

# NOTICES

## 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 July 26, 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>
07-20-2022	Truist Bank Charlotte Mecklenburg County, NC	3600 Lancaster Avenue Philadelphia Philadelphia County, PA	Approved
07-20-2022	CNB Bank Clearfield Clearfield County		Filed
	Application to establish one mobile branch in New York to service the following proposed geographic locations: Niagara Falls, Niagara County Buffalo, Erie County		
07-21-2022	Farmers and Merchants Trust Co. of Chambersburg Chambersburg Franklin County	1500 Nitterhouse Drive Chambersburg Franklin County (Limited Service Facility)	Approved
07-21-2022	Bank of Bird-in-Hand Bird-in-Hand Lancaster County	118 Doe Run Road Manheim Lancaster County	Approved
07-21-2022	Truist Bank Charlotte Mecklenburg County, NC	821 Lancaster Avenue Wayne Chester County, PA	Opened

#### 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

### 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. 22-1177. Filed for public inspection August 5, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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*

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| 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>
PAD390214	Chapter 102 Individual NPDES Permit	Transfer	Timtay Trexlertown, LLC 3150 Coffeetown Road Orefield, PA 18069-2511	Lower Macungie Township Lehigh County	NERO
3519201	Industrial Waste Individual WQM Permit	New	Keystone Sanitary Landfill, Inc. 249 Dunham Drive Dunmore, PA 18512-0249	Dunmore Borough Lackawanna County	NERO
0913918	Joint DEP/PFBC Pesticides Permit	Transfer	Crawford Pamela 1825 Aquetong Road New Hope, PA 18938-1140	Solebury Township Bucks County	SERO
0915812	Joint DEP/PFBC Pesticides Permit	Renewal	Toll Robert 2890 N Sугan Road New Hope, PA 18938-9636	Solebury Township Bucks County	SERO
0916832	Joint DEP/PFBC Pesticides Permit	Renewal	Harrison Ted 565 Stone Bridge Road Perkasie, PA 18944-4253	Bedminster Township Bucks County	SERO
0922811	Joint DEP/PFBC Pesticides Permit	New	Roth Brandon 2455 Bedminster Road Perkasie, PA 18944-4004	Bedminster Township Bucks County	SERO
0922813	Joint DEP/PFBC Pesticides Permit	New	Perry Joe 5987 Shetland Drive Doylestown, PA 18902-9448	Solebury Township Bucks County	SERO

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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>
1522810	Joint DEP/PFBC Pesticides Permit	New	Kolar Erik 1272 Street Matthews Road Chester Springs, PA 19425	West Vincent Township Chester County	SERO
4622810	Joint DEP/PFBC Pesticides Permit	New	Sacks Sandy 1400 N Gravel Pike Perkiomen, PA 18074	Lower Frederick Township Montgomery County	SERO
4822803	Joint DEP/PFBC Pesticides Permit	New	Luff Thomas P.O. Box 164 Mount Bethel, PA 18343-0164	Upper Mount Bethel Township Northampton County	NERO
3622202	Land Application and Reuse of Sewage Individual WQM Permit	New	Quarryville Resorts, LP 38 Commerce Avenue SW Suite 200 Grand Rapids, MI 49503-4144	East Drumore Township Lancaster County	SCRO
PA0239046	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Transfer	JMS Manufacturing, LLC 417 Thorn Street Suite 300 Sewickley, PA 15143-1509	Ridgway Township Elk County	NWRO
0101402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Cumberland Township Authority Adams County 1370 Fairfield Road Gettysburg, PA 17325-7267	Cumberland Township Adams County	SCRO
1086406	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Jones Estates Baxters PA, LLC 2310 S Miami Boulevard Durham, NC 27703-5798	Center Township Butler County	NWRO
4501408	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Aqua PA Wastewater, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Tobyhanna Township Monroe County	NERO
0465S87	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Turkeyfoot Valley Area School District 172 Turkeyfoot Road Confluence, PA 15424-2420	Lower Turkeyfoot Township Somerset County	SWRO
6576417	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Unity Township Municipal Authority Westmoreland County 370 Pleasant Unity Mutual Road Greensburg, PA 15601-6388	Unity Township Westmoreland County	SWRO
NNOEXSC75	No Exposure Certification	Renewal	Gates Corp 1675 Orchard Drive Chambersburg, PA 17201-9206	Chambersburg Borough Franklin County	SCRO
NOEXNE003	No Exposure Certification	Renewal	Vigon International, Inc. 127 Airport Road East Stroudsburg, PA 18301-7702	Smithfield Township Monroe County	NERO
NOEXNE041	No Exposure Certification	New	Waste Management of Pennsylvania, Inc. 4816 Timberline Road Walnutport, PA 18088	Lehigh Township Northampton County	NERO
NOEXNW043	No Exposure Certification	Renewal	Honeywell Safety Products USA, Inc. 1345 15th Street Franklin, PA 16323-1941	Franklin City 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>
NOEXNW222	No Exposure Certification	New	ACV Environmental Service, Inc. 1500 Rahway Avenue Avenel, NJ 07001-2200	Pulaski Township Lawrence County	NWRO
NOEXSE074	No Exposure Certification	Renewal	Heraeus Materials Technology, LLC 24 Union Hill Road W Conshohocken, PA 19428	West Conshohocken Borough Montgomery County	SERO
PAR118337	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Famco Service & Mach, Inc. 754 S Main Street Ext Punxsutawney, PA 15767-7943	Young Township Jefferson County	NWRO
PAR202253	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Nucor Harris Rebar Northeast, LLC 1700 Riverside Drive Bethlehem, PA 18015-1277	Bethlehem City Lehigh County	NERO
PAR506117	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Armada Waste OH PA, LLC 3490 Piedmont Road NE Atlanta, GA 30305-1743	Crescent Township Allegheny County	SWRO
PAG046210	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Yaniszkeski Marisa 238 Simpson Road Greensburg, PA 15601-6778	Hempfield Township Westmoreland County	SWRO
PAG132320	PAG-13 NPDES General Permit for MS4s	Renewal	Port Clinton Borough Schuylkill County P.O. Box 246 Port Clinton, PA 19549	Port Clinton Borough Schuylkill County	NERO
PAG133720	PAG-13 NPDES General Permit for MS4s	Renewal	Centerport Borough Berks County 110 Callowhill Street Centerport, PA 19516	Centerport Borough Berks County	SCRO
PAG133724	PAG-13 NPDES General Permit for MS4s	Renewal	Christiana Borough Lancaster County 10 West Slokom Avenue Christiana, PA 17509	Christiana Borough Lancaster County	SCRO
6320406	Pump Stations Individual WQM Permit	New	Mon Valley Sewer Authority 20 S Washington Street Donora, PA 15033-1394	Carroll Township Washington County	SWRO
6522404	Sewer Extensions Individual WQM Permit	New	Franklin Township Municipal Sanitary Authority Westmoreland County 3001 Meadowbrook Road Murrysville, PA 15668-1627	Murrysville Borough Westmoreland County	SWRO
PA0290327	Single Residence STP Individual NPDES Permit	Transfer	Guasta John 251 Lee Road Grove City, PA 16127-3105	Findley Township Mercer County	NWRO
2522417	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Martin Christine 4821 Old State Road McKean, PA 16426-2246	Washington Township Erie County	NWRO
2522421	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Harris Eileen 10076 Station Road North East, PA 16428-5604	Greenfield Township Erie County	NWRO
4322401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Guasta John 251 Lee Road Grove City, PA 16127-3105	Findley Township Mercer 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>
6589418	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Yaniszkeski Marisa 238 Simpson Road Greensburg, PA 15601-6778	Hempfield Township Westmoreland County	SWRO
0465S25	WQG-02 WQM General Permit	Amendment	California Borough Washington County 155 Poplar Drive Coal Center, PA 15423-1004	California Borough Washington County	SWRO
PAG133647	PAG-13 NPDES General Permit for MS4s	Renewal	Jacobus Borough York County 126 N Cherry Lane Jacobus, PA 17407-1000	Jacobus Borough York County	SCRO
PAG133726	PAG-13 NPDES General Permit for MS4s	Renewal	Chanceford Township York County 51 Muddy Forks Creek Road Brogue, PA 17309	Chanceford Township York County	SCRO

**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*

**PA0009725**, Industrial, SIC Code 3312, **Jersey Shore Steel Co.**, P.O. Box 5055, Jersey Shore, PA 17740-5055. Facility Name: Jersey Shore Steel Plant. This existing facility is located in Pine Creek Township, **Clinton 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 West Branch Susquehanna River (CWF) is located in State Water Plan watershed 9-B 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 0.04 MGD.—Interim Limits

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Temperature (deg F)	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	Report	Report	XXX	Report	Report	XXX
Iron, Total	7.51	15	XXX	3.0	6.0	XXX
Lead, Total	Report	Report	XXX	Report	Report	XXX
Mercury, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Selenium, Total	Report	Report	XXX	Report	Report	XXX
Silver, Total	Report	Report	XXX	Report	Report	XXX
Thallium, Total	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Temperature (deg F)						
Jan 1—31	XXX	XXX	XXX	XXX	76.8	XXX
Feb 1—28	XXX	XXX	XXX	XXX	73.4	XXX
Mar 1—31	XXX	XXX	XXX	XXX	70.2	XXX
Apr 1—15	XXX	XXX	XXX	XXX	72.0	XXX
Apr 16—30	XXX	XXX	XXX	XXX	100.0	XXX
May 1—15	XXX	XXX	XXX	XXX	79.9	XXX
May 16—31	XXX	XXX	XXX	XXX	83.5	XXX
Jun 1—15	XXX	XXX	XXX	XXX	85.5	XXX
Jun 16—30	XXX	XXX	XXX	XXX	95.2	XXX
Jul 1—31	XXX	XXX	XXX	XXX	102.0	XXX
Aug 1—15	XXX	XXX	XXX	XXX	92.9	XXX
Aug 16—31	XXX	XXX	XXX	XXX	92.8	XXX
Sep 1—15	XXX	XXX	XXX	XXX	93.6	XXX
Sep 16—30	XXX	XXX	XXX	XXX	92.5	XXX
Oct 1—15	XXX	XXX	XXX	XXX	89.9	XXX
Oct 16—31	XXX	XXX	XXX	XXX	88.5	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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Nov 1—15	XXX	XXX	XXX	XXX	86.6	XXX
Nov 16—30	XXX	XXX	XXX	XXX	84.1	XXX
Dec 1—31	XXX	XXX	XXX	XXX	81.1	XXX
Antimony, Total	0.003	0.004	XXX	0.00838	0.0131	0.021
Iron, Total	0.75	1.17	XXX	2.245	3.503	5.613
Lead, Total	0.002	0.002	XXX	0.0045	0.0071	0.0115
Mercury, Total (ug/L)	0.00002	0.00004	XXX	0.075	0.12	0.19
Selenium, Total	0.002	0.004	XXX	0.0074	0.0112	0.0187
Silver, Total	0.001	0.002	XXX	0.0035	0.0053	0.00538
Thallium, Total (ug/L)	0.0001	0.0002	XXX	0.36	0.56	0.9

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 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	XXX	9.0	XXX
Total Suspended Solids	16.6	33.3	XXX	50.0	100.0	100
Oil and Grease	5.0	10.0	XXX	15.0	30.0	30
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
Cadmium, Total	Report	Report	XXX	Report	Report	XXX
Chromium, Hexavalent	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Cyanide, Free	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 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>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Requirements
- Schedule of Compliance

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.

*Northeast Regional Office*

**PAS802224**, Storm Water, SIC Code 4953, **Waste Management Disposal Service of PA, Inc.**, P.O. Box 40, Beach Lake, PA 18405-0040. Facility Name: Beach Lake Transfer Station. This existing facility is located in Berlin Township, **Wayne County**.

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

The receiving stream(s), Unnamed Tributary of Beach Lake Creek (HQ-CWF), is located in State Water Plan watershed 1-A 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.

<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	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

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

- Stormwater Outfalls and Authorized Non-Stormwater Outfalls
- Best Management Practices
- Routine Inspections
- Preparedness, Prevention and Contingency Plans
- Stormwater Monitoring Requirements
- Other Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0264610**, Sewage, SIC Code 8800, **Dale L. Hess**, 9625 Tileyard Road, Waterford, PA 16441-3339. Facility Name: Dale Hess SRSTP. This existing facility is located in McKean Township, **Erie 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 Elk Creek, is located in State Water Plan watershed 15-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 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.

*Northwest Regional Office*

**PA0264725**, Sewage, SIC Code 8800, **Richard A. Edwards**, 476 Methodist Road, Greenville, PA 16125-9742. Facility Name: Rick Edwards SRSTP. This existing facility is located in Hempfield Township, **Mercer 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), Mathay Run, is located in State Water Plan watershed 20-A 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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	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.

*Northwest Regional Office*

**PA0273074**, Sewage, SIC Code 8800, **Brian L. Trezona**, 10097 Mohawk Road, Cranesville, PA 16410-9512. Facility Name: Brian L. Trezona SRSTP. This existing facility is located in Franklin Township, **Erie 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, an Unnamed Tributary to the Little Elk Creek, is located in State Water Plan watershed 15-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 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 (MGD)	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.

*Northwest Regional Office*

**PA0290815**, Sewage, SIC Code 8800, **Stacy Mainwaring**, 462 Fairlane Boulevard, New Galilee, PA 16141-2302. Facility Name: Stacy Mainwaring SRSTP. This proposed facility is located in Washington Township, **Clarion 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 Irish Run, is located in State Water Plan watershed 16-F 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.

*Northwest Regional Office*

**PA0290840**, Sewage, SIC Code 8800, **Mark Nord**, 233 Forrest Road, New Castle, PA 16105-4705. Facility Name: Griffith Nord Bramlett SRSTP. This proposed facility is located in Neshannock Township, **Lawrence 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 Shenango River, is located in State Water Plan watershed 20-A 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 0.0005 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.

*Northwest Regional Office*

**PA0290912**, Sewage, SIC Code 4952, 8800, **Eileen Harris**, 10076 Station Road, North East, PA 16428-5604. Facility Name: Eileen Harris SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

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

The receiving stream is an Unnamed Tributary to Townley Run, located in State Water Plan watershed 16-A and classified for Warm 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
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.

*Northwest Regional Office*

**PA0290921**, Sewage, SIC Code 4952, 8800, **Lynda Rager**, 8598 Pocahontas Lane, Jamestown, PA 16134-2902. Facility Name: Lynda Rager SRSTP. This proposed facility is located in North Shenango Township, **Crawford County**.

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

The receiving stream is an Unnamed Tributary to Bennett Run, located in State Water Plan watershed 20-A and classified for Warm 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.

<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.

*Southcentral Regional Office*

**PA0025381**, Sewage, SIC Code 4952, **Saxton Borough Municipal Authority, Bedford County**, 1002 Branch Street, Saxton, PA 16678-8739. Facility Name: Saxton Borough STP. This existing facility is located in Liberty 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), Raystown Branch Juniata River (TSF), is located in State Water Plan watershed 11-D 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 .6 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	Inst Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.64
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	125	200	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	150	225	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	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Effluent Net						
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Phosphorus	10.0	XXX	XXX	2.0	XXX	4
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Effluent Net						
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Lead, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .6 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>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report Daily Max	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.

Southcentral Regional Office

**PA0027316**, Sewage, SIC Code 4952, **Lebanon City Authority, Lebanon County**, 2321 Ridgeview Road, Lebanon, PA 17042-9431. Facility Name: Lebanon City STP. This existing facility is located in Lebanon City, **Lebanon 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), Quittapahilla Creek (TSF, MF), is located in State Water Plan watershed 7-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 8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	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	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
Nov 1 - Apr 30	1,334	2,001	XXX	20	30	40
May 1 - Oct 31	667	1,000	XXX	10	15	20
BOD <sub>5</sub>	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	2,001	3,002	XXX	30	45	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
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs)	Total Mo					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs)	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	360	XXX	XXX	5.4	XXX	10.8
May 1 - Oct 31	120	XXX	XXX	1.8	XXX	3.6
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs)	Total Mo					
Total Phosphorus	133	XXX	XXX	2.0	XXX	4
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs)	Total Mo					
Boron, Total	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	1.6	XXX	XXX	0.024	XXX	0.06
Iron, Dissolved	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	XXX	XXX	Report	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.

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Total Nitrogen	XXX	146,117	XXX	XXX	XXX	XXX
(Total Load, lbs)		Total				
Effluent Net		Annual				
Total Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs)		Total				
		Annual				

<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-Nitrogen (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	19,482 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	Report 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.

- The permittee is authorized to use 10,375 lbs/year as Total Nitrogen (TN) offsets toward compliance with the Annual Net TN mass load limitations (Cap Loads)

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

- Stormwater prohibition, approval contingencies, solids management, restriction on receipt of hauled in waste under certain conditions WET requirement, pretreatment implementation and chlorine minimization.

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.

*Southcentral Regional Office*

**PA0083984**, Sewage, SIC Code 5812, **Ltd Ranch House Family, Inc.**, 133 Old Trail Road, Duncannon, PA 17020-7120. Facility Name: Ranch House Restaurant. This existing facility is located in Watts Township, **Perry 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), Susquehanna River (WWF), is located in State Water Plan watershed 6-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 .0045 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>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	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	Report	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0045 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>Daily Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0045 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
	Semi Avg			Semi Avg		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Semi Avg			Semi Avg		
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Semi Avg			Semi Avg		
Total Phosphorus	Report	XXX	XXX	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 in effect.

