assessment waiver 16—restoration to construct, operate and maintain 0.081 acre of temporary impacts to on-site wetlands. All impacts are associated with the Sarah Bra Pad construction in 2011.

There are no stream and floodway impacts associated with this after-the-fact authorization. The project will result in a total of 3,528 SF (0.081 acre) of temporary wetland impacts.

**WETLAND IMPACT TABLE:**

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
W-WRA-016-T	Athens Sayre	Temporary Workspace	PFO; EV	None	75	3,528			41.912196° 76.553484°
TOTAL IMPACTS					75	3,528			

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market

Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape

from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Northwest Region: Oil & Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

ESCGP-3 # ESG082421004-00-D10-D  
Applicant Name Seneca Resources Co, LLC  
Contact Person Douglas  
Address 51 Zents Blvd.  
City, State, Zip Brookville, PA 15825-2701  
Municipality Jones Township  
County Elk

Receiving Stream(s) and Classification(s) UNT to South Fork Straight Creek (HQ-CWF),  
Secondary; East Branch Clarion River (HQ-CWF), Windfall Run (HQ-CWF, MF)  
Secondary; Driftwood Branch Sinnemahoning Creek (HQ-CWF, MF), UNT to North Fork West Creek (HQ-CWF, MF),  
Secondary; Driftwood Branch Sinnemahoning Creek (HQ-CWF, MF), Robinson Run (HQ-CWF, MF).  
Secondary; Driftwood Branch Sinnemahoning Creek (HQ-CWF, MF).

*Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

ESCGP-3 # ESG295722001-00  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
Municipality Elkland Township  
County Sullivan

Receiving Stream(s) and Classification(s) Trib 20125 of Elk Creek (EV), Trib 20124 of Elk Creek (EV)

ESCGP-3 # ESG290822005-00  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
Municipality Litchfield Township  
County Bradford

Receiving Stream(s) and Classification(s) Satterlee Creek (CWF, MF), UNT to Satterlee Creek (CWF, MF)  
Secondary: Susquehanna River (WWF, MF), Satterlee Creek (CWF, MF)

ESCGP-3 # ESG295922006-00  
Applicant Name Seneca Resources Co, LLC  
Contact Person Doug Kepler  
Address 51 Zents Boulevard  
City, State, Zip Brookville, PA 15825-270  
1 Municipality Delmar Township  
County Tioga

Receiving Stream(s) and Classification(s) Marsh Creek (WWF, MF), Horse Thief Run (CWF, MF)

ESCGP-3 # ESG291221004-01  
Applicant Name Seneca Resources Co, LLC  
Contact Person Douglas Kepler  
Address 2000 Westinghouse Drive, Suite 400  
City, State, Zip Cranberry Township, PA 16066  
Municipality Shippen Township  
County Cameron

Receiving Stream(s) and Classification(s) Cooks Run (EV, MF), Big Run (EV, MF), Driftwood Branch Sinnemahoning Creek (EV, MF), Chadwick Draft (EV, MF), High Dry Hollow (EV, MF), Trib 25414 to Cooks Run (EV, MF), Trib 25436 to Big Run (EV, MF), Trib 25437 to Big Run (EV, MF), Trib 25438 to Big Run (EV, MF), Trib 25439 to Big Run (EV, MF), Trib 25434 to Driftwood Branch Sinnemahoning Creek (EV, MF), Trib 25246 to Driftwood Branch Sinnemahoning Creek (EV, MF)  
Secondary: Driftwood Branch Sinnemahoning Creek (EV, MF), Sinnemahoning Creek (WWF, MF), Cooks Run (EV, MF), Big Run (EV, MF)

ESCGP-3 # ESG290822016-00  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
Municipality Smithfield Township  
County Bradford

Receiving Stream(s) and Classification(s) UNT to Browns Creek (CWF, MF), UNT to Wallace Run (WWF, MF)

ESCGP-3 # ESG291422002-00  
Applicant Name EQT ARO LLC  
Contact Person Todd Klaner  
Address 33 West Third St, Suite 300  
City, State, Zip Williamsport, PA 17701  
Municipality Boggs Township  
County Centre

Receiving Stream(s) and Classification(s) UNT Council Run (HQ-CWF)

ESCGP-3 # ESG290822014-00  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
Municipality Leroy Township  
County Bradford

Receiving Stream(s) and Classification(s) UNT Towanda Creek (CWF, MF)

## STORAGE TANKS

### VAULTED AST SENSOR VARIANCE

**The following variance from automatic dispensing shutoff requirements under the authority of the Storage Tank Spill Prevention Act (35 P.S. § 6021.301) and under 25 Pa. Code Chapter 245, Subchapter F, has been issued by the Bureau of Environmental Cleanup and Brownfields, P.O. Box 8762, Harrisburg, PA 17105-8762.**

Variance No. A-21-0001  
Applicant Name Hospital of the University of Pennsylvania  
Municipality City of Philadelphia  
County Philadelphia  
Tank Type(s) Diesel Emergency Generators  
Tank Capacity <21,000 gallons

The variance request asks that three aboveground storage tanks (ASTs) at the facility (Tanks 006A, 007A, and 008A) be excluded from a requirement for ASTs within underground vaults located in 25 Pa. Code

§ 245.523(7). Specifically, the variance requests that the facility be allowed to utilize continuous monitoring of each vault's liquid and vapor leak detection systems using a building automation panel, in lieu of a leak detection system that automatically shuts down the dispensing system in the event liquid or vapors are detected in a vault. Documentation provided to the Department of Environmental Protection (DEP) described a potential for the pumping units supplying fuel to the emergency generators to be disabled during a power outage, which would present an unsafe condition and a threat to human health. A variance was granted upon conditions that the facility continuously monitor the liquid and vapor leak detection systems in the vaults and immediately respond to any alarms triggered by the leak detection systems.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

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**The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

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Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Amoco STA**, 09-02720, 2375 Street Road, Bensalem, PA 19020, Bensalem Township, **Bucks County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of BP Products North America, Inc.

201 Helios Way, Floor 6, Houston, TX 77079, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

**7 Eleven 40235**, 46-30696, 1 E. City Avenue, Bala Cynwyd, PA 19004, Lower Merion Township, **Montgomery County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet nonresidential Statewide health and site-specific standards.

**PMG 2508**, 09-14447, 403 N. Main Street, Telford, PA 18969, Telford Borough, **Bucks County**. WSP USA, 500 Summit Lake Drive, Suite 450, Valhalla, New York 10595, on behalf of Cumberland Farms, Inc., 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

*Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Eric Supey, Environmental Program Manager.*

**Onvo Express White Haven**, Storage Tank ID # **13-25464**, 4700 State Route 534, White Haven, PA 18661, Kidder Township, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Truck Stop 39, Inc., 2227 Scranton-Carbondale Highway, Scranton, PA 18508, submitted a combined Site Characterization Report and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet Statewide Health Standards.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.*

*Contact: Kim Bontrager, Clerical Assistant 3.*

**CORRECTION**—previously published on June 25, 2022.

**Country Fair 98**, Storage Tank Facility ID # **25-90121**, 7650 Old Perry Highway, Erie, PA 16509, Summit Township, **Erie County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Country Fair, Inc., 2251 East 30th Street, Erie, PA 16510, submitted a combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of surface water contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

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**The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

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Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Lukoil 69701**, 15-42589, 845 Paoli Pike, West Chester, PA 19380, West Goshen Township, **Chester County**. EnviroTrac Ltd., 602 S. Bethlehem Pike, Suite A-2&3, Ambler, PA 19002 on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards. The report demonstrated attainment of nonresidential Statewide health standard and site-specific standard and was approved by the DEP on June 10, 2022.

*Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Eric Supey, Environmental Program Manager.*

**Fogelsville Shell**, Storage Tank ID # **39-07046**, 241 North Route 100, Allentown, PA 18106, Upper Macungie Township, **Lehigh County**. Reliance Environmental, 235 N. Duke Street, Lancaster, PA 17602, on behalf of Eastern Star, Inc., 241 North Route 100, Allentown, PA 18106, has submitted a revised, combined Site Characterization Report and Remedial Action Plan

concerning remediation of soil and groundwater contaminated with petroleum. The report was acceptable to meet site-specific standards and was approved by DEP on June 27, 2022.

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## SPECIAL NOTICES

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### ACTIVE AND ABANDONED MINE OPERATIONS

*California District Mining Office, 25 Technology Drive, Coal Center, PA 15423.*

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#### Notice of Public Meeting.

Notice is hereby given the Pennsylvania Department of Environmental Protection (Department) District Mining Operations, has received a major modification application from **Rosebud Mining Company for Brush Valley Mine, Permit No. 32041301**, to expand the existing Coal Mining Activities Permit (CMAP) underground mining acreage and the subsidence control plan area by 2,664.3 acres to the Lower Kittanning seam and to add the Upper Kittanning seam. The proposed mine expansion is located in Center Township in **Indiana County**.

The Department will hold an Informal Public Conference at the Brush Valley Volunteer Fire Department, 5540 Route 259 Highway South, Homer City, PA 15748 on Wednesday, July 20, 2022, from 1 p.m. until 3 p.m.

A Department representative will be available to receive both written and oral testimony regarding the application. Testimony will be placed into public record for the application and considered by the Department staff in the application review process. Department staff will be available to answer general questions on the permit application.

The California District Mining Office will accept additional written comments from participants of the informal public conference two weeks after the date of the proceeding until August 3, 2022.

If you are a person with a disability wishing to attend this IPC and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact Bonnie Herbert at bherbert@pa.gov to discuss how we may accommodate your needs. If necessary, you may use the Pennsylvania Hamilton Relay Service by calling 1.800.654.5984 (TDD Users) or 1.800.654.5988 (Voice users) and request that your call be relayed to Bonnie Herbert at 724.769.1100.