Southcentral Regional Office

**PA0261645**, Sewage, SIC Code 7011, **Officers Christian Fellowship**, 4500 Milligans Cove Road, Manns Choice, PA 15550-8016. Facility Name: Heritage House White Sulphur Springs STP. This existing facility is located in Harrison 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), Sulphur Springs 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 .0098 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
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 .0098 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
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.15	XXX	0.5
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	Report	Report	XXX	25.0	40.0	XXX
Total Suspended Solids	Report	Report	XXX	30.0	45.0	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
				Geo Mean		
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	Total Mo					
Total Nitrogen (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	10.5	XXX	XXX
May 1 - Oct 31	Report	XXX	XXX	3.5	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo					
	XXX	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Effluent Net	Total Mo					

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 in effect.

*Southcentral Regional Office*

**PA0087149 A-2**, Industrial, SIC Code 9224, 9229, **PA Emergency Management Agency**, 1150 Riverside Drive, Lewistown, PA 17044-1971. Facility Name: PA State Fire Academy. This existing facility is located in Lewistown Borough, **Mifflin County**.

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

The receiving stream(s), Unnamed Tributary to Juniata River (HQ-CWF), is located in State Water Plan watershed 12-A 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 .02 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Oil and Grease	XXX	XXX	Inst Min	15	XXX	30
Ethylbenzene	XXX	XXX	XXX	XXX	Report	XXX
Benzene	XXX	XXX	XXX	XXX	Report	XXX
BTEX, Total	XXX	XXX	XXX	XXX	Report	XXX
Toluene	XXX	XXX	XXX	XXX	Report	XXX
Xylenes, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of N/A 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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	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 717-705-4732.

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0088404**, Concentrated Animal Feeding Operation (CAFO), **Kulp Family Dairy, LLC (Kulp Family Dairy CAFO)**, 1691 Millerstown Road, Martinsburg, PA 16662-8020.

Kulp Family Dairy LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Kulp Family Dairy CAFO, located in North Woodbury Township, **Blair County**.

The CAFO is situated near Unnamed Tributary of Clover Creek (HQ-CWF, MF), Unnamed Tributary of Clover Creek (HQ-CWF, MF), Clover Creek (HQ-CWF, MF), and Plum Creek (WWF, MF) in Watershed 11-A, which is classified for High Quality Cold Water Fishes and Warm Water Fishes respectively. The CAFO is designed to maintain an animal population of approximately 4,775.70 animal equivalent units (AEUs) consisting of 2,938 Holstein Cows (Lactating and Dry), 223 Holstein Heifers, 685 Holstein Calves, 5 Beef Finishers, and 1 Meat Goat Doe. Manure is stored in 7 Existing Earthen Lagoons and 1 Circular Concrete storage. The operation was issued a WQM permit from the Department for a proposed HDPE-Lined Lagoon. Prior to operation of the proposed 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 25-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.

*Southcentral Regional Office*

**PA0291633**, Storm Water, SIC Code 3272, **Westlake Royal Stone, LLC**, 181 Antrim Commons Drive, Greencastle, PA 17225-1621. Facility Name: Westlake Royal Stone, LLC. This proposed facility is located in Antrim Township, **Franklin County**.

Description of Proposed Activity: The application is for an NPDES permit for a discharge of stormwater with industrial activity.

The receiving stream(s), Unnamed Tributary of Conococheague Creek (WWF, MF), is located in State Water Plan watershed 13-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:

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
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

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix N from the PAG-03 (effective 9/24/16 and currently administratively extended)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for pH and TSS)
- Other Requirements

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 in effect.

*Southwest Regional Office*

**PA0284904**, Sewage, SIC Code 8800, **Brian D Laraway**, 4028 Route 130, Irwin, PA 15642-7830. Facility Name: Laraway Property SRSTP. This proposed facility is located in Penn Township, **Westmoreland 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 Brush Creek (TSF), is located in State Water Plan watershed 19-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 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 Daily Min	XXX	9.0 Daily Max	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

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

- AMR submission requirement
- Septic tank pumping requirements
- Optimization of chlorine dosage
- UV maintenance requirement

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>DEP Office</i>
PAD480175	New	Slate Belt Veterans Association 169 Johnsonville Road Bangor, PA 18013	Bangor Borough Northampton County	NERO
PAD400058	New	Jeffrey and Lauran Hall 420 Cross Creek Road Shavertown, PA 18708	Dallas Township Luzerne County	NERO
PAD450163	New	Rekha Tolani, LLC 514 Wisteria Lane Moosic, PA 18507	Coolbaugh Township Monroe County	NERO
PAD680013	New	PA DEP Bureau of Abandoned Mine Reclamation Hillman Road Rossiter, PA 15772	Banks Township Indian County	PA DEP Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
PAD210084	New	PA Department of Transportation Bureau of Office Services 400 North Street 5th Floor Harrisburg, PA 17120	Penn Township Cumberland County	SCRO
PAD360091	New	Matthew Wilkes 1033 Truce Road Holtwood, PA 17532	Providence Township Martic Township Lancaster County	SCRO
PAD210085	New	Charter Homes Development Company 322 North Arch Street Lancaster, PA 17603-2991	Middlesex Township Cumberland County	SCRO

## 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>
Jaindl Farms 3150 Coffeetown Road Orefield, PA 18069	Lehigh	9,663.5	6,147.52	Turkey	HQ, CWF— Breining Run HQ, CWF— Cedar Creek HQ, CWF— Cherith Brook HQ, CWF— East Branch Monocacy Creek HQ, CWF— Haasen Creek HQ, CWF— Iron Run HQ, CWF— Leibert Creek HQ, CWF— Little Cedar Creek HQ, CWF— Little Lehigh Creek HQ, CWF— Lyon Creek HQ, CWF— Monocacy Creek HQ, CWF— Schaefer Run HQ, CWF— Spring Creek HQ, CWF— Swabia Creek HQ, CWF— Trout Creek	Renewal
Lester Martin Poultry 415 East Old York Road Carlisle, PA 17015	Cumberland	177.2	1.05	Poultry	EV	Renewal
Kline's Hillside Farm 167 Coble Road Chambersburg, PA 17201	Franklin	1.9	498.18	Swine & Turkey	NA	Renewal
Goss Family Farms Tim Goss 123 Decatur Road McClure, PA 17841	Mifflin	423.96	744.53	Swine	NA	Renewal
Schrack Farms 860 West Valley Road Loganton, PA 17747	Clinton	2,301.9	2,391.67	Dairy	HQ-CWF	Renewal
Michael Hege 11437 Gehr Road Waynesboro, PA 17268	Franklin	118	312.14	Poultry	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).

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5980.*

**Permit No. 0922517**, Public Water Supply.

Applicant	<b>Perkasie Regional Authority</b> 150 Ridge Road Suite 1 Sellersville, PA 18960
Municipality	Perkasie
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Andersen Engineering Associates, Inc. 150 Ridge Road Suite 2 Sellersville, PA 18960
Application Received Date	July 18, 2022
Description of Action	Replace existing 100+ year reservoir.

**Permit No. 1522517**, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010-3402
Municipality	Schuylkill
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Mott McDonald 325 Chestnut Street Philadelphia, PA 19106
Application Received Date	July 18, 2022
Description of Action	Construction of a new 1.5 MG baffled clearwell at the Pickering East Treatment Plant.

**Permit No. 1522514**, Public Water Supply.

Applicant	<b>Vira Properties, LLC</b> 3982 West Lincoln Highway Parksberg, PA 19356-1776
Municipality	Highland
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA17401
Application Received Date	June 24, 2022
Description of Action	Corrosion control facilities, flow switch for caustic soda feed pump, replace chlorine and caustic pumps.

*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. 6622503**, Public Water Supply.

Applicant	<b>Frank's Marina Restaurant</b> 234 Meshoppen Creek Road Meshoppen, PA 18630
Municipality	Tunkhannock Township
County	<b>Wyoming</b>
Type of Facility	Public Water Supply
Consulting Engineer	Michael P. Goodwin Milnes Engineering Inc. 12 Frear Hill Road Tunkhannock, PA 18657
Application Received Date	June 28, 2022
Description of Action	Proposed work includes extending the groundwater well casing, adding ion exchange to remove manganese, and adding a carbon filter to remove odors.

**Permit No. 4022506**, Public Water Supply.

Applicant	<b>Pennsylvania American Water Co.</b> 852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Pittston Township
County	<b>Luzerne</b>
Type of Facility	Public Water Supply
Consulting Engineer	Joseph S. Durkin Reilly Associates 49 South Main Street Suite 200 Pittston, PA 18640
Application Received Date	April 11, 2022

Description of Action Pennsylvania American Water Company—Nesbitt proposes the installation of a precast concrete meter vault and associated piping to replace an existing meter that is at the end of its economic life. Chlorine monitoring equipment will be relocated to the new meter vault site as well.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 0422511**, Public Water Supply.

Applicant **Creswell Heights Joint Authority**  
3961 Jordan Street  
P.O. Box 301  
South Heights, PA 15081

Municipality South Heights

County **Beaver**

Responsible Official Daniel Losco  
Manager

Type of Facility Water Treatment Plant

Consulting Engineer KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Application Received July 11, 2022  
Date

Description of Action Filter media replacement and upgrade in six (6) water filter tanks.

## 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(c)(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, 484-250-5787.*

Contact: Charline Bass.

**PECO 1300 Alfred Avenue Transformer Oil Spill, 1300 Alfred Avenue, Yeadon, PA 19450, Yeadon Borough, Delaware County.** Bruce Middleman, Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of George Horvat, PECO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19101 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene and PCBs, which have contaminated soil on the site. The proposed future use of the property will be the same. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in the *Delaware County Daily Times* on February 24, 2022.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Shady Hill Plaza, Primary Facility ID # 624446, 6320 Shakespeare Street, Pittsburgh, PA 15204, Pittsburgh City, Allegheny County.** GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120 on behalf of Shakespeare Street Associates, LP, 560 Epsilon Drive, Pittsburgh, PA 15238 has submitted a Notice of Intent to Remediate (NIR). In July 2000, the PADEP approved a Request for Aquifer Non-Use Determination so that the nonuse aquifer provisions of the Statewide health standard (SHS) could be applied to the Site. The Report describes the remediation and demonstration of

soil and groundwater attainment of the nonresidential SHS under the approved non-use aquifer determination. The Final report was approved, and relief of liability was obtained in September of 2001 with restrictions on residential use of the Site. This NIR was submitted with the goal of lifting the restriction on residential use of the Site. The Site is planned to be redeveloped as the Shady Hill Center Site with a new grocery store and other retail/commercial stores along with the addition of residential living areas. The NIR was published in the *Pittsburgh Post-Gazette* on July 10, 2022.

#### **DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS**

**Application(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**WMGM052SC002. Divert Inc., (Divert)**, 305 Busser Road, York, PA 17406, Manchester Township, **York County**. Divert has submitted both a Determination of Applicability (DOA) application for coverage under the WMGM052 base General Permit (GP), and a modification to the WMGM052 base GP. The DOA was determined to be administratively complete by the Southcentral Regional Office on July 15, 2022. The application for a modification to the WMGM052 base GP was determined to be administratively complete by Central Office on July 15, 2022.

WMGM052 authorizes the use of self-contained organics collection bins which serve as in-vessel composting systems prior to off-site beneficial use of composted organics. The waste streams accepted for collection in the organics collection and recycling system shall be non-liquid waste and limited to the following categories of uncontaminated wastes: source separated food scraps, fruit, vegetables, breads, meat, fish, soiled cardboard, waxed cardboard, paper cups, paper towels, garden clippings, manure, wood chips and shavings, hay and other organic materials. The approved collection system allows for no more than five (5) self-contained organics collection systems used for in-vessel composting to be placed at each location unless approved in writing by the Department.

The modifications proposed to be added to the WMGM052 base GP allow for additional organic waste streams, including food products diverted from disposal by food markets, grocery stores, food banks, food processing plants, whole food distributor, school cafeterias and institutions, restaurants, and commercial farms. The modification includes collection and storage of organics in storage bins at intermediate facilities, without composting, prior to transfer to an off-site composting or anaerobic digestion facility.

Comments concerning the DOA application should be directed to John Oren, P.E., Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4907. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on

WMGM052SC002" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

Comments concerning the modification application should be directed to Jason Dunham, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGM052" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Application(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200 Telephone 717.705.4706.*

**Permit No. 101443, Altoona Transfer Station—Waste Management of Pennsylvania, Inc.**, 1586 Old Sixth Avenue Road, Altoona, PA 16601, Logan Township, **Blair County**. The application is for the renewal of the operating permit for the Altoona Transfer Station. This application was deemed administratively complete by the Southcentral Regional Office on July 18, 2022. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit renewal application.

Persons interested in submitting comments or obtaining more information about the permit application may contact John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717.705.4907. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

#### **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.**

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

#### *New Applications*

**Trident Environmental Group, LLC**, 15 Shire Drive, Norfolk, MA 02056. License No. **PA-AH 0924**. Effective June 1, 2022.

*Renewal Applications*

**TNI (USA), Inc. dba AATCO**, 8141 E 7th Street, Joplin, MO 64801. License No. **PA-AH 0604**. Effective July 21, 2022.

**Innovative Recycling Technologies, Inc.**, 690 North Queens Avenue, Lindenhurst, NY 11757. License No. **PA-AH 0849**. Effective July 18, 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.**

*Renewal Applications*

**Environmental Transport Group, Inc.**, P.O. Box 296, Flanders, NJ 07836. License No. **PA-HC 0023**. Effective July 18, 2022.

**Environmental Maintenance Services Inc.**, 10 Grammar Avenue, Prospect, CT 06712. License No. **PA-HC 0259**. Effective July 21, 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.**

*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.*

**67-03154B: Service Tire Truck Center, Inc.**, 2800 Concord Road, York, PA 17402, for a plan approval for a truck tire retreading process control cyclone upgrading project located in Springettsbury Township, **York County**. This Plan approval will improve the collection of shredded rubber and outdoor emissions. The potential emissions from the tire rubber processing operation are estimated at 1.05 tpy of PM<sub>10</sub> and 6.75 tpy of VOC and less than 1 tpy each of NO<sub>x</sub> and CO from two hot water heaters. Upon completion of the cyclones installation and satisfactory operation, this plan approval will be incorporated into the facility’s natural minor operating permit No. 67-03154 and will supersede the previous plan approval. This plan approval incorporates the specific provisions of Section C and Section D of the subject operating permit No. 67-03154. The Operating Permit includes 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.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, P.E., New Source Review Chief, (412) 442-4168.*

**65-00042: Huntsman Advanced Materials Americas, LLC, (formerly Gabriel Performance Products, LLC),** 408 Manor-Harrison City Road, Harrison City, PA 15636-1102. Synthetic Minor State-Only Operating Permit modification is for a specialty resin and coatings facility located in Manor Borough, **Westmoreland County**. In accordance with 25 Pa. Code § 127.541, the Department of Environmental Protection (DEP) is providing notice that it intends to modify an Air Quality Operating Permit for the previously-mentioned facility. This permit modification is for revising a calculation in the operating permit to include Raoult's Law when calculating the loading to the facility's regenerative thermal oxidizer. No other changes to the operating permit have been proposed. Air contamination sources at this facility consist of the following processes: natural gas combustion units for process heat, four reaction kettles and thinning tanks for the resin plant controlled by a regenerative thermal oxidizer (RTO), resin plant hopper loading, paint mixing plant, solvent cleanup, and various storage tanks for the paint and resin plant. Emissions are controlled through the use of two baghouses and an RTO.

Emissions from this site are limited to 25.3 tons per year of VOCs, 9.3 tons per year single HAP, and 22.5 tons per year combined HAP. Potential emissions for other pollutants from natural gas combustion units include 6.4 TPY NO<sub>x</sub>, 5.3 TPY CO, 2.4 TPY PM<sub>10</sub>, 2.4 TPY PM<sub>2.5</sub>, 0.4 TPY SO<sub>x</sub>, and 7,575 TPY CO<sub>2</sub>e. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The operating permit includes emission restrictions, monitoring, recordkeeping, reporting, and work practice standards requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the modification of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permitting Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (65-00042) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

All comments must be received prior to the close of business 30-days after the date of this publication.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

**04-00702D: United States Gypsum Company,** 1 Woodlawn Road, Aliquippa, PA 15001. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 04-00702D to allow the replacement and operation of two existing dust collectors that control Kettle A and Kettle B with (2) Tifflin Environmental N294-FMTHS-100 Dust Collectors each rated at 15,000 ACFM/8.891 SCFM. The facility is located at 1 Woodlawn Road, Aliquippa, PA 15001 in the City of Aliquippa, **Beaver County**.

The proposed replacement dust collector project does not affect the potential to emit. The potential to emit for the replacement dust collectors associated with the kettles will not equal or exceed 17.0 tons per year of particulate matter less than 10 microns in diameter (PM<sub>10</sub>) and 17.0 tons per year of particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>). The existing emission limits for the dust collectors and the facility-wide emission limits are not proposed to change.

The authorization is subject to State Emission Standards. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise the existing Title V Operating Permit or submit a revision to the pending Title V Operating Permit application in accordance with 25 Pa. Code Subchapter G.