Copies of the application are on file for public review at the Department of Environmental Protection, District Mining Operations, California District Office, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 and Indiana County Recorder of Deeds Office, Indiana Court House, 825 Philadelphia Street, Indiana, PA 15701-3979.

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#### Notice of Public Meeting.

Notice is hereby given the Pennsylvania Department of Environmental Protection (Department), District Mining Operations, has received a major modification from **Rosebud Mining Company for the Barrett Mine, Permit No. 32051301**, to expand the existing Coal Mining Activity Permit (CMAP) underground mining acreage and the subsidence control plan area by 1,158.2 acres to the Lower Kittanning seam. The proposed revision is located in Buffington Township, **Indiana County**.

The Department will hold an Informal Public Conference at the Brush Valley Volunteer Fire Department,



5540 Route 259 Highway South, Homer City, PA 15748 on Wednesday, July 20, 2022, from 1 p.m. until 3 p.m.

A Department representative will be available to receive both written and oral testimony regarding the application. Testimony will be placed into public record for the application and considered by the Department staff in the application review process. Department staff will be available to answer general questions on the permit application.

The California District Mining Office will accept additional written comments from participants of the informal public conference two weeks after the date of the proceeding until August 3, 2022.

If you are a person with a disability wishing to attend this IPC and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact Bonnie Herbert at bherbert@pa.gov to discuss how we may accommodate your needs. If necessary, you may use the Pennsylvania Hamilton Relay Service by calling 1.800.654.5984 (TDD Users) or 1.800.654.5988 (Voice users) and request that your call be relayed to Bonnie Herbert at 724.769.1100.

Copies of the application are on file for public review at the Department of Environmental Protection, District Mining Operations, California District Office, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 and Indiana County Recorder of Deeds Office, Indiana Court House, 825 Philadelphia Street, Indiana, PA 15701-3979.

[Pa.B. Doc. No. 22-1013. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OSM 26(0149)103.1, Abandoned Mine Reclamation Project, Glowacki Subsidence—Drilling and Grouting, Upper Tyrone Township, Fayette County.** The principal items of work and approximate quantities include: mobilization and demobilization, 1 lump sum; 6" air rotary drilling, 1,160 linear feet; confirmation drilling: overburden drilling, 75 linear feet; P-series wire line drilling and core sampling, 145 linear feet; furnishing and installing overburden casing, 480 linear feet; supply, delivery, mixing and injection of grout: cement, 332 tons; fly ash (type F), 530 tons; mineral CSA, 0 ton; sand (type A), 75 tons; gravel (AASHTO No. 8), 0 ton; sodium bentonite powder, 50 pound bag, 400 each; diutan gum powder, 50 pound bag, 7 each; super plasticizer, 55-gallon drum, 12 each; preparation, disassembly and relocation of injection system, 55 each; monitoring well installation: 2" diameter monitoring well, installed 100 linear feet; monitoring well manhole and surface restoration, 4 each; sealing boreholes, 1 each; and site restoration job.

This bid issues on July 1, 2022, and bids will be opened on July 28, 2022, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to [www.BidExpress.com](http://www.BidExpress.com). This project is financed by

the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. § 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

RAMEZ ZIADEH,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1014. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Oil and Gas Technical Advisory Board Meeting Rescheduled

The Oil and Gas Technical Advisory Board (Board) will meet on Monday, July 25, 2022, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. This meeting was previously scheduled for July 18, 2022, at the same meeting location in Harrisburg. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Todd Wallace at [twallace@pa.gov](mailto:twallace@pa.gov) or (717) 783-6395.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Oil and Gas," then "Oil and Gas Technical Advisory Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the July 25, 2022, meeting can be directed to Todd Wallace at [twallace@pa.gov](mailto:twallace@pa.gov) or (717) 783-6395.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-6395, or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RAMEZ ZIADEH,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1015. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Technical Advisory Committee on Diesel-Powered Equipment Meeting Cancellation

The July 13, 2022, meeting of the Technical Advisory Committee (Committee) on Diesel-Powered Equipment is cancelled. The next meeting is scheduled for Wednesday, October 12, 2022, at 10 a.m. in the Westmoreland Room,

131 Broadview Road, New Stanton, PA. Individuals may attend the meeting in person or remotely.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Mining" then "Technical Advisory Committee on Diesel-Powered Equipment," then "2022").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the October 12,

2022, meeting can be directed to Peggy Scheloske at [mscheloske@pa.gov](mailto:mscheloske@pa.gov) or (724) 404-3143.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Peggy Scheloske at (724) 404-3143 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RAMEZ ZIADEH,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1016. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Asplundh Surgical Center	28 Pa. Code § 569.35(7) (relating to general safety precautions)
Crozer-Keystone Surgery Center at Brinton Lake	28 Pa. Code § 567.53(1) and (2) (relating to sterilization control)
Wellspring Chambersburg Endoscopy Center, LLC	28 Pa. Code § 555.31(a) (relating to principle)
Western PA Surgery Center—Beaver County Branch	28 Pa. Code § 551.21(d)(1) (relating to criteria for ambulatory surgery)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1017. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from June 1, 2022, through June 30, 2022. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities

shall be addressed to Garrison E. Gladfelder, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

#### Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
BMMSA Heart and Vascular Center of the Main Line	§ 569.35(7) (relating to general safety precautions)	06/14/2022	Granted w/Conditions
The Eye Surgery Center	§ 571.1 (relating to minimum standards) 2.7-7.2.3 surfaces	06/16/2022	Granted w/Conditions
Physician's Care Surgery Center	§ 551.21(d)(1) (relating to criteria for ambulatory surgery)	06/14/2022	Granted Probationary w/Conditions
Surgery Center of Allentown, LLC	§ 551.21(d)(1)	06/21/2022	Granted Probationary w/Conditions
Wyomissing Surgical Services, Inc.	§ 571.1 A2.1-3.2.3.2 space requirements	06/23/2022	Granted w/Conditions
	§ 571.1 A2.1-3.2.3.2(2)(c) space requirements	06/23/2022	Granted w/Conditions

#### Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Bradford Regional Medical Center	§ 103.31 (relating to the chief executive officer)	06/16/2022	Granted w/Conditions
Conemaugh Miners Medical Center	§ 153.1(a) (relating to minimum standards) 2.1-3.2.2.1(1) space requirements	06/14/2022	Granted
Helen M. Simpson Rehabilitation Hospital	§ 101.31(5) (relating to hospital requirements)	06/14/2022	Granted w/Conditions
Hospital of the Fox Chase Cancer Center	§ 107.2 (relating to medical staff membership)	06/14/2022	Granted w/Conditions
Jefferson Hospital	§ 51.23 (relating to positron emission tomography)	06/14/2022	Granted w/Conditions
Lehigh Valley Hospital—Dickson City	§ 107.2	06/14/2022	Granted w/Conditions
Mercy Fitzgerald Hospital	§ 138.15 (relating to high-risk cardiac catheterizations)	06/14/2022	Granted Probationary w/Conditions
	§ 138.18(a) and (b) (relating to EPS studies)	06/14/2022	Granted w/Conditions
Nazareth Hospital	§ 103.31	06/16/2022	Granted w/Conditions
Penn Highlands Dubois	§ 153.1(a) 2.1-3.8.7.1 location	06/14/2022	Granted
	§ 153.1(a) 2.1-6.2.4.1 public toilet room	06/14/2022	Granted
	§ 153.1(a) 2.5-2.2.8.18 space for group therapy	06/14/2022	Granted
Saint Mary Medical Center	§ 103.31	06/16/2022	Granted w/Conditions
UPMC Carlisle	§ 153.1(a) general conditions—windows-natural light	06/14/2022	Granted
Wellspan York Hospital	§ 153.1(a) 2.2-3.4.2.2(2)(a) space requirements	06/14/2022	Granted

#### Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Forestview	§ 201.3 (relating to definitions)	06/04/2022	Granted
Meadowood	§ 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB))	05/14/2022	Granted
Mulberry Healthcare and Rehabilitation Center	§ 211.9(g) (relating to pharmacy services)	05/14/2022	Granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Provident Transitional Care at Mercy Fitzgerald	§ 201.17 (relating to location)	05/28/2022	Granted
	§ 205.1 (relating to location or site)	05/28/2022	Granted
	§ 205.6(a) (relating to function of building)	05/28/2022	Granted
	§ 205.19 (relating to windows and windowsills)	05/28/2022	Granted
	§ 205.26 (relating to laundry)	05/28/2022	Granted
	§ 205.38 (relating to toilet facilities)	05/28/2022	Granted
Silvercare Subacute Care Facility	§ 201.17	06/29/2022	Granted
	§ 205.26	06/29/2022	Granted
Stoneridge Poplar Run	§ 201.22(d)	05/14/2022	Granted
Stoneridge Towne Center	§ 201.22(j)	06/04/2022	Granted
Willowbrooke Court Skilled Care at Brittany Estates	§ 201.22(d) and (e)	05/21/2022	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1018. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Hospitals; Correction

This notice corrects a notice previously published at 52 Pa.B. 2921 (May 14, 2022) for the hospital Penn Highlands Huntingdon.

The FGI Guidelines Sections and relating to entry was originally published for 153.1(a) minimum standards 2.1-4.2.2.1(1) dispensing facilities as taken from the 2018 Hospital *Guidelines*.

The correct Sections and relating to entry should read: 153.1(a) minimum standards 2.1-4.1.2.2(1)(b) laboratory workstation(s) as taken from the 2018 Outpatient *Guidelines*.