The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Trent Greener, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; [tgreener@pa.gov](mailto:tgreener@pa.gov); or fax 412.442.4096. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00702D) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30 days after the date of this publication.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Requests for a public hearing should be directed to Edward F. Orris, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to [eorris@pa.gov](mailto:eorris@pa.gov). All comments must be received prior to the close of business 30 days after the date of this publication.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: David Balog, New Source Review Chief, (814) 332-6940.*

**25-179E: Erie City Sewer Authority, Waste Water Treatment Plant**, 68 Port Access Road, Erie, PA 16507-2202, for modifications to sources 001 (Sewage Sludge Incinerator 1) and 002 (Sewage Sludge Incinerator 2), as permitted in facility TV Operating Permit 25-00179. Modifications authorized by this plan approval include the conversion of hearths in sources 001 and 002 to a "double zero" configuration. This facility is in the City of Erie, **Erie County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 25-179E to the Erie City Sewer Authority, for the modifications to sources 001 and 002, for the facility located in the City of Erie, Erie County. The Plan Approval will subsequently be incorporated into the facility Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 25-179E is for physical modifications to sources 001 and 002. Conversion of the hearths to a "double zero" configuration, essentially converts Hearths 1 and 2 to "afterburners", and Hearths Nos. 1 and 2 will no longer be fed sewage sludge for incineration. The control of the Hearth 1 (Afterburner) exit temperature by the Hearth 2 burners, coupled with the increased turbulent mixing and extended residence time through Hearth 2 and then Hearth 1 (which is twice the volume of the other hearths), is expected to achieve improved reduction in visible yellow emissions (caused by NO<sub>x</sub>), volatile organic compounds (VOCs), NO<sub>x</sub>, Dioxins and Furans. The afterburner hearths will also help eliminate the fuel wasteful operation of forced firing of the incinerator mid-hearth burners to maintain an SSI MACT-required mid-hearth combustion temperature operating limit. This will consequently reduce emissions from combustion of natural gas in the burners. Based on the information provided by the applicant and DEP's own analysis, the subject sources will have the potential to emit approximately 28.04 tons per year of carbon monoxide, 45.93 tons per year of nitrogen oxides (NO<sub>x</sub>), 18.22 tons per year of volatile organic compounds (VOC), 4.78 tons per year of PM, 3.8 tons per year of sulfur oxides (SO<sub>x</sub>) and 0.014 ton per year of lead.

The Plan Approval will contain testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

This facility will be subject to the following Federal requirements:

- 40 CFR Part 503: Standards for the Use or Disposal of Sewage Sludge.
- \*40 CFR Part 60 Subpart A (Standards of Performance for New Stationary Sources (NSPS) General Provisions), Subpart Eb (NSPS for Municipal Waste Combustors), Subpart O (NSPS for Sewage Treatment Plants) and Subpart MMMM (Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units) NSPS for Existing Sewage Sludge Incineration Units).
- \*40 CFR Part 61 Subpart A (National Emission Standards for Hazardous Air Pollutants (NESHAPS) Gen-

eral Provisions), Subpart C (NESHAPS for Beryllium), and Subpart E (NESHAPS for Mercury).

- \*40 CFR Part 62 Subpart LLL (Federal Plan Requirements for Sewage Sludge Incinerations Units Constructed on or Before October 14, 2010).

In accordance with 25 Pa. Code § 127.44(c), the proposed plan approval will be submitted to the U.S. Environmental Protection Agency (EPA) and any affected states for comment. Additional notice will be published in the local newspaper.

All pertinent documents are available for public review between 8:00 a.m. and 4:00 p.m. at the Pennsylvania Department of Environmental Protection—Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 814-332-6078.

Any person may submit comments or objections to the plan approval or a proposed condition thereof by filing a written protest with the Department at the Northwest Regional Office.

A 30-day comment period, from the date of this publication, will exist for the submission of comments, protests, and additional information. In accordance with 25 Pa. Code § 127.46, a protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice). Submission of comments, a written protest, or additional information shall include the name, address and telephone number of the person filing the protest, comments, or additional information, identification of the proposed plan approval issuance being proposed (Plan Approval 25-179E) and a concise statement of the objections or comments on the plan approval issuance and the relevant facts upon which the objections or comments are based.

Persons wishing to file a written protest, provide comments or additional information which they believe should be considered prior to the issuance of the plan approval or request a public hearing, may submit the information to Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Phone (814) 332-6940.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

**32-393A: Prime Metals Acquisition, LLC**, 101 Innovation Drive, P.O. Box 194, Homer City, PA 15748. The Department of Environmental Protection intends to issue a plan approval to Prime Metals Acquisition to provide authorization for the construction and initial operation of an additional AOD furnace and three natural gas fired heaters at their existing facility located in Center Township, **Indiana County**.

This facility currently operates two electric induction furnaces rated 7 tons per hour and a larger AOD furnace rate 20 tons per hour. Prime Metals project aims to increase flexibility by adding a smaller 5 tons per hour

AOD furnace. This furnace would allow the creation of smaller batches referred to as “heats”. This flexibility will aid the facility which produces specialty metals.

This equipment will be used to refine molten metal. The process will begin with pre-heating the proposed AOD furnace and the ladles used to transport molten steel from the facility’s electric induction furnaces (Source 101) to the proposed AOD furnace (Source 102B). Two 2.8 MMBtu/hr burners (Source 113B) will be used for preheating the ladles and a singular 1.2 MMBtu/hr burner will be used to preheat the furnace.

The preheated ladles will collect the molten metal then pour it into the preheated AOD furnace. Oxygen blended with argon will be incorporated/injected into the molten metal removing carbon and creating carbon monoxide. Smaller amounts of other refining agents may also be introduced to achieve specific metallurgical traits.

The proposed AOD furnace would vent to a newly constructed Wheelabrator baghouse at a rate of 55,000 scfm. No other sources or control devices are proposed in this application. The proposed project is not anticipated to affect existing sources’, emission rates, or throughputs. The changing of conditions in the existing SOOP is not proposed.

The proposed AOD furnace would primarily generate particulate matter emissions. PM emissions from the exhaust of the AOD baghouse will be restricted to 0.005 gr/dscf. Less than one ton of carbon monoxide is expected to be generated during operation. Combustion related emissions will be generated from the three natural gas fired preheater burners.

This application proposes the installation of a new source at a non-Title V facility. Public notice is obligatory for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6940.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [32-393A: Prime Metals Acquisition] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by

publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department’s Northwest Region. Written comments or requests for a public hearing should be directed to Eric A. Gustafson, 230 Chestnut St., Meadville, PA 16335, Phone (814) 332-6819.

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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.*

**46-00268: Colorcon, Inc.**, 275 Ruth Road, Harleysville, PA 19438, for a renewal of State Only Operating Permit (SOOP) No. 46-00268 for its Harleysville Global Headquarters facility located in Lower Salford Township, **Montgomery County**. The facility houses a Data and Technology Center comprised of multiple research and development (R&D) laboratories, and operates and maintains a 1,500-ekW emergency generator set (equipped with a 2,220-bhp diesel fuel-fired, stationary, reciprocating internal combustion engine) to supply power to the facility in emergency situations when electric power from the local utility provider is interrupted.

The facility has previously been classified as Synthetic Minor based on the potential to emit (PTE) nitrogen oxides (NO<sub>x</sub>) for the facility, specifically the engine of the emergency generator set, exceeding the major facility threshold of 25 tons/yr (at 8,760 operating hours per year). However, in its memorandum Calculating Potential to Emit (PTE) for Emergency Generators, dated September 6, 1995, the United States Environmental Protection Agency (EPA) “recommends that the [PTE for emergency generators] be determined based upon an estimate of the maximum amount of hours the generator could operate, taking into account (1) the number of hours power would be expected to be unavailable and (2) the number of hours for maintenance activities—that is 500 hours.

Based on this number of operating hours, the PTE NO<sub>x</sub> for the engine of the emergency generator set is 7.75 tons/yr. (However, the engine of the emergency generator set is already subject to NO<sub>x</sub> emission rate and diesel fuel/No. 2 fuel oil fuel consumption restrictions of 6.20 tons/yr and 43,760 gals/yr, respectively, based on 400 full-load operating hours per year.) The only other air emissions sources at the facility are R&D laboratory equipment, which are subject to a combined NO<sub>x</sub> emission rate restriction of 10 tons/yr, and two natural gas-fired boilers, which have a PTE NO<sub>x</sub> of 3.0 tons/yr. Since the PTE NO<sub>x</sub> for the facility is less than 25 tons/yr, DEP has reclassified the facility as Natural Minor (the SOOP renewal will reflect this change in facility status).

Based on its date of manufacture, the engine of the emergency generator set is subject to the provisions of 40 CFR Part 60, Subpart IIII, for stationary compression ignition internal combustion engines.

The only physical changes that have occurred at the facility since DEP last renewed the SOOP in 2017 are the installation of new or relocated R&D laboratory equipment, which DEP approved under Request for Determination No. 7810. (The additional R&D laboratory equipment does not alter the combined NO<sub>x</sub> emission rate restriction.)

The SOOP renewal will continue to 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 permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**09-00146: Pelmor Lab**, 3161 State Road, Bensalem, PA 19020, for the operation of rubber mills and mixers with dust collector for particulate matter (PM) control located in Bensalem Township, **Bucks County**. The facility has operational limitations and uncontrolled PM emissions of less than 10 tpy, allowing the facility to be a natural minor permit. The 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.

*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.*

**36-03105: Pennsy Supply, Inc.**, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, to issue a State-Only Operating Permit for their quarry and stone crushing facility in East Hempfield Township, **Lancaster County**. Potential emissions from the facility are estimated to be 48.15 tons PM, 17.72 tons PM<sub>10</sub> & 2.61 tons PM<sub>2.5</sub>. 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 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**06-03053: Hamburg Manufacturing, Inc.**, 221 South Fourth Street, P.O. Box 147, Hamburg, PA 19526, for their Plant 2 located at 1021 South Fourth Street in Hamburg Borough, **Berks County**. The actual emissions from the facility in 2021 year are estimated at 13 tons of particulate matter. 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.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief, (412) 442-4336.*

**63-00947: MarkWest Liberty Midstream & Resources, LLC**, 4600 J. Barry Ct., Ste. 500, Canonsburg, PA 15317-5854, initial Natural Minor State-Only Operating Permit is for the Lowry natural gas compressor station located in Hopewell Township, **Washington County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection

(DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of four (4) 1,340-HP Caterpillar G3516LE compressor engines, one (1) 1,340-HP Caterpillar G3516LE compressor engine converted to a G3516B NO<sub>x</sub> emissions profile, one (1) 1,380-HP Caterpillar G3516B compressor engine all controlled by oxidation catalysts, one (1) 60.0 MMscf/day dehydration unit and associated 1.0 MMBtu/hr reboiler, one (1) 7.0 MMBtu/hr enclosed flare, two (2) 400-bbl storage tanks, one (1) 520-gallon methanol storage tank, pneumatic devices, venting/blowdowns, fugitives, condensate loadout, crankcase vents, pigging operations, and miscellaneous sources that includes rod packing, measurement analyzers, and nine (9) 520-gal storage tanks storing lube oil, waste oil, and triethylene glycol. The facility is required to conduct regular surveys of the site while operating to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The facility-wide potential-to-emit is 93.7 TPY NO<sub>x</sub>, 37.2 TPY CO, 48.9 TPY VOC, 2.9 TPY PM, 2.9 TPY PM<sub>10</sub>/PM<sub>2.5</sub>, 0.20 TPY SO<sub>x</sub>, 52,120 TPY CO<sub>2e</sub>, 10.5 TPY total HAP, and 5.8 TPY single HAP. The air quality operating permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, testing, reporting, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Natural Minor State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (63-00947) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

All comments must be received prior to the close of business 30 days after the date of this publication.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

**63-00488: Monongahela Valley Hospital**, 1163 Country Club Rd., Monongahela, PA 15063. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that it intends to issue a State Only Operating Permit to authorize the operation of the Monongahela Valley Hospital located in Carroll Township, **Washington County**.

Equipment at this facility includes two (2) Main Hospital Cleaver Brooks boilers rated at 16.7 MMBtu/hr each

which are fired on natural gas-fired boilers with ultra-low sulfur diesel (ULSD) as back-up, three (3) Oncology Room boilers rated at 2.16 MMBtu/hr, 2.5 MMBtu/hr, and 1.5 MMBtu/hr which are fired on natural gas with ULSD as back-up, two (2) Emergency Department boilers rated at 1.5 MMBtu/hr each which are fired on natural gas with ULSD as back-up, and four (4) emergency generator engines with a combined heat input rating of 19.4 MMBtu/hr which are fired exclusively on ULSD.

Potential emissions from this facility are based on unlimited hours of operation for all of the boilers and 500 hours of operation per consecutive 12-month period for each emergency generator and are estimated to be 52.83 tons NO<sub>x</sub>, 43.31 tons VOC, 11.15 tons CO, 57.35 tons PM<sub>10</sub>, 0.19 ton SO<sub>2</sub>, 0.87 ton total HAPs, and 30,376 tons GHG. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. The proposed operating permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice standards requirements.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit 63-00488) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.*

**62-00185: Mauser USA LLC Warren Plant**, 304 Main Avenue, Warren, PA 16365-2157. The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for operation of the steel shipping container manufacturing operations facility located in the City of Warren, **Warren County**. The facility's primary emission sources include the surface coating operations, curing ovens controlled by an RTO, solvent cleanup, miscellaneous natural gas combustion, and an emergency backup generator engine. The potential emissions of the primary pollutants from the

facility are as follows: 9.69 TPY (tons per year) NO<sub>x</sub>, 7.98 TPY CO, 41.0 TPY VOC, 11.0 TPY total HAP, 6.0 TPY any speciated HAP, 0.72 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and 0.06 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The facility's emissions of VOC, total HAP, and speciated HAP were limited by Plan Approval 62-185A. The surface coating processes are subject to 25 Pa. Code § 129.52d, which includes VOC content limits for metal parts and products surface coatings by weight. The emergency generator engine is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## 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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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.			

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EPKNOX@pa.gov (Contact: Cayleigh Boniger).*

**Mining Permit No. 43220101. NPDES Permit No. PA0280801. Ben Hal Mining, Inc.** (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface mine in Worth Township, **Mercer County**, affecting 52.0 acres. Receiving streams: Two unnamed tributaries to Wolf Creek, classified for the following uses: CWF. Application received: July 13, 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. 02020201. Robindale Energy Services, Inc.**, 226 Grange Hall Road, P.O. Box 228, Armagh, PA 15920. Renewal of an existing bituminous surface mine in Plum Borough, **Allegheny County**, affecting 172.0 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to Little Plum Creek and Little Plum Creek, classified for the following uses: WWF. Application received: July 18, 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. 54840205. Hegins Mining Company**, P.O. Box 188, Sacramento, PA 17968, renewal for reclamation activities only of an existing anthracite coal refuse reprocessing and preparation plant operation in Reilly Township, **Schuylkill County**, affecting 63.6 acres. Receiving stream: Swatara Creek. Application received: July 12, 2022.

**Mining Permit No. 19860101. Jac-Mar Coal Co. t/a L & E Coal**, P.O. 353, Cresco, PA 18326, renewal for reclamation activities only of an existing anthracite surface mine operation in Conyngham Township, **Columbia County**, affecting 190.0 acres. Receiving stream: Mahanoy Creek. Application received: July 21, 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

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
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.			

*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. 65930601. NPDES Permit No. PA0278378. Hoover Stone Quarry, LLC**, 3497 Route 981, Saltsburg, PA 15681. Proposed revision to an existing NPDES Permit associated with a large noncoal surface mine located in Loyalhanna Township, **Westmoreland County**. The revision is to add a stormwater outfall for a proposed sedimentation pond. Receiving streams: unnamed tributary to Conemaugh River, classified for the following uses: WWF. Application received: July 20, 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. 67070301. NPDES Permit No. PA0224600. Glen-Gery Cor.**, 116 Spring Street, Wyomissing, PA 19610, renewal of an NPDES Permit on a quarry operation in Dover Township, **York County**, affecting 70.6 acres. Receiving stream: unnamed tributary to Fox Run, classified for the following uses: TSF, MF. Application received: July 18, 2022.

**Mining Permit No. 4873SM1. NPDES Permit No. PA0020451. Magnesita Refractories Co.,** 425 South Salem Church Road, York, PA 17408, renewal of an NPDES Permit on a quarry operation in West Manchester Township, **York County**, affecting 1,031.9 acres. Receiving streams: Honey Run, classified for the following uses: TSF, MF and unnamed tributary to Codorus Creek, classified for the following uses: WWF, MF. Application received: July 21, 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.

#### *Noncoal NPDES Draft Permits*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EPKNOX@pa.gov (Contact: Cayleigh Boniger).*

**NPDES No. PA0259748. Mining Permit No. 3076SM8. Conneaut Lake Sand & Gravel, Inc.,** P.O. Box 233, West Middlesex, PA 16159. Renewal of an NPDES permit in Sadsbury Township, **Crawford County**, affecting 32.3 acres. Receiving stream: Unnamed tributary to Conneaut Lake, unnamed tributary to Watson Run, and unnamed tributary to Mud Run, classified for the following use: HQ-CWF, WWF. Application received: June 14, 2022.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

No proposed discharges, no outfalls.

## 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 pertinent 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.*

**E5101222-011, Philadelphia Parks and Recreation,** 1515 Arch Street, 11th Floor, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**, Army Corps of Engineers Philadelphia District.

Philadelphia Parks and Recreation is proposing to perform the following listed water obstruction and encroachment activities to rehabilitate, construct, and maintain the existing dragon boat dock which is located in and along the west bank of the Schuylkill River, by installing a new 12 feet by 80 feet floating dock, a 12 feet by 40 feet gangway, an 8 feet by 16 feet landing dock, a five (5) 12-inch pile anchor system, and a 4 feet by 14 feet concrete landing.

The facility is located in West Fairmount Park, aka the Dragon Boat Dock (Philadelphia, PA, NJ USGS map, Lat: 39.98150, Long: -75.2046) in the City and County of Philadelphia.

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

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

**E4502222-006. Cresco Realty, LLC,** One Weiler Drive, Cresco, PA 18326, in Barrett Township, **Monroe County**, U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following obstructions and encroachments associated with the Weiler Pond maintenance project located on Cranberry Creek (EV, MF):

1. A new waterfall pump station intake replacement encroaching into the normal pool elevation of Weiler Pond (EV, MF). The intake consists of a 6-inch perforated PVC pipe which encroaches 25-feet into Weiler Pond.