The previously listed request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163,

ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1019. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
The Chambersburg Hospital	28 Pa. Code § 113.5(a) (relating to pharmacy and therapeutics committee)
	28 Pa. Code § 133.21 (relating to facilities)

<i>Facility Name</i>	<i>Regulation and relating to</i>
	28 Pa. Code § 133.31(a) (relating to policies and procedures)
Crozer-Chester Medical Center	28 Pa. Code § 103.31 (relating to the chief executive officer)
Delaware County Memorial Hospital	28 Pa. Code § 103.31
Geisinger Jersey Shore Hospital	28 Pa. Code § 107.5(b)(1)—(5) (relating to membership appointment and reappointment)
	28 Pa. Code § 107.26(a) and (b)(1)—(8) (relating to additional committees)
Geisinger Medical Center Muncy	28 Pa. Code § 107.5(b)(1)—(5)
	28 Pa. Code § 107.26(a) and (b)(1)—(8)
Geisinger Wyoming Valley Medical Center	28 Pa. Code § 107.5(b)(1)—(5)
	28 Pa. Code § 107.26(a) and (b)(1)—(8)
Geisinger—Lewistown Hospital	28 Pa. Code § 107.5(b)(1)—(5)
	28 Pa. Code § 107.26(a) and (b)(1)—(8)
Penn Highlands Elk	28 Pa. Code § 103.33(b)(1)—(11) (relating to responsibilities)
Penn State Health Lancaster Medical Center	28 Pa. Code § 107.2 (relating to medical staff membership)
	28 Pa. Code § 107.61 (relating to written orders)
	28 Pa. Code § 107.62(a) and (b) (relating to oral orders)
	28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards)
	28 Pa. Code § 127.32 (relating to written orders)
	28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations)
Waynesboro Hospital	28 Pa. Code § 113.5(a)
Wellspan Ephrata Community Hospital	28 Pa. Code § 113.5(a)
Wellspan Gettysburg Hospital	28 Pa. Code § 113.5(a)
Wellspan Good Samaritan Hospital	28 Pa. Code § 113.5(a)
Wellspan York Hospital	28 Pa. Code § 113.5(a)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition*, or *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr<sup>1</sup></i>
The Bryn Mawr Hospital	2.6-3.1.2.1(1) area	18-O
	2.6-3.1.2.2(1)(b) clearances	18-O
	2.6-3.8.2.1 nurse station	18-O
	2.6-3.8.9.1 nourishment area	18-O
	2.6-3.8.9.2 nourishment area	18-O
	2.6-3.8.11 clean workroom or clean supply room	18-O
	2.6-3.8.12 soiled workroom or soiled holding room	18-O
	2.6-5.3 environmental services room	18-O
Excelsa Health Westmoreland Hospital	2.1-2.8.6.1 hand scrub facilities	18
	2.2-3.4.1.3(1)(d) radiation protection	18
Paoli Hospital	2.2-3.1.3.6(6)(a)—(c) treatment room or area	18
Penn Highlands Connellsville	2.1-3.8.8.2(1)(a)(i)—(v) work areas for preparing, dispensing and administering medications	18-O
	2.1-6.2.4.1 public toilet room	18-O
Penn Highlands Dubois	2.1-4.2.3.2(2) IV preparation area	18
UPMC Children's Hospital of Pittsburgh	2.1-7.2.2.1(1) corridor width	18-O

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr<sup>1</sup></i>
	2.14-3.2.2.1 area	18-O
	2.14-3.2.2.2(1) and (2) clearances	18-O
UPMC McKeesport	2.2-3.4.2.2(2)(a) space requirements	18
The Washington Hospital	2.2-2.12.1.3 safety and security	18
Wellspan Gettysburg Hospital	2.2-3.4.2.2(2)(a) space requirements	18

<sup>1</sup>2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1020. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Brookmont Healthcare Center, LLC  
510 Brookmont Drive  
Effort, PA 18330  
FAC ID # 023002

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or

hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1021. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Disproportionate Share Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final public notice to allocate funds for Fiscal Year (FY) 2021-2022 to disproportionate share hospital (DSH) payments to qualifying acute care general hospitals that serve the indigent population of cities in this Commonwealth with an average per capita income significantly below the Statewide average. These payments are intended to provide additional financial support to hospitals that serve an inordinate amount of low-income individuals and Medical Assistance (MA) beneficiaries in impoverished areas of this Commonwealth.

The Department published notice of its intent to allocate funding for these payments at 52 Pa.B. 1073 (February 12, 2022). The Department received no comments during the 30-day comment period. The Department will implement the total payment set forth in the notice of intent.

*Fiscal Impact*

For FY 2021-2022, the Department will allocate \$14.732 million in total (State and Federal) funds for these DSH payments.

MEG SNEAD,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-1522. (1) General Fund; (2) Implementing Year 2021-22 is \$6,058,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-1022. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final public notice to establish a new class of supplemental payments beginning Fiscal Year (FY) 2021-2022 to qualifying acute care general hospitals located in a county with an estimated general population count of less than 1 million that serve a high percent of Medical Assistance (MA) patients. These payments will enable the continuation of quality medical services in these areas.

The Department published notice of its intent to allocate funding for these payments at 52 Pa.B. 1192 (February 19, 2022). The Department received no comments during the 30-day comment period. The Department will implement the total payment set forth in the notice of intent.

*Fiscal Impact*

For FY 2021-2022, the Department will allocate \$4.828 million in total (State and Federal) funds for these supplemental payments.

MEG SNEAD,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-1521. (1) General Fund;

(7) MA—Fee-for-Service; (2) Implementing Year 2021-22 is \$682,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2021-22 is \$1,303,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$9,618,000; 2019-20 Program—\$7,502,000; 2018-19 Program—\$10,071,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-1023. Filed for public inspection July 8, 2022, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Public-Private Partnerships Board Meeting

The Public-Private Partnerships Board will hold a meeting on Thursday, July 21, 2022, from 9 a.m. to 11 a.m. in the Forest Room, Plaza Level, Keystone Building, Harrisburg, PA. For more information, contact Maddie Vergos, (717) 787-3154, mvergos@pa.gov.

YASSMIN GRAMIAN,  
*Secretary*

[Pa.B. Doc. No. 22-1024. Filed for public inspection July 8, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held as follows. Failure by the appellants to appear at the scheduled hearings may result in dismissal with prejudice.

The hearings will be held in Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Erin R. Yucha; Progressive Advanced Insurance Company; File No. 22-115-268000; Doc. No. P22-05-004; August 23, 2022, 9:30 a.m.

Appeal of Charley J. and Autumn Krisfalusi; Erie Insurance Exchange; File No. 22-118-269564; Doc. No. P22-05-021; August 23, 2022, 1 p.m.

Following the hearings and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearings and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the hearings or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearings and require an auxiliary aid, service or other accommodation to participate in the hearings should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1025. Filed for public inspection July 8, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### United Security Assurance Company of Pennsylvania; Rate Increase Filing for Several Individual LTC Forms (SERFF # USPA-133305032); Rate Filing

United Security Assurance Company of Pennsylvania is requesting approval to increase the premium 26.87% on 371 policyholders of United Security Assurance Company of Pennsylvania individual LTC forms F-701, F-733, F-734, F-771, F-775 and F-778.

Unless formal administrative action is taken prior to September 23, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To view these filing notices (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-1026. Filed for public inspection July 8, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before July 25, 2022. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by July 25, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2022-3032357. Rehoboth Paratransit, LLC** (508 West Arch Street, Pottsville, PA 17901) for the right to

begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the County of Schuylkill, to points in Pennsylvania, and return. *Attorney:* Cory A. Leshner, Law Offices of Cory A. Leshner, LLC, 415 Market Street, Suite 204, Harrisburg, PA 17101.

**A-2022-3032495. Three Wayz Transportation, LLC** (135 Beach 19th Street, Far Rockaway, NY 11691) for the right to begin to transport, as a common carrier, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the County of Luzerne, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2022-3032673. Doe Un Dot, LLC** (26 Valleybrook Drive, Lancaster, PA 17601) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

**A-2022-3032721. We Care Trans, LLC** (910 Longacre Boulevard, Yeadon, Delaware County, PA 19050) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Delaware County and the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2022-3033009. Special Delivery Mobility, LLC** (249 Bridge Street, Phoenixville, Chester County, PA 19460) to transport persons, as a common carrier, by motor vehicle, in nonambulance, nonemergency and non-medical paratransit service in a stretcher van, from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2022-3033055. Zip to Zip Moving, Inc.** (41 Ellsworth Drive, Princeton Junction, NJ 08550) household goods in use between points in Pennsylvania.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2022-3033056. Durst Trucking Co.** (3223 Poplar Street, Erie, Erie County, PA 16508) partial discontinuance of the rights, authorized at A-00106895, F.1. Carrier is discontinuing the right to transport as a common carrier, by motor vehicle, household goods in use between points in the City of Erie, Erie County, and within 25 miles by the usually travelled highways of the limits of said city. After the partial discontinuance of household goods rights, carrier's rights will read as such: To transport, as a common carrier, by motor vehicle, property; excluding household goods in use, between points in Pennsylvania.

**A-2022-3033068. Gish Logging, Inc.** (4980 Path Valley Road, Fort Loudon, Franklin County, PA 17224) partial discontinuance of the rights, authorized at A-00108692. Carrier is discontinuing rights No. 9 of the original ordering paragraph which states: to transport as a common carrier, by motor vehicle, household goods, in



use, from farms within 12 miles, by the usually traveled highways, of the intersection of Pennsylvania State Legislative Routes 3009 and 3022, located in the Village of Lemasters, Peters Township, Franklin County, to points in Franklin County, and vice versa; and right No. 10 of the original ordering paragraph which states: to transport as a common carrier, by motor vehicle, household goods, in use, between points within 8 miles, by the usually traveled highways, of the intersection of Pennsylvania State Legislative Routes 3009 and 3022, located in the Village of Lemasters, Peters Township, Franklin County, and from points in said area to points in Pennsylvania, and vice versa. After the partial discontinuance of household goods rights, carrier's rights will read as such: to transport, as a common carrier, by motor vehicle, property; excluding household goods in use, between points in Pennsylvania.