2. Removal of a submersible pump located in Weiler Pond (EV, MF). The pump station will be relocated outside of the pond.

3. Dual 2-inch PVC water supply lines from the new pump station, which will tie into existing dual 2-inch PVC supply lines for supply to waterfall features draining into Weiler Pond (EV, MF). The new supply lines will be constructed 3-feet below the bottom of the pond.

4. A 220V electrical service line proposed within conduit which will bring power to the new pump station. The new 220V electrical service line and conduit will be constructed on the bottom of Weiler Pond (EV, MF) and will impact approximately 13-linear feet.

The applicant is also seeking after-the-fact permitting of existing water obstructions and encroachments to allow for future maintenance of the following features: Western waterfall outfall, eastern waterfall outfall, eastern waterfall pump station, norther dry hydrant intake, southern dry hydrant intake, library irrigation pump intake, foot-bridge, wester waterfall supply line, electrical service line to electrical post, electric service line to library irrigation pump, electric service line to western waterfall, electric service line to aeration fountain, pond aeration fountain, and bank stabilization. All features are encroaching into the normal pool elevation of Weiler Pond or the stream channel of Cranberry Creek (EV, MF). No wetlands will be impacted. The project is located on the right of PA-191 N. approximately 7.0 miles from the intersection of PA-940 and PA-191. (Buck Hill Falls, PA Quadrangle Latitude: 41° 9' 26", Longitude: -75° 16' 47") in Barrett Township, Monroe County. Application received: June 2, 2022

**E4502122-008: PA Department of Transportation, Eng District 5-0**, 1002 Hamilton Street, Allentown, PA 18101, Stroud Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To extend and maintain an existing concrete box stream enclosure with a span of 6' and a rise of 5' from approximately 120' to 131' out-to-out. The extension will occur on the upstream side of the structure. The structure carries SR 0209 Northbound and Southbound across a tributary to Little Pocono Creek (HQ-CWF, MF). Approximately 0.05 acre of tributary to Little Pocono Creek floodway will also be impacted by the stream enclosure extension work and roadway re-construction.

The project is located along SR 0209 Section 17S, Segment 0350 Offset 1019 (NB) and Segment 0351 Offset 1019 (SB), approximately 0.75 mile east of the SR 0209/SR 2010 intersection (Stroudsburg, PA Quadrangle; Latitude: 40° 58' 23.60" N, Longitude: -75° 14' 40.77" W).

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E0603221-011: Bethel PA (SWC Klahr and Shubert), LLC**, Southeast Corner of Lancaster Ave and Schubert Road, Bethel, PA 19507 in Bethel Township, **Berks County**, U.S. Army Corps of Engineers Baltimore District.

To 1) place and maintain fill from grading, resulting in 0.046 acre of permanent impact to a palustrine forested wetland; 2) place and maintain fill from grading and a rock riprap apron, resulting in 135 square feet of permanent impact to an Unnamed Tributary to Schuylkill River (WWF, MF), all for the purpose of constructing a 7,500 square feet building (84 Lumber Company Retail Center) along with a parking lot, utilities, sidewalk, and two stormwater management basins. The project is located in the 1484 Benjamin Franklin Highway in Douglas Township, Berks County (Latitude: 40.251971, Longitude: -75.71294). Permanent wetland loss is less than 0.05 acre and replacement is not required. The project is located within the Schuylkill River (WWF, MF) watershed.

*Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

*Contact: Robert Marquez, Senior Project Manager, Telephone Number: 570-327-3636.*

**E0829222-028, Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840-1567, Unconventional Gas Well Site and associated infrastructure. State Route 3020, Terry Township, **Bradford County**; Army Corps of Engineers Baltimore Office.

To construct, operate, and maintain:

1) a permanent wetland fill impact from construction activities impacting 1,002 square feet (0.02 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.685912°, Longitude: -76.289036°).

The Potter Bra Pad, located in Terry Township, Bradford County, 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. Prior unauthorized impacts resulted in 1,002 square feet (0.023 acre) of permanent Palustrine Emergent Wetlands (PEM) impacts. The applicant seeks an after-the-fact permit for unauthorized activities at the unconventional gas well site.

**E5829222-005, Williams Field Services Company, LLC**, 2000 Commerce Drive, Pittsburgh, PA 15275, Dimock Township and Jessup Township, **Susquehanna County**; Army Corps of Engineers Baltimore District.

To construct, operate, and maintain:

1. a temporary mat/bridge crossing impacting 1,627 square feet (0.04 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.826373°, Long. -75.983465°);

2. a 16-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 1,195 square feet (0.03 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.826483°, Long. -75.983888°);

3. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 4,405 square feet (0.10 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.826432°, Long. -75.984211°);

4. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 14,844 square feet (0.34 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.820536°, Long. -75.991923°);

5. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 104 lineal feet of Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.820519°, Long. -75.993838°);

6. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 3,828 square feet (0.09 acre) of palustrine emergent wetland (PEM) and 2,352 square feet (0.05 acre) of palustrine scrub-shrub wetland (PSS) (Montrose West, PA Quadrangle; Lat. 41.820516°, Long. -75.993913°);

7. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impact-

ing 1,002 square feet of the floodway of an unnamed tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.820423°, Long. -75.994052°);

8. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 10,804 square feet (0.25 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.820655°, Long. -75.995989°);

9. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 30 lineal feet of an unnamed tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.820129°, Long. -75.996451°);

10. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 1,355 square feet of the floodway of an unnamed tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.819932°, Long. -75.996169°);

11. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 6,699 square feet (0.15 acre) of palustrine emergent wetland (PEM) and 4,650 square feet (0.11 acre) of palustrine forested wetland (PFO) (Montrose West, PA Quadrangle; Lat. 41.820655°, Long. -75.995989°);

12. a temporary mat/bridge crossing impacting 174 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.819260°, Long. -75.996494°);

13. a temporary mat/bridge crossing impacting 187 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.819083°, Long. -75.996571°);

14. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 12,966 square feet (0.30 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.810040°, Long. -75.994110°);

15. a temporary mat/bridge crossing impacting 2,461 square feet (0.06 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.809452°, Long. -75.993201°);

16. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 9,907 square feet (0.23 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.808415°, Long. -75.991787°);

17. a temporary mat/bridge crossing impacting 1,668 square feet of floodway to an unnamed tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.808280°, Long. -75.991805°);

18. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 101 lineal feet of Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.808130°, Long. -75.991351°);

19. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 111 lineal feet of a tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.806256°, Long. -75.987034°);

20. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 2,500 square feet (0.06 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.806205°, Long. -75.986967°);

21. a 16-inch diameter natural gas gathering pipeline and temporary earth disturbance activity impacting 798 square feet of floodway to an unnamed tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.806256°, Long. -75.987034°);

22. a 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 3,495 square feet of floodway to an unnamed tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.806076°, Long. -75.986889°);

23. a temporary mat/bridge crossing impacting 2,311 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.805985°, Long. -75.986622°);

24. a 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 7,349 square feet of floodway to an unnamed tributary to Roe Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.805609°, Long. -75.985926°);

25. a temporary mat/bridge and temporary earth disturbance activity impacting 131 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.805519°, Long. -75.985958°);

26. a temporary mat/bridge crossing impacting 1,987 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.800950°, Long. -75.978327°);

27. a temporary mat/bridge crossing impacting 859 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.801890°, Long. -75.976119°);

28. an earth disturbance activity impacting 42 lineal feet of an unnamed tributary to West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.801499°, Long. -75.976278°);

29. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 112 lineal feet of the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.801448°, Long. -75.976398°);

30. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 101 lineal feet of the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.801233°, Long. -75.976346°);

31. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 11,113 square feet (0.26 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.800497°, Long. -75.976176°);

32. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 32,711 square feet (0.75 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.799110°, Long. -75.976472°);

33. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 107 lineal feet of a tributary to the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.798066°, Long. -75.975966°);

34. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 106 lineal feet of a tributary to the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.795057°, Long. -75.972091°);

35. a temporary mat/bridge crossing impacting 642 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.794568°, Long. -75.972457°);

36. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 147 lineal feet of a tributary to the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.794065°, Long. -75.972437°);

37. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 21,981 square feet (0.51 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.793899°, Long. -75.972818°);

38. a temporary mat/bridge crossing impacting 2,641 square feet (0.06 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.793628°, Long. -75.972597°);

39. a temporary mat/bridge crossing impacting 293 square feet of floodway to an unnamed tributary to the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.793599°, Long. -75.972500°);

40. a 16-inch and 24-inch diameter natural gas gathering pipelines and temporary mat/bridge crossing impacting 72 lineal feet of an unnamed tributary to the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.792028°, Long. -75.971442°);

41. a temporary mat/bridge crossing impacting 7 lineal feet of an unnamed tributary to the West Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.792301°, Long. -75.970025°);

42. a temporary mat/bridge crossing impacting 2,288 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.792101°, Long. -75.970017°);

43. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 4,856 square feet (0.11 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.786441°, Long. -75.969646°);

44. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 5,056 square feet (0.12 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.784963°, Long. -75.968879°);

45. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 5,042 square feet of floodway to an unnamed tributary to the Shelp Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.784851°, Long. -75.968380°);

46. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 1,627 square feet (0.04 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.784799°, Long. -75.967945°);

47. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 78 lineal feet of floodway to Shelp Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.778183°, Long. -75.962673°);

48. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 21,065 square feet (0.48 acre) of palustrine emergent wetland (PEM) and 1,510 square feet (0.03 acre) of palustrine scrub-shrub wetland (PSS) (Montrose West, PA Quadrangle; Lat. 41.777727°, Long. -75.961855°);

49. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 1,968 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.777575°, Long. -75.961177°);

50. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 19,549 square feet (0.45 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.776856°, Long. -75.959692°);

51. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 111 lineal feet of a tributary to Lake Stream (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.773710°, Long. -75.952457°);

52. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 2,067 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.772947°, Long. -75.951161°);

53. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 24,560 square feet (0.56 acre) of palustrine emergent wetland (PEM) and 1,592 square feet (0.04 acre) of palustrine forested wetland (PFO) (Montrose West, PA Quadrangle; Lat. 41.776856°, Long. -75.959692°);

54. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 93 lineal feet of an unnamed tributary to Lake Stream (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.770993°, Long. -75.948442°);

55. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 20,654 square feet (0.47 acre) of palustrine emergent wetland (PEM) and 886 square feet (0.02 acre) of palustrine forested wetland (PFO) (Montrose West, PA Quadrangle; Lat. 41.771027°, Long. -75.947644°);

56. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 2,514 square feet (0.06 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.770824°, Long. -75.946101°);

57. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 64 lineal feet of a tributary to Lake Stream (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.770767°, Long. -75.945926°);

58. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 1,333 square feet (0.03 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.770747°, Long. -75.945861°);

59. a temporary mat/bridge crossing and earth disturbance activity impacting 745 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.770423°, Long. -75.945254°);

60. a temporary mat/bridge crossing impacting 1,464 square feet (0.03 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.767374°, Long. -75.939298°);

61. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 8,381 square feet (0.19 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.767009°, Long. -75.939034°);

62. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting

4,637 square feet (0.11 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.766759°, Long. -75.938690°);

63. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 4,831 square feet (0.11 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.766522°, Long. -75.938118°);

64. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 807 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.766294°, Long. -75.936691°);

65. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 1,157 square feet (0.03 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.766124°, Long. -75.936480°);

66. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 49 lineal feet of a tributary to Lake Stream (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.765990°, Long. -75.936314°);

67. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 2,338 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.765756°, Long. -75.936102°);

68. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 833 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.765583°, Long. -75.935923°);

69. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 665 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.760521°, Long. -75.930817°);

70. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 1,100 square feet (0.03 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.759614°, Long. -75.930752°);

71. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 3,080 square feet (0.07 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.757741°, Long. -75.930959°);

72. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 34 square feet of floodway to an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.757501°, Long. -75.931030°);

73. a temporary mat/bridge crossing impacting 363 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.756481°, Long. -75.933062°);

74. a temporary mat/bridge crossing and earth disturbance activity impacting 9 lineal feet of an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.756237°, Long. -75.933026°);

75. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting

9,920 square feet (0.23 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.755890°, Long. -75.932811°);

76. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 1,315 square feet (0.03 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.755002°, Long. -75.932887°);

77. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 38 lineal feet of an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.754087°, Long. -75.932470°);

78. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 10,997 square feet (0.25 acre) of palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Lat. 41.754031°, Long. -75.932553°);

79. a temporary mat/bridge crossing impacting 16 lineal feet of an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.753753°, Long. -75.932452°);

80. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 57 lineal feet of an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.753221°, Long. -75.932340°);

81. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 2,773 square feet of floodway to an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.752170°, Long. -75.932406°);

82. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 68 lineal feet of an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.751901°, Long. -75.932484°);

83. a 24-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 2,606 square feet of floodway to an unnamed tributary to West Branch Meshoppen Creek (CWF-MF) (Montrose West, PA Quadrangle; Lat. 41.751625°, Long. -75.932591°).

The project consists of 4.9 miles of 16-inch and 9.4 miles of 24-inch natural gas gathering pipeline to convey natural gas from natural gas gathering facilities wholly located in Dimock and Jessup Townships, Susquehanna County. The project will result in 1,636 lineal feet of stream impacts, 6.94 acres (302,426 square feet) of floodway impacts, 7.03 acres (306,143 square feet) of PEM wetland impacts, 0.09 acre (3,862 square feet) of PSS wetland impacts, and 0.16 acre (7,128 square feet) of PFO wetland impacts all for the purpose of constructing, operating, and maintaining a natural gas gathering line for conveyance to market.

#### ENVIRONMENTAL ASSESSMENTS

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**EA3603222-005: West Donegal Township**, 1 Municipal Drive, Elizabethtown, PA 17022, in West Donegal Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) regrade and maintain the streambanks along 2,000 feet of Conoy Creek (TSF, MF); 2.) install and

maintain a Type D-W endwall with R-7 rip rap scour protection on and adjacent to an existing 30.0-inch outfall impacting 25 feet of Conoy Creek (TSF, MF); and 3.) install and maintain a Type D-W endwall with R-7 rip rap scour protection on and adjacent to an existing 15.0-inch outfall impacting 25 feet of Conoy Creek (TSF, MF), all for the purpose of reducing sediment loading to the stream. The project is located near the intersection of West Ridge Road and Miller Road (Latitude: 40.115281°N; 76.628687°W) in West Donegal Township, Lancaster County. No wetlands will be impacted by this project.

*Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**EA0829222-007: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Stevens Township, **Bradford County**, Army Corps of Engineers Baltimore District.

The construction of the existing well pad resulted in 610 square feet (0.014 acre) of temporary impacts to a Palustrine Emergent Wetland. The project proposes 610 square feet (0.014 acre) of restoration activities and the replanting of native hydrophytic vegetation within the impacted wetland. The project will result in 915 square feet (0.021 acre) of temporary Palustrine Emergent Wetland impacts (Laceyville and Le Raysville, PA Quadrangle, Latitude: 41.749700°, Longitude: -76.141174°). This project is associated with the Chesapeake Audit and the impacts are the result of restoring a wetland in Stevens Township, Bradford County.

#### EROSION AND SEDIMENT CONTROL

The following parties have applied for an Erosion and Sediment Control Permit (ESCP) for an earth disturbance activity associated with either a road maintenance or timber harvesting operation.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office listed above the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this notice.