**A-2022-3033076. LV Company, Inc.** (Route 329, P.O. Box 7, Northampton, Northampton County, PA 18067) discontinuance of service and cancellation of its certificate, to transport as a common carrier, by motor vehicle, household goods in use.

**A-2022-3033099. Joseph Rabelo-Rivera, t/a Movenon Moving Company** (202 Carley Lane, Malvern, Chester County, PA 19355) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-8923526, household goods in use, between points in Pennsylvania.

**A-2022-3033220. Violet Phillips** (108 Lilly Road, Honeybrook, Chester County, PA 19344) discontinuance of service and cancellation of its certificate, to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Chester and Lancaster Counties to points in Pennsylvania, and return.

**A-2012-2294437. David F. Weaver** (23 North Farmersville Road, Ephrata, Lancaster County, PA 17522) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6414437, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1027. Filed for public inspection July 8, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer of Sale

**A-2022-3033167. PPL Electric Utilities Corporation.** Application of PPL Electric Utilities Corporation for approval of the transfer by sale of facilities located at 5137 Lower Mud Run Road, Easton, Northampton County to H & K Group, Inc./Easton Quarry.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before July 25, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility

Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or individuals may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

*Applicant:* PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101

*Through and By Counsel for:* Kimberly A. Klock, Michael J. Shafer, PPL Services Corporation, Office of General Counsel, Two North Ninth Street, Allentown, PA 18101, (610) 774-5696, (610) 774-2599, fax (610) 774-4102, [kklock@DDLweb.com](mailto:kklock@DDLweb.com), [mishafer@DDLweb.com](mailto:mishafer@DDLweb.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1028. Filed for public inspection July 8, 2022, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Petition for Changes to Taxicab Tariff; Doc. No. 22-001

#### Order

*By the Authority:*

The Authority is the sole regulator of all taxicab, limousine and transportation network company services in Philadelphia.<sup>1</sup> The Authority is empowered to conduct rate investigations and determine the rates that shall be charged by all taxicabs authorized to provide call or demand service in Philadelphia.<sup>2</sup>

Additionally, Authority regulations require that a request for flexible pricing model must include a proposed framework for consumer protections that involve upfront disclosure of the fare in a way that is not contingent upon consumer request and the flexible pricing model will be computed to not violate the Price Gouging Act (73 P.S. §§ 232.1—232.5). See 52 Pa. Code § 1030.2 (relating to taxicab rates and tariffs).

On March 30, 2021, the Authority authorized the Taxicab and Limousine Division ("TLD") to reopen a rate investigation to gather information and comment concerning the petition that was filed with the TLD seeking "to allow for up-front pricing or to allow approved PPA smartphone app-based providers and Philadelphia medalion taxicabs to calculate their own fare outside of the taxicab meter but must provide passengers with binding

<sup>1</sup> See the act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended, (the "act")

<sup>2</sup> See 53 Pa.C.S. §§ 5703 and 5720 (relating to rates, wages).

up-front fare quote to offer passengers with the same price certainty as transportation network companies (TNCs).<sup>3</sup> Specifically, the petition sought to allow an upfront pricing model to be offered to all customers using the Curb smartphone application<sup>4</sup> to be accepted by any available medallion taxicab operating through the approved meter system.<sup>5</sup>

The TLD sought written comments from the industry members and the general public. However, no comments were submitted. The TLD began its investigation of the upfront pricing model that was being tested with only a limited number of Curb app users. Based upon the TLD's recommendation from its investigative findings, on December 14, 2021, the Authority authorized the implementation of a pilot program to allow for the upfront pricing model to be available for testing to all Curb users to be accepted by any available medallion taxicab operating through the approved meter system. The TLD was directed by the Authority to continue to investigate and gather information concerning the pilot program and report its findings to the Authority within six months.<sup>6</sup>

Based upon review of all information received and recommendation of TLD staff, *Now, Therefore, Be It Resolved and Ordered* by the Board of the Authority as follows:

### Section 1. Upfront Pricing.

(a) Effective July 1, 2022, the taxicab tariff is to be amended to allow for an upfront flex fare pricing model, outside of the current taxicab tariff and meter system, for medallion taxicab trips in Philadelphia that are initiated through the Authority approved taxicab Curb smartphone application, and such fares are calculated based upon an algorithm of both live and historical trip data, including metered fares, traffic and wait times;

(b) All other rates as outlined in the current taxicab tariff shall remain unchanged.

### Section 2. Action by Taxicab and Limousine Division.

(a) The TLD staff shall broadcast this Order to all members of the taxicab industry by email as well as posting it on the Authority's website and within TLD Headquarters along with depositing this Order with the *Pennsylvania Bulletin* for publishing.

BETH C. GROSSMAN, Esq.,  
*Chairperson*

ALFRED W. TAUBENBERGER,  
*Vice Chairperson*

ORDER ADOPTED: JUNE 28, 2022

ORDER ENTERED: JUNE 28, 2022

[Pa.B. Doc. No. 22-1029. Filed for public inspection July 8, 2022, 9:00 a.m.]

<sup>3</sup> See TLD Docket No. P-21-03-01 Petition for Rate Change, filed by taxicab driver Ronald Blount on March 8, 2021.

<sup>4</sup> Curb is a current taxicab meter system vendor that provides taxicab meter equipment and associated software to medallion taxicabs associated with the certified dispatchers operating in Philadelphia. Curb also currently provides an application for smart devices to e-hail and/or e-pay for a Philadelphia taxicab trip.

<sup>5</sup> See Authority Order No. 21-003 Petition for Changes to Taxicab Tariff, March 30, 2021.

<sup>6</sup> See Authority Order No. 21-004 Petition for Changes to Taxicab Tariff, December 14, 2021.

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than July 25, 2022. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-22-06-01. A Sandhu Trans, LLC** (2 Violet Lane, Glen Mills, PA 19342): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

**Doc. No. A-22-06-02. Edlawit Taxi, LLC** (6550 Belmar Street, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

DENNIS WELDON,  
*Temporary Executive Director*

[Pa.B. Doc. No. 22-1030. Filed for public inspection July 8, 2022, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Taxicab Rate Review; Request for Public Comment; Doc. No. P-21-03-01

On June 28, 2022, the Philadelphia Parking Authority (Authority) approved, through oral resolution, the recommendation of the Taxicab and Limousine Division (TLD) to amend the current rate review investigation under the amended Petition for Rate Change (Petition) that was filed with the TLD on May 12, 2022. The Amended Petition may be obtained on the Authority's web site at [www.philapark.org/tld](http://www.philapark.org/tld).

Now, based upon the Amended Petition and the TLD's recommendation to the Authority, the TLD seeks written comment from the public at large and the industry concerning the current rate review, as it pertains to the following requests:

(1) A proposed increase in the taxicab flat rate from the Center City Zone to the Philadelphia International Airport and vice versa from \$28.50 to \$32.

(2) A proposed increase in the taxicab minimum fare from the Philadelphia International Airport from \$11 to \$20.

Interested parties are invited to submit written comments no later than August 10, 2022, to the attention of Christine A. Kirlin, Esq., Director, Taxicab and Limousine Division, at [ckirlin@philapark.org](mailto:ckirlin@philapark.org) or by mail to Christine Kirlin, Philadelphia Parking Authority, Taxicab and Limousine Division, 2415 South Swanson Street, Philadelphia, PA 19148-4113.

During this comment period, the TLD will also begin to conduct its own investigation concerning the aforementioned items of this rate review.

The TLD appreciates input concerning this matter.

DENNIS WELDON,  
*Temporary Executive Director*

[Pa.B. Doc. No. 22-1031. Filed for public inspection July 8, 2022, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 5, 2022	Account of Diane Sadler (Purchase of Out-of-State Service)	10 a.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to attend the proceeding should contact the Appeal Docket Clerk at (717) 720-4888 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRILL J. SANCHEZ,  
*Executive Director*

[Pa.B. Doc. No. 22-1032. Filed for public inspection July 8, 2022, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Timeless Glow, LLC; Case No. 22-45-007179

On May 16, 2022, Timeless Glow, LLC, license No. CB135199, last known of Bellwood, Blair County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the adjudication at [www.pals.pa.gov](http://www.pals.pa.gov).

This order represents the final State Board of Cosmetology (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

TAMMY Y. O'NEILL,  
*Chairperson*

[Pa.B. Doc. No. 22-1033. Filed for public inspection July 8, 2022, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

### Bureau of Professional and Occupational Affairs v. Jeremy Pratt, Jr.; Case No. 19-56-008896

On May 6, 2022, Jeremy Pratt, Jr., cemetery salesperson license No. LS215248, last known of Indiana, Indiana County, had his license revoked, based on pleading guilty to felonies and misdemeanors related to the practice of the profession.

Individuals may obtain a copy of the adjudication at [www.pals.pa.gov](http://www.pals.pa.gov).

This order represents the final State Real Estate Commission (Commission) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of their petition for review.

ARMAND FERRARA, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 22-1034. Filed for public inspection July 8, 2022, 9:00 a.m.]

## THADDEUS STEVENS COLLEGE OF TECHNOLOGY

### Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for lumber, windows, doors and other various construction material for their annual student housing project. Bid documents can be obtained from Carrie

Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, harmon@stevenscollege.edu.

PEDRO A. RIVERA,  
*President*

[Pa.B. Doc. No. 22-1035. Filed for public inspection July 8, 2022, 9:00 a.m.]

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