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

#### Applications Received Under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

*Southwest District: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.*

ESCGP-3 # ESG073022013-00  
Applicant Name EQM Gathering OPCO, LLC  
Contact Person Gregg West  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Aleppo Township  
County Greene  
Receiving Stream(s) and Classification(s) UNT to Mudlick Ford (TSF); Mudlick Fork (TSF)

ESCGP-3 # ESG073020007-01  
Applicant Name CNX Midstream OPR CO LLC  
Contact Person Robert Bassett  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Richhill Township  
County Greene  
Receiving Stream(s) and Classification(s) UNT to Grays Fork (HQ-WWF), UNTs to Crabapple Creek (WWF), Crabapple Creek (WWF), Kent Run (TSF); Grays Fork (HQ-WWF), Crabapple Creek (WWF), Dunkard Fork (WWF), North Fork Dunkard Fork (TSF)

ESCGP-3 # ESG073022012-00  
Applicant Name EQM Gathering OPCO, LLC  
Contact Person Stephanie Frazier  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Aleppo Township  
County Greene  
Receiving Stream(s) and Classification(s) Mudlick Fork (TSF)

ESCGP-3 # ESG076322006-00  
Applicant Name Markwest Liberty Midstream & Resources, LLC  
Contact Person Brian Elliott  
Address 4600 J Barry Court, Suite 500  
City, State, Zip Canonsburg, PA 15317  
Municipality Robinson Township  
County Washington  
Receiving Stream(s) and Classification(s) UNT to Raccoon Creek (WWF)

ESCGP-3 # ESG073022005-00  
Applicant Name CNX Midstream OPR CO, LLC  
Contact Person Robert Bassett  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Morris Township  
County Greene  
Receiving Stream(s) and Classification(s) Bates Fork (HQ-WWF)

ESCGP-3 # ESG073022009-00  
 Applicant Name EQM Gathering OPCO LLC  
 Contact Person Stephanie Frazier  
 Address 2200 Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Aleppo Township County Greene  
 Receiving Stream(s) and Classification(s) UNT to Harts Run (RP-128) (WWF), UNT to Harts Run (RP-138 & SLPA-0333) (WWF)

ESCGP-3 # ESG073022010-00  
 Applicant Name EQM Gathering OPCO, LLC  
 Contact Person Stephanie Frazier  
 Address 2200 Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Aleppo Township, Richhill Township  
 County Greene  
 Receiving Stream(s) and Classification(s) South Fork Dunkard Fork (TSF), Mudlick Fork (TSF)

ESCGP-3 # ESG076321009-00  
 Applicant Name Range Resources Appalachia, LLC  
 Contact Person Karl Matz  
 Address 3000 Town Center Blvd  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Donegal Township  
 County Washington  
 Receiving Stream(s) and Classification(s) UNTs to Bonar Creek (HQ-WWF); Buffalo Creek (HQ-WWF)

ESCGP-3 # ESG076322005-00  
 Applicant Name EQM Gathering OPCO, LLC  
 Contact Person Gregg West  
 Address 2200 Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Amwell Township  
 County Washington  
 Receiving Stream(s) and Classification(s) UNT to Bane Creek (TSF); Bane Creek (TSF)

ESCGP-3 # ESG073022007-00  
 Applicant Name EQT Prod Co  
 Contact Person Charity Fleenor  
 Address 400 Woodcliff Dr  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Aleppo Township  
 County Greene  
 Receiving Stream(s) and Classification(s) UNTs to Blacks Creek (TSF), UNTs to Long Run (TSF); Dunkard Fork (WWF)

ESCGP-3 # ESG076322001-00  
 Applicant Name CNX Gas Co, LLC  
 Contact Person Robert Bassett  
 Address 1000 Consol Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 Municipality East Finley Township  
 County Washington  
 Receiving Stream(s) and Classification(s) UNT to Templeton Fork (TSF), UNT to Buffalo Creek (HQ-WWF); Templeton Fork (TSF), Buffalo Creek (HQ,WWF)

ESCGP-3 # ESG073022001-00  
 Applicant Name CNX Gas Co, LLC  
 Contact Person Sarah Weigand  
 Address 1000 Consol Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Morris Township  
 County Greene  
 Receiving Stream(s) and Classification(s) Bates Fork & UNTs to Bates Fork/South Fork Tenmile Creek (HQ); Browns Creek (HQ)

ESCGP-3 # ESG14-059-0012  
 Applicant Name EQT Production Company  
 Contact Person Todd Klaner  
 Address 400 Woodcliff Drive  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Morris Township  
 County Greene  
 Receiving Stream(s) and Classification(s) UNT to Browns Creek (HQ, WWF) and UNT to Bates Fork (HQ, WWF)

ESCGP-3 # ESX16-125-0053  
 Applicant Name Range Resources Appalachia, LLC  
 Contact Person Karl Matz  
 Address 3000 Town Center Blvd  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Amwell Township  
 County Washington  
 Receiving Stream(s) and Classification(s) Bane Creek (TSF, MF; Siltation Impaired) and unnamed tributaries thereto

ESCGP-3 # ESX17-003-0006  
 Applicant Name Olympus Energy, LLC  
 Contact Person Brian Dillemath  
 Address 501 Technology Drive, Suite 1200  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Elizabeth Township  
 County Allegheny  
 Receiving Stream(s) and Classification(s) UNT to Douglass Run (WWF), Douglass Run (WWF), UNT to Pollock Run (WWF); Pollock Run (WWF), Youghiogheny River (WWF)

ESCGP-3 # ESX11-125-0012  
 Applicant Name CNX Gas Company, LLC  
 Contact Person Sarah Weigand  
 Address 1000 Consol Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Morris Township  
 County Washington  
 Receiving Stream(s) and Classification(s) Tributary 40906 to Tenmile Creek (TSF)

*Northcentral Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**ESP076522001-00: Hyperion Midstream, LLC**, 501 Technology Drive, Suite 1200, Canonsburg, PA 15317, Hera to Skillet Hill Pipeline in Rostraver Township, **Westmoreland County** and Elizabeth Township, **Allegheny County**.

This project was previously submitted as an ESCGP-3 permit (ESG076522001-00), which was withdrawn on May 13, 2022. This project is now being submitted as an Individual E&S Permit instead of an ESCGP-3 due to anticipated disturbance through existing outcrop coal in excess of 50 cubic yards.

Hyperion Midstream, LLC is proposing to construct two (2) 16-inch diameter gas pipelines and one (1) 16-inch diameter waterline within a 50-foot wide permanent right-of-way (ROW) and additional 25-foot temporary construction ROW. The project will consist of the implementation of proposed erosion and sedimentation controls and site restoration best management practices. The proposed project will begin approximately 0.27-mile northeast of the intersection of Gallitin Road and State Route (SR) 51 at the proposed Hera Well Pad (ESX18-129-0008) in Rostraver Township, Westmoreland County and will traverse in a northeastern direction for approximately 2.0 miles toward an existing meter site located in Elizabeth Township, Allegheny County, PA. Approximately 22.8 acres will be disturbed during construction of the project.

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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>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD020056	Chapter 102 Individual NPDES Permit	Issued	TBD Realty, LLC P.O. Box 250 Cheswick, PA 15024-0250	Fox Chapel Borough Allegheny County	SWRO
PAD070026	Chapter 102 Individual NPDES Permit	Issued	Frankstown Township Blair County 2122 Frankstown Road Hollidaysburg, PA 16648-7116	Frankstown Township Blair County	SCRO
PAD210045	Chapter 102 Individual NPDES Permit	Issued	Hampden Townhomes, LLC 6211 Lookout Drive Mechanicsburg, PA 17050-1673	Hampden Township Cumberland County	SCRO
PAD210081	Chapter 102 Individual NPDES Permit	Issued	1852 Mechanicsburg, LLC 28 Thorndal Circle Darien, CT 06820-5429	Hampden Township Cumberland County	SCRO
PAD390214	Chapter 102 Individual NPDES Permit	Issued	Timtay Trexlertown, LLC 3150 Coffeetown Road Orefield, PA 18069-2511	Lower Macungie Township Lehigh County	NERO
PAD390225	Chapter 102 Individual NPDES Permit	Issued	Real Deal Management, Inc. 1 International Boulevard Suite 410 Mahwah, NJ 07495-0027	Upper Macungie Township Lehigh County	NERO
PAD450151	Chapter 102 Individual NPDES Permit	Issued	Swiftwater Solar, LLC 2925 Richmond Avenue Houston, TX 77098-3130	Pocono Township Monroe County	NERO
PAD580009	Chapter 102 Individual NPDES Permit	Issued	520 SR 370, LLC 510 SR 370 Union Dale, PA 18470	Ararat Township Susquehanna County	NERO
PABIG3502	Individual Generator Permit for Beneficial Use of Biosolids by Land Application	Issued	Superior Septic Service, Inc. 9010 Pineville Road Shippensburg, PA 17257-9391	Southampton Township Franklin County	SCRO
PA0056570	Industrial Stormwater Individual NPDES Permit	Issued	Hoover Treated Wood Products, Inc. 154 Wire Road Thomson, GA 30824	East Nottingham Township Chester County	SERO
PA0088072	Industrial Stormwater Individual NPDES Permit	Issued	Stericycle, Inc. 1525 Chestnut Hill Road Morgantown, PA 19543-9508	Robeson Township Berks County	SCRO
PA0266370	Industrial Stormwater Individual NPDES Permit	Issued	Tarco Roofing Materials, Inc. 8650 Molly Pitcher Highway Greencastle, PA 17225-9716	Antrim Township Franklin County	SCRO
PA0291609	Industrial Stormwater Individual NPDES Permit	Issued	UPS Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Lower Swatara Township Dauphin County	SCRO
0913918	Joint DEP/PFBC Pesticides Permit	Issued	Crawford Pamela 1825 Aquetong Road New Hope, PA 18938-1140	Solebury Township Bucks County	SERO
0915812	Joint DEP/PFBC Pesticides Permit	Issued	Toll Robert 2890 N Sugan Road New Hope, PA 18938-9636	Solebury Township Bucks County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0916832	Joint DEP/PFBC Pesticides Permit	Issued	Harrison Ted 565 Stone Bridge Road Perkasie, PA 18944-4253	Bedminster Township Bucks County	SERO
0922813	Joint DEP/PFBC Pesticides Permit	Issued	Perry Joe 5987 Shetland Drive Doylestown, PA 18902-9448	Solebury Township Bucks County	SERO
1019803	Joint DEP/PFBC Pesticides Permit	Issued	Anthony Laslavic 255 Camp Run Road Harmony, PA 16037	Lancaster Township Butler County	NWRO
0402398	Joint DEP/PFBC Pesticides Permit	Issued	Joe Pontoli 4038 State Rte 156 Avonmore, PA 15618	Kiskiminetas Township Armstrong County	NWRO
4322801	Joint DEP/PFBC Pesticides Permit	Issued	James Eiszler 1250 North Road Sandy Lake, PA 16145-4910	French Creek Township Mercer County	NWRO
PAI133539	MS4 Individual NPDES Permit	Waived	Mid Paxton Township Dauphin County P.O. Box 277 10 Elizabeth Avenue Dauphin, PA 17018-0277	Middle Paxton Township Dauphin County	SCRO
0721201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Issued	Kulp Family Dairy, LLC 1691 Millerstown Road Martinsburg, PA 16662-8020	North Woodbury Township Blair County	SCRO
PA0051586	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Tohickon Family Camping, LLC 100 Carroll Drive Dillsburg, PA 17019-9328	East Rockhill Township Bucks County	SERO
PA0110302	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	North American Hoganas, Inc. 111 Hoganas Way Hollsopple, PA 15935-6416	Quemahoning Township Somerset County	SWRO
PA0254223	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Lincoln Township Municipal Authority Somerset County P.O. Box 162 Sipesville, PA 15561-0162	Lincoln Township Somerset County	SWRO
PA0252492	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Shippingport Borough Beaver County P.O. Box 76 Shippingport, PA 15077-0076	Shippingport Borough Beaver County	SWRO
3997405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Parkland School District 2219 N Cedar Crest Boulevard Allentown, PA 18104-9665	South Whitehall Township Lehigh County	NERO
6303403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Washington County Land Resources Inc. 46226 National Road Saint Clairsville, OH 43950-8742	Amwell Township Washington County	SWRO
NOEXNC174	No Exposure Certification	Issued	HPM Ind, Inc. 125 Tom Mix Drive DuBois, PA 15801-2541	DuBois City Clearfield County	NCRO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
NOEXNC175	No Exposure Certification	Issued	West Pharmaceuticals Service 347 Oliver Street Jersey Shore, PA 17740-1923	Jersey Shore Borough Lycoming County	NCRO
NOEXNE003	No Exposure Certification	Issued	Vigon International, Inc. 127 Airport Road East Stroudsburg, PA 18301-7702	Smithfield Township Monroe County	NERO
NOEXNW054	No Exposure Certification	Issued	Baker Petrolite, LLC 48 Susquehanna Road Custer City, PA 16725	Bradford Township McKean County	NWRO
NOEXNW169	No Exposure Certification	Issued	Checon, LLC 600 Industrial Park Road Kersey, PA 15846-8912	Fox Township Elk County	NWRO
NOEXSE273	No Exposure Certification	Issued	API Tech Corp (Spectrum Microwave) Philadelphia Ops 2707 Black Lake Place Philadelphia, PA 19154-1008	Philadelphia City Philadelphia County	SERO
PAR218327	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Koda Holdings, LLC 560 Branchton Road Slippery Rock, PA 16057-3216	Slippery Rock Township Butler County	NWRO
PAR808362	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	TForce Freight Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Millcreek Township Erie County	NWRO
PAG049446	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Catherine and Michael Hoopaugh 874 Bartlett Road Harborcreek, PA 16421-1130	Harborcreek Township Erie County	NWRO
PAG106228	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	Texas Eastern Trans LP 890 Winter Street Waltham, MA 02451-1470	Derry Township Westmoreland County	SWRO
PA0234061	Single Residence STP Individual NPDES Permit	Issued	Thierwechter David 813 Round Top Road Wellsboro, PA 16901-6979	Charleston Township Tioga County	NCRO
PA0284866	Single Residence STP Individual NPDES Permit	Issued	Poole David W 267 Mendon Road Smithton, PA 15479-8741	South Huntingdon Township Westmoreland County	SWRO
PA0291595	Single Residence STP Individual NPDES Permit	Issued	Holmes Robert 4684 Cold Springs Road Huntingdon, PA 16652-3108	Oneida Township Huntingdon County	SCRO
5695405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Broadwater Justin D 396 Walker Road Buffalo Mills, PA 15534-1703	Allegheny Township Somerset County	SWRO
6522400	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Poole David W 267 Mendon Road Smithton, PA 15479-8741	South Huntingdon Township Westmoreland County	SWRO
WQG018635	WQG-01 WQM General Permit	Issued	Catherine & Michael Hoopaugh 874 Bartlett Road Harborcreek, PA 16421-1130	Harborcreek Township Erie County	NWRO

**II. Final Actions on PAG-01 and PAG-02 General NPDES Permit NOIs.**

<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>
PAC090516	PAG-02 General Permit	Issued	Locort, LLC 390 Nina Way Warminster, PA 18974-2836	Warminster Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550
PAC230230	PAG-02 General Permit	Issued	Delaware County Parks & Recreation Department 1671 N. Providence Road Media, PA 19063-5173	Upland Borough Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC230127 A-4	PAG-02 General Permit	Issued	ESIII L.P. 107 Twaddell Mill Road Wilmington, DE 19807-1225	Radnor Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC230221	PAG-02 General Permit	Issued	MIPC, LLC 920 Cherry Tree Road Aston, PA 19104-1570	Upper Chichester Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC150272 A-1 (Major Amendment)	PAG-02 General Permit	Issued	Franklin Phoenixville, L.P. by Odessa Real Estate Investments, Inc., G.P. 1890 Rose Cottage Lane Malvern, PA 19355 Borough of Phoenixville 351 Bridge Street 2nd Floor Phoenixville, PA 19460	Borough of Phoenixville Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150303	PAG-02 General Permit	Issued	East Bradford Township 676 Copeland School Road West Chester, PA 19380	East Bradford Township Chester County	Chester County Conservation District CD 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC400244	PAG-02 General Permit	Issued	Bluecup Ventures Hazleton I, LLC Jeff Randolph 2200 Barr Harbor Drive Suite 400 West Conshohocken, PA 19428-2978	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC480058	PAG-02 General Permit	Issued	BT Stonewood Longridge, LP 116 Union Avenue Altoona, PA 16602	Lower Saucon Township Northampton County	Northampton County Conservation District 14 Gracedale Avenue Greystone Building Nazareth, PA 18064-9211 610-829-6276

## 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>
PAC350131	PAG-02 General Permit	Issued	QSP Development, LLC 2601 Market Place Ste 200 Harrisburg, PA 17110-1224	Scranton City Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC280286	PAG-02 General Permit	Issued	Delvin Zullinger Triple M Builders 11492 Sandy Mount Road Orrstown, PA 17244-9656	Hamilton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280289	PAG-02 General Permit	Issued	William Fink Country View Family Farms 1401 Fulling Mill Road Suite 3000 Middletown, PA 17057-3114	Metal Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280283	PAG-02 General Permit	Issued	Dave Sanchez Pinnacle Contractors 2009 E Main Street Waynesboro, PA 17268-1882	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280290	PAG-02 General Permit	Issued	William Palmer Palmer Construction 180 Success Drive Suite 100 McConnellsburg, PA 17233-9009	Peters Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280293	PAG-02 General Permit	Issued	Sheldon and Fern Smith 308 Stacey Drive Mt. Pleasant, PA 15666-9121	Montgomery Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280271	PAG-02 General Permit	Issued	Jeff Camp Vision-Hykes Road, LLC 633 W. Germantown Pk Suite 104 Plymouth Meeting, PA 19462-1053	Antrim Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280292	PAG-02 General Permit	Issued	Adam Christie Blairs Valley 1, LLC 215 Executive Drive Moorestown, NJ 08057	Montgomery Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280269	PAG-02 General Permit	Issued	Lane Thrush Big Dog Investments, LP 1035 Wayne Avenue Suite J Chambersburg, PA 17201-2986	Letterkenny Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

<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>
PAC280037 A-1	PAG-02 General Permit	Issued	Lee Royer Accent Developers, LLC 10764 Buchanan Trail E. Waynesboro, PA 17268-9496	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280259	PAG-02 General Permit	Issued	Tom Farr D.R. Horton, Inc. 181 Harry S. Truman Parkway Suite 250 Annapolis, MD 21401-7577	Antrim Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280280	PAG-02 General Permit	Issued	Jim McCleaf ZJGM Enterprises, LLC 217 N Franklin Street Waynesboro, PA 17268-1105	Borough of Waynesboro Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280274	PAG-02 General Permit	Issued	Brandon W. Leid 519 Shippensburg Road Shippensburg, PA 17257	Southampton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280253	PAG-02 General Permit	Issued	Greg McKee Oliver Homes Inc. 19733 Leitersburg Pk Hagerstown, MD 21742-1521	Montgomery Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280277	PAG-02 General Permit	Issued	Rick Layton W. Atlee Burpee Company 12844 Creek Road Fannettsburg, PA 17221-9708	Metal Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280287	PAG-02 General Permit	Issued	Tim Hogan Antrim Business Park LP 1 South Street Suite 2800 Baltimore, MD 21202-3335	Antrim Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280278	PAG-02 General Permit	Issued	Jim Hill R.A. Hill, Inc. 1364 Lincoln Way E. Chambersburg, PA 17202-3083	Hamilton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280285	PAG-02 General Permit	Issued	Jay Leid 3109 Limekiln Road Chambersburg, PA 17202-9634	Southampton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

## 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>
PAC280249	PAG-02 General Permit	Issued	Josh Goldworm Great Cove Solar II 100 Matsonford Rd # 300 Radnor, PA 19087-4558	St. Thomas/Peters Townships Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280076 A-1	PAG-02 General Permit	Issued	John McElwee Keystone Rural Health Center 111 Chambers Hill Drive Chambersburg, PA 17201-1036	Borough of Chambersburg Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280279	PAG-02 General Permit	Issued	Bradley Mann 6210 Lincoln Way E. Fayetteville, PA 17222-1173	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280272	PAG-02 General Permit	Issued	Colby Nitterhouse WCN Properties, LP 900 Kriner Road Chambersburg, PA 17202-7741	Guilford Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280273	PAG-02 General Permit	Issued	Griffin Burns D.R. Horton, Inc. 181 Harry S. Truman Parkway Suite 250 Annapolis, MD 21401-7577	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280282	PAG-02 General Permit	Issued	Brent Gustaf 1086 Wayne Avenue Chambersburg, PA 17201-2917	Borough of Chambersburg Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280046 A-1	PAG-02 General Permit	Issued	Teamwork Rentals, LLC P.O. Box 203 Fayetteville, PA 17222-0203	Borough of Chambersburg Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC100189A1	PAG-02 General Permit	Issued	VC Woods Associates LP 4041 Liberty Avenue Pittsburgh, PA 15222	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC330033	PAG-02 General Permit	Issued	Legends Powersports 7377 US 219 Brockway, PA 15824	Washington Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463

<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>
PAC250167	PAG-02 General Permit	Issued	IRG Erie Inc. 1001 State Street Erie, PA 16501	Erie City Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250164	PAG-02 General Permit	Issued	KDP Erie LLC 449 N Clark Street Suite 400 Chicago, IL 60654	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC100038	PAG-02 General Permit	Issued	Woodland Trace LLC 514 Ridge Court Wexford, PA 15090	Adams Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

**STATE CONSERVATION COMMISSION**  
**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS**  
**FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or 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.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 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 should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. 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 of 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 decision law.

For individuals who wish to challenge actions, appeals 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 pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN**  
**CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Woodland View Farm Paul Smoker 133 Woodland Drive Oxford, PA 19363	Chester	205.1	145.05	Duck	NA	Approved
Ar Joy Farm Duane Hershey 1600 Althouse Road Cochranville, PA 19330	Chester	635.5	1,461.85	Dairy	NA	Approved
Dwayne Nolt 58 East Strack Drive Myerstown, PA 17067	Lebanon	52	644	Swine	NA	Approved
Country View Family Farms, LLC New Hope Farm 23177 Back Road Concord, PA 17217	Franklin	0	3,001.95	Swine	NA	Approved

## 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).

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401.*

**Permit No. 0922512**, Public Water Supply.

Applicant	<b>Delaware Valley University</b> 700 East Butler Avenue Doylestown, PA 18901-2607
Municipality	New Britain Borough
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Van Cleef Engineering Associates 1685 Valley Center Parkway Suite 100 Bethlehem, PA 18017
Permit to Construct Issued	June 29, 2022

*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. 2451442**, Operation Permit, Public Water Supply.

Applicant	<b>JARF Enterprises, LLC</b> 1150 Red Fox Court Kresgeville, PA 18333
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Municipality	Coolbaugh Township
County	<b>Monroe</b>
Type of Facility	Public Water Supply
Consulting Engineer	Timothy J. Pilcher, P.E. B&B Diversified Enterprises, Inc. 302 Norton Road Stroudsburg, PA 18360
Application Received	March 15, 2022
Permit Issued	July 25, 2022

**Permit No. 2400008**, Operation Permit, Public Water Supply.

Applicant	<b>Tower 80/81, LLC</b> 680 Kinderkamack Road River Edge, NJ 07661
Municipality	Butler Township
County	<b>Luzerne</b>
Type of Facility	Public Water Supply
Consultant	Eugene Ruddy Operator Utility Management Services 121 Sandwedge Drive Mountain Top, PA 18707

Application Received	April 8, 2022
Permit Issued	July 26, 2022
Description of Action	Issuance of an Operation Permit for Designation of Optimal Water Quality Parameters.

**Permit No. 2400371**, Operation Permit, Public Water Supply.

Applicant	<b>River of Life Fellowship Ministries, Inc.</b> P.O. Box 21 Outlet Road Lehman, PA 18627
Municipality	Lehman Township
County	<b>Luzerne</b>
Type of Facility	Public Water Supply
Consultant	Eugene Ruddy Operator Utility Management Services 121 Sandwedge Drive Mountain Top, PA 18707

Application Received	April 8, 2022
Permit Issued	July 25, 2022
Description of Action	Issuance of an Operation Permit for the Designation of Optimal Water Quality Parameters.

**Permit No. 2400140**, Operation Permit, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Municipality	Butler Township
County	<b>Luzerne</b>
Type of Facility	Public Water Supply

Consultant David J. Hoogstad  
Aqua Pennsylvania, Inc.  
1 Aqua Way  
White Haven, PA 18661

Permit Application Received May 19, 2022

Permit Issued July 25, 2022

Description of Action Issuance of an Operation Permit for the Designation of Optimal Water Quality Parameters.

**Permit No. 2450104, Operation Permit, Public Water Supply.**

Applicant **Timber Rise, LLC**  
90 Woodbridge Center Drive  
6th Floor  
Woodbridge, NJ 07095

Municipality Middle Smithfield Township

County **Monroe**

Type of Facility Public Water Supply—Permit Transfer

Application Received June 6, 2022

Permit Issued June 29, 2022

**Permit No. 3922505MA, Construction Permit, Public Water Supply.**

Applicant **Lehigh County Authority**  
1300 Martin Luther King Drive  
Allentown, PA 18102

Municipality City of Allentown

County **Lehigh**

Type of Facility Public Water Supply

Consulting Engineer Jason G. Saylor, P.E.  
Utility Services Company, Inc.  
1230 Peachtree St. NE  
Suite 1100  
Atlanta, GA 30309

Application Received April 6, 2022

Permit to Construct Issued June 14, 2022

Description of Action Installation of 4 mixers in 30 MG South Mountain Reservoir located at 2500 South 10th Street in Allentown.

**Permit No. 4022507MA, Construction Permit, Public Water Supply.**

Applicant **Pennsylvania American Water Company**  
852 Wesley Drive  
Mechanicsburg, PA 17055

Municipality Jackson Township

County **Luzerne**

Type of Facility Public Water Supply

Consulting Engineer Joseph S. Durkin, P.E.  
Reilly Associates  
49 S. Main Street  
Suite 200  
Pittston, PA 18640

Application Received April 27, 2022

Permit to Construct Issued June 13, 2022

Description of Action Sutton Hills tank redesign.

**Permit No. 3480032, Operation Permit, Public Water Supply.**

Applicant **Walnutport Authority**  
417 Lincoln Avenue  
Walnutport, PA 18088

Municipality Walnutport Borough

County **Northampton**

Type of Facility Heimbach Well No. 7 Reserve Designation Public Water Supply

Consultant Jason Newhard Spotts  
Stevens and McCoy  
1605 N. Cedar Crest Blvd.  
Allentown, PA 18104

Permit Application Received May 23, 2022

Permit Issued July 18, 2022

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

**Construction Permit No. 4922506MA, Public Water Supply.**

Applicant **Pennsylvania-American Water Company—Milton/White Deer**  
852 Wesley Drive  
Mechanicsburg, PA 17055

Municipality White Deer Township

County **Union County**

Consulting Engineer Ewoud Hulstein, P.E.  
Pennsylvania American  
852 Wesley Drive  
Mechanicsburg, PA 17055

Permit Issued July 21, 2022

Description This permit authorizes the water system to replace the Swan Analytical AMI Turbiwell individual filter effluent turbidimeters for filters 1 and 2 and the combined filter effluent turbidimeter with Lovibond PTV 1000 Process Turbidimeters.

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

**Blue Springs Terrace, Public Water Supply, 5899 Broadway Road, Danville, PA 17821, Derry Township, Montour County, on July 20, 2022, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Blue Springs Terrace community water system. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection.**

**Operation Permit No. GWR issued to: Hidden Valley Camping Resort, PWSID No. 4600834, 162 Hidden Valley Lane, Mifflinburg, PA 17844, West Buffalo Township, Union County, on July 21, 2022, for the operation of facilities approved under construction permit # GWR.**

This permit authorizes the water system to operate Wells 1, 3, 4 and 5, feed line from Well 3 to the new water treatment building, raw water sample tap, pressure switch, two hydropneumatic pressure tanks, pressure gauge, chemical feed pump, pulse flow meter that sends signals to pump control module to actuate chemical feed pump to inject NSF Standard 60-certified sodium hypochlorite into the water, four more 120-gallon capacity retention tanks for a total of six 120-gallon capacity retention tanks, each having 0.5 baffling factor, one 40-gallon capacity retention tank having 0.5 baffling factor, and a 17 gallon per minute flow restrictor, Entry Point (EP) 101 sample tap, all required valves and fittings, and distribution system, Well 1 with simple chlorination to achieve 20 minutes of chlorine contact time, EP 100 sample tap for treated water from Well 1, and distribution system, Well 4 with simple chlorination to achieve 20 minutes of chlorine contact time, EP 102 sample tap for treated water from Well 4, Well 5 with simple chlorination to achieve 20 minutes of chlorine contact time, EP 103 sample tap for treated water from Well 5, and distribution system. Note that the entire water system is now approved by a public water supply construction permit under 25 Pa. Code § 109.503. It no longer qualifies for noncommunity approval under § 109.505.

**Operation Permit No. 1722501MA** issued to: **Aqua Pennsylvania, Inc.**, PWSID No. **6170048**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, Sandy Township, **Clearfield County**, on July 25, 2022 for the operation of facilities approved under construction permit # 1722501MA. This permit approves operation of the two chlorine analyzers that were recently installed at Treasure Lake's Bimini Well Site.

**Operation Permit No. 1922501MA** issued to: **Pennsylvania-American Water Company**, PWSID No. **4190013**, 852 Wesley Drive, Mechanicsburg, PA 17055, Berwick Borough, **Columbia County**, on July 25, 2022, for the operation of facilities approved under construction permit # 1922501MA. This permit authorizes replacement of the existing back-up CL17 chlorine residual analyzer with a new Hydro Instruments RPH-250 chlorine residual analyzer.

**Operation Permit No. 4121503** issued to: **Montgomery Water Authority**, PWSID No. **4410161**, 35 South Main Street, Montgomery, PA, 17752, Brady Township, **Lycoming County**, on June 1, 2022, for the operation of facilities approved under construction permit # 4121503. This permit approves operation of the Timber Run Water Service Project, including repurposing of the Lycoming County Resource Management Services existing 450,000-gallon finished-water storage tank and new booster chlorination (sodium hypochlorite) chemical feed systems at the tank site and at the existing Montgomery Booster Pump Station. In addition, the tank and transmission line are hereby transferred from Southern Lycoming County Water to Montgomery Water Authority.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Operations Permit 0222525MA** issued to: **Wilkesburg-Penn Joint Water Authority**, PWSID No. **2020056**, 2200 Robinson Boulevard, Pittsburgh, PA 15221, Penn Hills Borough, **Allegheny County**, on July 15, 2022 for the operation of facilities approved under construction permit 0222511MA for the rehabilitation of Filter No. 11.

## 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, 484-250-5787.*

Contact: Charline Bass.

**PECO 1300 Alfred Avenue Transformer Oil Spill**, 1300 Alfred Avenue, Yeadon, PA 1945, Yeadon Borough, **Delaware County**. Bruce Middleman, Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of George Horvat, PECO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19101 submitted a Final Report concerning remediation of site soil contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene and PCBs. The report is intended to document remediation of the site to meet the Statewide health standard.

**Perry Residence**, 11 Caledonia Drive, Warminster, PA 18974, Warminster Township, **Bucks County**. Richard D.

Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Erin M. Bydelak, Nationwide Insurance, 355 Maple Avenue, Harleysville, PA 19438 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.

**Proposed Residential Development**, West Elm Street and Corson Street, Conshohocken, PA 19428, Borough of Conshohocken, **Montgomery County**. Jeffrey T. Bauer, PG, Whitestone Associates, Inc, 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Jean Gady Pharaud, 400 West Elm Owner, LLC, 3843 West Chester Pike, Newtown Square, PA 19073 submitted a Final Report concerning remediation of site soil contaminated with arsenic and PAHs. The report is intended to document remediation of the site to meet the Statewide health standard.

**2500-2530 Welsh Road**, 2500-2530 Welsh Road, Philadelphia, PA 19152, City of Philadelphia, **Philadelphia County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Peter Clelland, BET Investment, Inc., 200 Dryden Road, Suite 2000, Dresher, PA 19025 submitted a Final Report concerning remediation of site groundwater and soil contaminated with lead and inorganics. The report is intended to document remediation of the site to meet the site-specific standard.

**Philadelphia Energy Solutions Refinery**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Tiffany Doerr, Evergreen Resources Management Operations, 2 Righters Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with lead and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the site-specific standard.

**Philadelphia Energy Solutions Refinery**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Tiffany Doerr, Evergreen Resources Management Operations, 2 Righters Parkway, Suite 120, Wilmington, DE 19803 submitted a Risk Assessment Report concerning remediation of site soil and groundwater contaminated with lead and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the site-specific standard.

**Novak Residence**, 42 Red Rose Drive, Levittown, PA 19056, Middletown Township, **Bucks County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Andrea G. Stewart, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348 submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide health standard.

**1420 Delmar Drive**, 1420 Delmar Drive, Folcroft, PA 19032, Borough of Folcroft, **Delaware County**. Joseph Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Wes Pontius, 1420 Delmar Drive Associates, LP, 900 East Eight Avenue, Woodlands Center, Suite 300, King of Prussia, PA 19482 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan con-

cerning remediation of site soil and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the site-specific standard.

**Cook Technologies Facility**, 1 North 2nd Street, Green Lane, PA 18954, Borough of Green Lane/Marlborough Township, **Montgomery County**. Peter R. Lamont, PG, Penn E&R, Inc., 400 Old Dublin Pike, Doylestown, PA 18901 on behalf of Jonathan S. Goldstein, Cook Green Lane, LLC, 11 Church Road, Hatfield, PA 19440 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with arsenic and VOCs. The report is intended to document remediation of the site to meet the site-specific standard.

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

**CNX GH56 Well Pad**, Primary Facility ID # 859571, 1839 West Roy Furman Highway, Waynesburg, PA 15370, Center Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Conso Energy Drive, Canonsburg, PA, 15317, has submitted a Final Report concerning remediation of site soils contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The report is intended to document remediation of the site to meet the residential Background and Statewide health standards.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**LTV East Mills**, Primary Facility ID # 624925, 7 South 12th Street, Midland, PA 15059, Midland Borough, **Beaver County**. RT Environmental Services, Inc., 2001 Waterdam Plaza Drive, Suite 205, Canonsburg, PA 15317, on behalf of Midland, LP, 100 Bet-Tech Drive, Aliquippa, PA 15001, has submitted a combined Final Report, Remedial Investigation Report, and Cleanup Plan concerning remediation of site soils contaminated with benzo(b)fluoranthene, arsenic, and thallium. The submissions are intended to document remediation of the site to meet the residential site-specific standards.

## 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:

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

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

**428 Pinebrook Drive Site**, 428 Pinebrook Drive, Media, PA 19063, Middletown Township, **Delaware County**. Jay Gramlick, Jay Gramlick Construction, 221 Clover Circle, Media, PA 19063 on behalf of Ian Wray, 428 Pinebrook Drive, Media, PA 19063 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, naphthalene, isopropyl benzene, MTBE, 1,2,4-TMB and 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on July 12, 2022.

**West Chester Recycling**, 225 South Worthington Street, West Chester, PA 19382, Borough of West Chester, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Jim Speers, A Greener Tomorrow DBA West Chester Recycling, 225 South Worthington Street, West Chester, PA 19380 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with metals, VOCs, PAHs, PCBs. The Report was reviewed by the Department which issued a technical deficiency letter on July 12, 2022.

**ICI Americas, Inc.**, 310 Turner Lane, West Chester, PA 19380, West Goshen Township, **Chester County**. Daniel P. Sheehan, PE, Arcadis U.S., Inc., 1007 North Orange Street, Suite 411 and 412, Wilmington, DE 19801 on behalf of Brett Whittleton, Akzo Nobel, Inc.,

535 Marriot Drive, Suite 500, Nashville, TN 37214 submitted a Risk Assessment Report/Final Report concerning the remediation of groundwater contaminated with benzene, carbon tetrachloride, chloroform, 1,1-dichloroethane, 1,2-dichloroethane, 1,1-dichloroethene, cis-1,2-dichloroethene, dichloromethane, 1,4-dioxane, ethylbenzene, methylene chloride, methyl tertiary butyl ether, tetrachloroethane, 1,1,1-trichloroethane, trichloroethene, toluene and vinyl chloride, and for soil contaminated with benzene, 1,2-dibromo-3-chloropropane, cis-1,2-dichloroethene, ethylbenzene, methylene chloride, tetrachloroethane, 1,1,1-trichloroethane, trichloroethene, toluene, vinyl chloride and methyl cyclohexane. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on July 14, 2022.

**2610 West Fletcher Street**, 2610 West Fletcher Street, Philadelphia, PA 191323, City of Philadelphia, **Philadelphia County**. Natalie Griffith, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of David Alexander, Susquehanna Net Zero Housing, LP, 777 Brickell Avenue, Suite 500, Miami, FL 33131 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with leaded and unleaded gasoline, benzo(a)pyrene, metals, arsenic, thallium and vanadium. The Report was reviewed by the Department which issued a technical deficiency letter on July 14, 2022.

**Don's Service Center**, 6501 Rising Sun Avenue, Philadelphia, PA 19111, City of Philadelphia, **Philadelphia County**. Martin Gilgallon, PG, LaBella Associates, P.C., 1000 Dunham Drive, Suite B, Dunmore, PA 18511 on behalf of Dot Dunning, Estate of Donald J. Dunning, 6501 Rising Sun Avenue, Philadelphia, PA 19111 submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on June 6, 2022.

**Edlon, Inc.**, 150 Pomeroy Avenue, Avondale, PA 19311, Avondale Borough, **Chester County**. Sean Fullmer, PG, Compliance Management International, Inc., 1350 Welsh Road, Suite 200, North Wales, PA 19331 on behalf of Gabriel Skidd, Edlon, Inc., 150 Pomeroy Avenue, Avondale, PA 19311 submitted a Final Report concerning the remediation of site soil contaminated with naphthalene and tetrahydrofuran. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on July 8, 2022.

**Wawa Store 193**, 6001 Harbison Avenue, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. Geoff Kristof, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Joseph Standen, Jr., Wawa, Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with gasoline. The Report was approved by the Department on July 5, 2022.

**Former Hale Products, Inc., Facility**, 720 Spring Mill Avenue, Conshohocken, PA 19428, Conshohocken Borough, **Montgomery County**. Jon Rutledge, Arcadis U.S., Inc., 10 Friends Lane, Suite 200, Newtown, PA 1894 on behalf of Mike Wells, IDEX on behalf of Hurst Jaws of Life, Inc. (f/k/a Hale Products, Inc.) 3100 Sanders Road, Suite 301, Northbrook, IL 60062 submitted a Cleanup Plan concerning the remediation of site soil and ground-

water contaminated with VOCs, SVOCs, and metals. The Report was approved by the Department on July 11, 2022.

**Extra Space Storage**, 4433 Wayne Avenue, Philadelphia, PA 19144, City of Philadelphia, **Philadelphia County**. Madalyn Kulas, The Vertex Companies, LLC, 3322 Route 22 West, Suite 907, Branchburg, NJ 08876 on behalf of Gwyn Goodson McNeal, Extra Space Properties, 51 LLC, 2795 East Cottonwood Parkway # 400, Salt Lake City, UT 84121 submitted a Final Report concerning the remediation of site groundwater contaminated with TCE. The Report was reviewed by the Department which issued an administrative deficiency letter on July 22, 2022.

**80 East Oregon Avenue**, 80 East Oregon Avenue, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Marc Chartier, PG, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Suresh Reddy Anam, Anam Properties, LLC, 2500 West Cheltenham Avenue, Philadelphia, PA 19148 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs, SVOCs and metals. The Report was reviewed by the Department which issued a technical deficiency letter on June 27, 2022.

**Llanerch Shopping Center**, 403 West Chester Pike, Havertown, PA 19083, Haverford Township, **Delaware County**. Katherine Linnell, Langan Engineering & Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103 on behalf of Jim Bladel, Llanerch Shopping Center, LP, 1301 Lancaster Avenue, Berwyn, PA 19312 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PAHs, metals and VOCs. The Report was disapproved by the Department on June 28, 2022.

**Tank Car Corporation of America**, 1725 Walnut Avenue, Springfield Township, **Montgomery County**. Ken Yoder, PG, BL Companies, 1100 First Avenue, Suite 104, King of Prussia, PA 19406 on behalf of Michael Taylor, Springfield Township, 1510 Paper Mill Road, Wyndmoor, PA 19038 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs and metals. The Report was disapproved by the Department on July 5, 2022.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

**Univar USA, Incorporated**, 627 Sugar Run Road, Altoona, PA 16635, Allegheny Township, **Blair County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940 on behalf of Univar USA, Inc., 627 Sugar Run Road, Altoona, PA 16601, submitted a Remedial Investigation Report concerning the remediation of site soils and groundwater contaminated with Chlorinated Volatile Organic Compounds (VOCs). The Remedial Investigation Report was approved by the Department on July 13, 2022.

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

**First National Bank Edgewood Drive Property**, 8 Edgewood Drive, Transfer, PA 16125, Pymatuning Township, **Mercer County**. Civil & Environmental Consultants, Inc., 4350 Northern Pike, Suite 141, Monroeville, PA 15146, on behalf of First National Bank, One

FNB Boulevard, Hermitage, PA 16148 has submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with ethylbenzene, naphthalene, 1,2,4-TMB, 1,3,5-TMB and site groundwater contaminated with naphthalene. The Risk Assessment Report/Remedial Investigation Report/Cleanup Plan was disapproved by the Department on June 24, 2022.

**Interstate Chemical Company**, Primary Facility ID # **781937**, 2797 Freedland Road, Hermitage, PA 16148, City of Hermitage, **Mercer County**. Wood Environment & Infrastructure Solutions, Inc., 437 Grant Street, Suite 918, Pittsburgh, PA 15219 on behalf of Interstate Chemical Company, Inc., 2797 Freedland Road, Hermitage, PA 16148 has submitted a Risk Assessment (Revision 4) Report concerning the remediation of site soil and groundwater contaminated with 1,1,1-Trichloroethane, 1,1,2,2-Tetrachloroethane, 1,1,2-Trichloro-1,2,2-trifluoroethane, 1,1-Dichloroethane, 1,1-Dichloroethene, 1,2-Dichlorobenzene, 1,2-Dichloroethane, 2- Butanone (MEK), 2-Hexanone, 4-Methyl-2-pentanone (MIBK), Acetone, Benzene, Carbon disulfide, Chlorobenzene, Chloroethane, Chloroform, cis-1,2-Dichloroethene, Cyclohexane, Cyclohexanone, Dichlorodifluoromethane, Ethylbenzene, Hexane, Isopropylbenzene, Methyl acetate, Methyl tert-butyl ether, Methylcyclohexane, Methylene Chloride, Styrene, Tetrachloroethene, Tetrahydrofuran, Toluene, trans-1,2-Dichloroethene, trans-1,3-Dichloropropene, Trichloroethene, Vinyl chloride, Xylenes (Total), 1-Propanol, 2-Propanol (Isopropanol), Ethyl acetate, Ethylene glycol, Furfural, Methanol, n-Butyl alcohol, Formaldehyde, Isobutyl alcohol, 1,1'-Biphenyl, 2,4-Dimethylphenol, 2-Methylnaphthalene, 2-Methylphenol, 4-Chloroaniline, Acenaphthene, Acenaphthylene, Acetophenone, Aniline, Anthracene, Benzaldehyde, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Benzoic acid, Bis(2-ethylhexyl) phthalate, Butyl benzyl phthalate, Carbazole, Chrysene, Cresols (Total), Dibenz(a,h)-anthracene, Dibenzofuran, Diethyl phthalate, Di-n-butyl phthalate, Di-n-octyl phthalate, Fluoranthene, Fluorene, Hexachlorobenzene, Indeno[1,2,3-cd]pyrene, Isophorone, Methylphenol, 3 and 4, Naphthalene, Nitrobenzene, Phenanthrene, Phenol, Pyrene, PCB-1242, Arsenic, Barium, Cadmium, Chromium, Chromium (VI), Lead, Mercury, Selenium, Silver, and Distilled Ammonia. The Risk Assessment Report (Rev. 4) was disapproved by the Department on July 13, 2022.

**Standard Bent Glass**, Primary Facility ID # **845471**, 136 Lincoln Avenue, East Butler, PA 16209, Borough of East Butler, **Butler County**. Tetra Tech, 661 Andersen Drive, Pittsburgh, PA 15220 on behalf of SBG Holdings, Inc., 295A Delwood Road, Butler, PA 16001 has submitted a Final Report concerning the remediation of site soil contaminated with Antimony, Arsenic, Lead, Manganese, Trichloroethene, Hexachloroethane and site groundwater contaminated with Arsenic, Cobalt, Manganese, Thallium, Vanadium, 112TCA, Benzene, cis 12 DCE, TCE, and Vinyl Chloride. The Final report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on July 29, 2022.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

*New Transporter Licenses Issued*

**Trident Environmental Group, LLC**, 15 Shire Drive, Norfolk, MA 02056. License No. **PA-AH 0924**. Effective July 13, 2022.

*Transporter Licenses Reissued*

**TNI (USA), Inc., d/b/a AATCO**, 8141 E 7th Street, Joplin, MO 64801. License No. **PA-AH 0604**. Effective July 22, 2022.

**Innovative Recycling Technologies, Inc.**, 690 North Queens Avenue, Lindenhurst, NY 11757. License No. **PA-AH 0849**. Effective July 22, 2022.

**REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE**

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

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

*Transporter License Reissued*

**Environmental Transport Group, Inc.**, P.O. Box 296, Flanders, NJ 07836. License No. **PA-HC 0023**. Effective July 22, 2022.

**Environmental Maintenance Services Inc.**, 10 Gramar Avenue, Prospect, CT 06712. License No. **PA-HC 0029**. Effective July 22, 2022.

**HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES**

**Draft Permits 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 Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**PAD010154045. Envirote of Pennsylvania, Inc.**, 730 Vogelsong Road, York, PA 17404-6707, City of York, York County. As required by 25 Pa. Code § 270a.80(d)(2), the Department is providing public notice of a draft hazardous waste permit prepared for Envirote of Pennsylvania, Inc. This permit will allow for changes to a previously approved new indoor container management unit (CMA1), including the storage of the full list of hazardous and residual waste codes; move flammable storage into the new CMA1 unit; and relocate other flammable and reactive storage to a separate exterior storage module and reactive magazine outside of the new CMA1 unit.

Persons wishing to comment on the draft permit are invited to submit a statement to the Southcentral Regional Office within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer

and a concise statement of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

In the event DEP receives written notice of opposition to the draft permit and a request for a public hearing within the comment period previously referenced, a hearing shall be scheduled. Public notice of the public hearing shall be given at least 30 days before the hearing. Any requests for a public hearing accompanied by written opposition to the draft permit should be addressed to John Oren, Waste Management Permits Section Chief at the following address.

When making a determination regarding the issuance of a hazardous waste permit to Envirote of Pennsylvania, Inc., DEP will consider all written comments received during the comment period, any oral or written testimony received during the public hearing (if requested), the requirements of the hazardous waste regulations at 25 Pa. Code Chapters 260a—270a and 40 CFR 260—270 and the DEP's permitting policies.

At the time that a permit is issued, DEP also will issue a response to comments. This response will specify any provisions of the draft permit which were changed in the final permit decision and the reasons for the change. DEP will prepare a response to all significant comments on the draft permit that are raised during the public comment period or during any hearing. DEP will make the response available to the public as required in 25 Pa. Code § 270a.10(c)(14).

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

Further information on the application and draft permit are available by contacting John Oren, P.E., Permits Section Chief, PA DEP Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, phone (717) 705-4706. A copy of the permit application, draft permit and fact sheet are available for review at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401 484-250-5960.*

**Permit No. 400694. MED-FLEX, Inc.**, Ford Road and Frost Road, Bristol PA 19007. A permit under the Solid Waste Permit No. 400694 has been issued authorizing the construction and operation of a new regulated medical and chemotherapeutic waste transfer and processing facility under the name MED-FLEX. MED-FLEX Facility will be located at the intersection of Frost Road and Ford

Road within the Keystone Industrial Park in Bristol Township, **Bucks County**. The permit was issued by the Southeast Regional Office on July 8, 2022.

Persons interested in reviewing the permit may contact the Pennsylvania Department of Environmental Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania Hamilton Relay Service, (800) 654.5984.

## 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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**GP9-35-028: Three Up Reality, LLC**, 7 Oakwood Drive, Scranton, PA 18504. On July 20, 2022, for the installation and operation of IC Engines at the facility located in Archbald Borough, **Lackawanna County**.

**GP3-35-028: Three Up Reality, LLC**, 7 Oakwood Drive, Scranton, PA 18504. On July 20, 2022, for the installation and operation of a portable stone crushing plant at the facility located in Archbald Borough, **Lackawanna 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.*

**GP3-56-00271C: Windber Stone, LLC**, 117 Marica Street Latrobe, PA 15650, on July 22, 2022, to allow the installation and operation of a portable nonmetallic mineral processing plant consisting of two jaw crushers, two cone crusher, Combo 3-Deck Screen, one vibratory screen, one 2-deck vibratory screen, and 15 associated conveyors located in Ogle Township, **Somerset County**.

**GP11-56-00271C: Windber Stone, LLC**, 117 Marica Street, Latrobe, PA 15650, on July 22, 2022, to allow the installation and operation of one (1) C7 Caterpillar diesel engine rated at 300 bhp, one (1) Caterpillar C4.4 diesel engine rated at 101 bhp, and one (1) C13 Caterpillar diesel engine rated at 415 bhp in conjunction with a portable nonmetallic mineral processing plant located in Ogle Township, **Somerset County**.

**GP5-30-00807/AG5-30-00026A: EQM Gathering Opco, LLC**, 2200 Energy Drive, Suite 200, Canonsburg, PA 15137, received authorization on July 12, 2022 for construction and operation of two (2) 300 MMscf/day tri-ethylene glycol (TEG) dehydration units; two (2) 2 MMBtu/hr reboiler burners associated with the TEG dehydration units; two (2) 2.25 MMBtu/hr 241-BHP Power Solutions International 11.1L generators equipped with a 3-way catalyst; one (1) 8,820 gallon pipeline liquids tank; two (2) 2,000 gallon TEG storage tanks; truck load-out operations for pipeline liquids; one (1) 2.0 MMBtu/hr thermal oxidizer; three (3) pigging receivers; and fugitive component sources at their Beacon Dehydration Station in Jackson Township, **Greene County**.

**GP5-26-00576A/AG5-26-00006A: LPR Energy, LLC**, P.O. Box 192009, Dallas, TX 75219, received authorization on June 2, 2022, for the continued operation of one (1) Caterpillar Model G398TA 625-bhp spark ignition rich-burn natural gas fired engine installed with a 3-way catalyst; one (1) 20 MMscfd tri-ethylene glycol (TEG) dehydrator equipped with a BTEX Eliminator; one (1) natural gas-fired 0.75 MMBtu/hr reboiler burner associated with the TEG dehydrator; one (1) 210 bbl (8,820 gallons) slop/filtrate storage tank; truck load-out operations for slop/filtrate; one (1) pig receiver; natural gas-actuated pneumatic controllers; and fugitive emissions components at their Henry Clay Midstream facility located in Henry Clay township, **Fayette County**.

**GP3-63-00903D and GP11-63-00903C: K&P Asphalt, Inc.**, 79 Skyline Drive, Hickory, PA 15340-1321, on July 20, 2022, received authorization under GP-3 installation and/or operation of One (1) Cedar Rapids primary jaw crusher; One (1) Power Screen 1000 SR secondary cone crusher, driven by Caterpillar engine (engine info as follows); One (1) Screen Machine, 9 x 8, vibratory screen powered by an Onan 40 bhp diesel-fired engine (engine is exempted); One (1) Power Screen, Model No. Chieftain 1400, vibratory screen, powered by a 70 bhp diesel-fired engine (engine is exempted); Four (4) Screen Machine conveyors, 24" belt width. Authorization was received under GP-11 for installation and/or operation of one (1) 350 bhp Caterpillar C9 diesel engine. This facility is located in Smith Township, **Washington County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.*

**AG5-41-00007C: NFG Midstream Trout Run, LLC**, 6363 Main Street, Williamsville, NY 14221. On July 21, 2022, received authorization for the installation of four (4) 1,900 bhp GE Waukesha model VHP-L7044GSI four stroke, rich-burn, natural gas-fired compressor engines, each equipped with non-selective catalytic reduction (three-way catalyst) (ENG-003, -004, -005, -007), four (4) 1,150 bhp Caterpillar model G3516 LE four-stroke, lean burn, natural gas fired compressor engines, each equipped with oxidation catalyst (ENG-008, -009, -010, -011), one (1) 1,114 bhp Caterpillar model G3512 four-stroke, lean-burn, natural gas-fired emergency generator engine (GEN-002), one (1) 259 bhp Kohler model l50REZGC, four-stroke, rich-burn, natural gas-fired emergency generator engine equipped with a three-way catalyst (GEN-001), one (1) 160 million standard cubic foot per day (MMscf/day) dehydration unit equipped with a 1.0 MMBtu/hr reboiler and flash tank (DEHY-003, FLT-003, RB-003), one (1) Frederick Logan 100 million standard cubic foot per day (MMscf/day) dehydration unit equipped with a 1.5 MMBtu/hr reboiler, flash tank and 0.58 MMBtu/hr natural gas-fired flare (DEHY-002, FLT-002, RB-002), one (1) 16,800-gallon waste fluids storage tank (T-001), one (1) 16,800-gallon waste fluids storage tank (T-007), one (1) 2,100-gallon waste oil tank (T-008), two (2) 3,000-gallon lube oil tanks (T-009, T-010), one (1) 1,500-gallon triethylene glycol storage tank (T-002), two (2) 1,500-gallon mercaptan odorant tanks (T-004, T-005), one (1) 300-gallon methanol tank (T-006), two (2) 295-gallon glycol tanks (T-011, T-012), four (4) 2,500 Btu/hr Bruest catalytic heaters (HTR-002, HTR-003, HTR-005, HTR-007), one (1) 6,000 Btu/hr Bruest catalytic heater (HTR-004), one (1) 1,000 Btu/hr Cata-Dyne catalytic heater (HTR-006), one (1) 9.0 MMBtu/hr natural gas-fired pipeline heater (PL-001), one (1) 5.0 MMBtu/hr

natural gas-fired pipeline heater (PL-002), one (1) 77,000 Btu/hr natural gas-fired fuel gas heater (HTR-008), two (2) 13.77 MMBtu/h Aereon Ghost AB-200 flare (CC-002, -003), Associated fugitive components (FUG-001) and Liquids loading (L-001) pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at their Trout Run Mountain Compressor Station located in Lewis Township, **Lycoming County**.

**GP3-08-329H: Johnson Quarries, Inc.**, P.O. Box 136, LeRaysville, PA 18829. On June 20, 2022, to authorize the construction and operation of a 2008 vintage Tesab 1012T portable crushing plant, a 2015 vintage McCloskey J50C portable crushing plant, a 2016 vintage McCloskey C44 portable crushing plant, a 2017 vintage McCloskey J50 portable crushing plant, a 2006 vintage Extec E7 portable screening plant, a 2008 vintage Powerscreen Chieftain 1400 portable screening plant, a 2010 vintage McCloskey S190 portable screening plant, a 2017 vintage McCloskey R155 portable screening plant a 2020 vintage McCloskey R155 portable screening plant and a 2011 vintage Tesab 80 x 42 portable stacker conveyor pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Cobbs Corner Quarry located in Stevens Township, **Bradford County**.

**GP9-08-329H: Johnson Quarries, Inc.**, P.O. Box 136, LeRaysville, PA 18829. On June 20, 2022, to authorize the construction and operation of a 2014 vintage 440 horsepower Caterpillar C13 diesel engine, a 2007 vintage 100 horsepower Deutz diesel engine, as well as for the continued operation of a 2008 vintage 440 horsepower Caterpillar C13 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2008 vintage 100 horsepower Deutz diesel engine, a 2010 vintage 129 horsepower Caterpillar C4.4 diesel engine, a 2017 vintage 131 horsepower Caterpillar C4.4 diesel engine and a 2019 vintage 131 horsepower Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Cobbs Corner Quarry located in Stevens Township, **Bradford County**.

**GP3-08-313G: Johnson Quarries, Inc.**, P.O. Box 136, LeRaysville, PA 18829. On June 20, 2022, to authorize the relocation and operation of a 2008 vintage Tesab 1012T portable crushing plant, a 2015 vintage McCloskey J50C portable crushing plant, a 2016 vintage McCloskey C44 portable crushing plant, a 2017 vintage McCloskey J50 portable crushing plant, a 2006 vintage Extec E7 portable screening plant, a 2008 vintage Powerscreen Chieftain 1400 portable screening plant, a 2010 vintage McCloskey S190 portable screening plant, a 2017 vintage McCloskey R155 portable screening plant a 2020 vintage McCloskey R155 portable screening plant and a 2011 vintage Tesab 80 x 42 portable stacker conveyor pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Rocky Forest Quarry located in Wilmot Township, **Bradford County**.

**GP9-08-313G: Johnson Quarries, Inc.**, P.O. Box 136, LeRaysville, PA 18829. On June 20, 2022, to authorize the relocation and operation of a 2014 vintage 440 horsepower Caterpillar C13 diesel engine, a 2007 vintage 100 horsepower Deutz diesel engine, as well as for the continued operation of a 2008 vintage 440 horse-

power Caterpillar C13 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2008 vintage 100 horsepower Deutz diesel engine, a 2010 vintage 129 horsepower Caterpillar C4.4 diesel engine, a 2017 vintage 131 horsepower Caterpillar C4.4 diesel engine and a 2019 vintage 131 horsepower Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Rocky Forest Quarry located in Wilmot Township, **Bradford County**.

**GP3-08-333F: Johnson Quarries, Inc.**, P.O. Box 136, LeRaysville, PA 18829. On June 20, 2022, to authorize the relocation and operation of a 2008 vintage Tesab 1012T portable crushing plant, a 2015 vintage McCloskey J50C portable crushing plant, a 2016 vintage McCloskey C44 portable crushing plant, a 2017 vintage McCloskey J50 portable crushing plant, a 2006 vintage Extec E7 portable screening plant, a 2008 vintage Powerscreen Chieftain 1400 portable screening plant, a 2010 vintage McCloskey S190 portable screening plant, a 2017 vintage McCloskey R155 portable screening plant a 2020 vintage McCloskey R155 portable screening plant and a 2011 vintage Tesab 80 x 42 portable stacker conveyor pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Dewing Quarry located in Warren Township, **Bradford County**.

**GP9-08-333F: Johnson Quarries, Inc.**, P.O. Box 136, LeRaysville, PA 18829. On June 20, 2022, to authorize the relocation and operation of a 2014 vintage 440 horsepower Caterpillar C13 diesel engine, a 2007 vintage 100 horsepower Deutz diesel engine, as well as for the continued operation of a 2008 vintage 440 horsepower Caterpillar C13 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2008 vintage 100 horsepower Deutz diesel engine, a 2010 vintage 129 horsepower Caterpillar C4.4 diesel engine, a 2017 vintage 131 horsepower Caterpillar C4.4 diesel engine and a 2019 vintage 131 horsepower Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Dewing Quarry located in Warren Township, **Bradford County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**AG5-03-00004B (GP5-03-00983B): Snyder Brothers, LLC, White Compressor Station**, P.O. Box 1022, 90 Glade Road, Kittanning, PA 16201, on July 14, 2022, to authorize the installation and operation of Sources ID 101—104—Four (4) 1,380 bhp Caterpillar G3516B engines; Source IDs 105 & 106—Two (2) 2,370 bhp Caterpillar G3608A3 engines; Source IDs 109 & 110—Two (2) 2,500 bhp Caterpillar G3608A4 engines; Source IDs 201 & 202, 401A, and 402—Two (2) 70 MMscfd, Titan or equivalent, tri ethylene glycol dehydrators (TEG) (Source IDs 401, 402) each with an associated 1.5 MMBtu/hr reboiler; Source IDs 203, 204, 403, and 404—Two (2)

100 MMscfd, Titan or equivalent, tri ethylene glycol dehydrators (TEG) (Source IDs 403, 404) each with an associated 2.0 MMBtu/hr reboiler (Source IDs 203, 204); Source IDs 205 and 206—Two (2) Line Heaters, 0.250 MMBtu/hr, each; Source ID 301—Thirteen (13) 100 bbl (4,200-gallon) tank pipeline water tanks. Eight (8) tanks are on site and other five (5) are located at other nearby sites; Source ID 314—Sixteen (16) Engine Oil Tanks—500-gallon Tanks; Source ID 330—eight (8) Oil Tanks—275-gallons Tanks; Source ID 701—Fugitives for piping components; and pigging activities located in Rayburn Township, **Armstrong County**.

**AG5-27-00001A (GP5-27-00031D): Minard Run Oil Company, Guiton Run Compressor Station**, 609 South Avenue, Bradford, PA 16701, on June 15, 2022 for the continued operation of Source ID 101-600 bhp Compressor Engine; Source ID 301—Tanks and Vessels; Source ID 501-Pneumatic Equipment; Source ID 601—Venting and Blowdowns; and Source ID 701—Fugitives for piping components (BAQ-GPA/GP5) located in Jenks Township, **Forest County**.

**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.**

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

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**23-0021C: Congoleum Acquisition, LLC**, 4401 Ridge Road, Trainer, PA 19061. On July 20, 2022, Plan approval has been issued for the replacement of an existing thermal oxidizer with two RL60 Durr thermal incinerators, reduction of the combined Volatile Organic Compound emissions limit, as well as amending the facility name change, and updating the name and information for the Responsible Official Contact at their vinyl floor manufacturing facility in Trainer Borough, **Delaware 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.*

**PA-04-00699H Extension: Gold Bond Building Products, LLC**, 168 Shippingport Hill Road, P.O. Box 346, Shippingport, PA 15077-1000. Plan Approval Extension issuance on July 18, 2022, to continue the operation of its gypsum products facility located in Shippingport Borough, **Beaver County**.

**PA-65-00629B Ext.: CBC Latrobe Acquisition, LLC**, 100 33rd Street, Latrobe, PA 15650-1474. Plan Approval Extension issued on July 21, 2022; date effective August 28, 2022, date expiration February 28, 2022; for completing the pending construction of liquid batching tanks and four raw material storage tanks at the Latrobe Brewery in Latrobe Borough, **Westmoreland 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.*

**09-0243: Gelest, Inc.**, 11 Steel Road E, Morrisville, PA 19067-3613. On July 20, 2022, a plan approval extension for the installation and the temporary shutdown of blenders and hammermills at a new facility in Falls Township, **Bucks 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.*

**06-05069AB: East Penn Manufacturing Co., Inc.**, P.O. Box 147, Lyon Station, PA 19536. On July 26, 2022, for the installation of battery manufacturing equipment controlled by baghouses, mist eliminators or filtration systems. The equipment will be installed in the Industrial Battery Manufacturing Facility located at East Penn's Lyon Station Plant in Richmond Township, **Berks County**. The plan approval was extended.

*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.*

**30-00234A: Equitrans, LP**, 2200 Energy Drive, Canonsburg, PA 15317, plan approval extension effective on July 28, 2022, with expiration on January 28, 2023, for continued temporary operation of sources and controls at its Redhook Compressor Station, a natural gas transmission station located in Franklin Township, **Greene County**.

**30-00239A: Omnis Bailey, LLC**, 30 Broad Street, 14th Floor, New York, NY 10004, plan approval extension effective on July 28, 2022, with expiration on January 28, 2023, to authorize continued temporary operation of sources and controls associated with the Omnis Bailey Refining Plant in Richhill Township, **Greene County**.

**Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*

**23-00023: United Parcel Service, Inc.**, 1 Hog Island Road, Philadelphia, PA 19153. Located in Tinicum Township, **Delaware County**. On July 25, 2022, for the Administrative Amendment of a Title V Operating Permit. The amendment changed the name of the responsible official and other contacts at the UPS facility.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**54-00073: INGenco Wholesale Power, LLC**, 2250 Dabney Road, Richmond, VA 23230. On July 21, 2022, the Department issued a renewal of the Title V Operating Permit for electric power services in Pine Grove Township, **Schuylkill County**. As a major source, the facility

is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G.

The sources consist of eighteen (18) Engines. The Title V Operating Permit 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.

**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.**

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*

**46-00303: PA Department of Corrections/Phoenix SCI**, 1200 Mokychie Drive, Collegeville, PA 19426. On July 19, 2022, an initial Synthetic Minor Operating Permit has been issued for the boilers, emergency generators, and miscellaneous combustion sources at this facility located in Skippack Township, **Montgomery County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief, telephone: 570-826-2409.*

**40-00130: EBC Holdings**, 159 George Ave., Wilkes-Barre, PA 18705-3028. On July 8, 2022, the Department issued a State-Only (Natural) Minor Permit for the animal crematory facility in Dupont Borough, **Luzerne County**. The sources at this facility consist of one (1) crematory incinerator. The control device consists of an afterburner. The source is considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The Operating Permit 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.

**64-00006: Hanson Aggregates PA LLC, Lake TWP Asphalt Plant**, 7600 Imperial Way, Allentown, PA 18195-1016. On July 11, 2022, the Department issued a State-Only (Synthetic) Minor Permit for the operation of an asphalt paving mixtures and blocks facility in Lake Township, **Wayne County**. The sources at this facility consist of a batch hot mix asphalt plant, hot oil heaters, and a rap system. The control devices consist of a baghouse. 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 Operating Permit 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.

**45-00017: Hanson Aggregates PA LLC, Stroudsburg Quarry**, 7600 Imperial Way, Allentown, PA 18195-1016. On July 20, 2022, the Department issued a State-Only (Natural) Minor Permit for the operation of a crushed and broken limestone facility in Hanover Township, **Monroe County**. The sources at this facility consist of crushers, a parts washer, and a waste oil furnace. The control devices consist of a baghouse and wet suppression

system. 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 Operating Permit 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.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**26-00353: Bute Coal Recovery, LLC**, 195 Enterprise Lane, Connellsville, PA 15425. In accordance with 25 Pa. Code §§ 127.441, and 127.425, the Department of Environmental Protection (DEP) is providing notice that on July 19, 2022, DEP issued a renewed facility-wide, natural minor, State Only Operating Permit to Bute Coal Recovery, LLC, for the continued operation of a coal preparation plant, known as Bute Coal Preparation Plant, located in Dunbar Township & North Union Township, **Fayette County**.

The facility processes waste coal. All coal processed is from old waste coal piles. The facility location is in a wooded area, about 800' from the nearest residence. The plant entry road is about 3,000 feet long. If the plant is operated continuously, maximum throughput into the facility is physically limited to 250 tons per hour or 2,190,000 tons per year (tpy) of waste coal (reject). The preparation plant contains equipment for dry screening, wet screening, and heavy media gravimetric separation. It has piles for raw and processed material, conveyors, and truck loading equipment. Sources at the Bute Coal Preparation Plant are subject to 40 CFR Part 60, Subparts A and Y, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant. No equipment or emission changes were approved by this action.

**63-00940: MarkWest Liberty Midstream & Resources, LLC**, 4600 J. Barry Ct., Ste. 500, Canonsburg, PA 15317-5854. On July 26, 2022, the Department of Environmental Protection issued an initial natural minor State-Only Operating Permit for the continued operation of the MarkWest Shaw natural gas compressor station located in Chartiers Township, **Washington County**. This facility is subject to the applicable requirements of 25 Pa. Code, Chapters 121—145 and the applicable requirements of 40 CFR Part 60 Subpart JJJJ and 40 CFR Part 63 Subparts ZZZZ and HH. The air quality operating permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, testing, reporting, and recordkeeping requirements for the site.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**03-00253: Rosebud Mining Company Parkwood Mine Coal Preparation Plant**, 301 Market Street, Kittanning, PA 16201, on July 26, 2022 the Department issued a renewal State Only Operating Permit for operating of a coal preparation plant located in Plumcreek Township, **Armstrong County**. The subject facility consists of stockpiles, conveyors, transfer points, truck load-out, and one emergency generator. Emissions from the facility are based on the coal throughput limit, hours of

operating, and AP-42 emission factors. The facility has the potential to emit 2.0 TPY NO<sub>x</sub>, 1.1 TPY CO, 13.8 TPY PM, 4.9 TPY PM<sub>10</sub>, and less than 1 TPY for all other criteria pollutants. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 60 Subpart Y and IIII and 40 CFR Part 63 Subpart ZZZZ). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**32-00375: Rosebud Mining Company Lowry Mine Coal Preparation Plant**, 301 Market Street, Kittanning, PA 16201, on July 26, 2022 the Department issued a renewal State Only Operating Permit for operating of a coal preparation plant located in White Township, **Indiana County**. The subject facility consists of stockpiles, conveyors, screens, transfer points, truck load-out, and one emergency generator. Emissions from the facility are based on the coal throughput limit, hours of operating, and AP-42 emission factors. The facility has the potential to emit 1.3 TPY CO, 15.6 TPY PM, 5.6 TPY PM<sub>10</sub>, and less than 1 TPY for all other criteria pollutants. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 60 Subpart Y and IIII and 40 CFR Part 63 Subpart ZZZZ). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**32-00397: Rosebud Mining Company Heilwood Mine Coal Preparation Plant**, 301 Market Street, Kittanning, PA 16201, on July 26, 2022 the Department issued a renewal State Only Operating Permit for operating of a coal preparation plant located in Pine Township, **Indiana County**. The subject facility consists of stockpiles, conveyors, screens, transfer points, truck load-out, and two emergency generators. Emissions from the facility are based on the coal throughput limit, hours of operating, and AP-42 emission factors. The facility has the potential to emit 35 TPY PM, 12.7 TPY PM<sub>10</sub>, and less than 1 TPY for all other criteria pollutants. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 60 Subpart Y and IIII and 40 CFR Part 63 Subpart ZZZZ). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**37-00011: Dairy Farmers of America, Inc.**, 925 State Route 18, New Wilmington, PA 16142-5023. On July 13, 2022, the Department issued the renewal of the State Only Operating Permit for the facility located in Wilmington Township, **Lawrence County**. The facility is a Natural Minor. Potential emissions from the facility are as follows: 75.91 tpy NO<sub>x</sub>; 86.17 tpy CO; 5.15 tpy PM; 1.54 tpy SO<sub>x</sub>; and 9.44 tpy VOC. The primary sources at the facility include natural gas fueled boilers with heat input ratings of 48.8, 34.5, 11.8, and 2.0 million Btu/hr; a 16.5 million Btu/hr natural gas fueled dryer; 2 waste water treatment reactors; 2 natural gas fuel emergency generators; 1 diesel fueled emergency generator; and a parts washer. One of the emergency generators is subject to 40 CFR Part 63 Subpart ZZZZ, the NESHAP for Stationary RICE. Two of the emergency generators are subject to 40 CFR Part 60 Subpart JJJJ, the NSPS for Stationary SI ICE. Three of the boilers are subject to 40 CFR Part 60 Subpart Dc, the NSPS for Small ICI Steam Generating Units. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**37-00185: Vesuvius Penn Wampum**, 915 Clyde Street, P.O. Box 97, Wampum, PA 16157-4403. On July 20, 2022, the Department issued the renewal State Only Synthetic Minor Operating Permit for operation of the refractory manufacturing operations facility located in Wampum Borough, **Lawrence County**. The facility's primary emission sources include drying ovens (4), refractory finishing, magnesium oxide processing, bulk blending, miscellaneous natural gas usage, Plant 4C Eirich mixer, Simpson blending system, and ingredient master material handling (Plant 4C). The potential emissions of the primary pollutants from the facility are as follows: 29.37 TPY (tons per year) NO<sub>x</sub>, 17.20 TPY CO, 10.47 TPY VOC, 10.29 TPY total HAP, 40.25 TPY PM<sub>10</sub>, 39.70 PM<sub>2.5</sub>, and 0.12 TPY SO<sub>x</sub>. The facility is a synthetic minor, electing to limit emissions of phenol to 9.9 TPY on a 12-month rolling basis. This permit consolidates the requirements of plan approval 37-185D, which was issued for the Plant 4C processes. 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.

## AIR QUALITY

### De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

*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.*

**36-03046: Packaging Corporation of America Lancaster Full-Line Plant**, 1530 Fruitville Pike, Lancaster, PA 17601-4006. Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for a de minimis emissions increase of 0.94 tpy VOC and 0.069 tpy PM resulting from the installation of an additional 3 Color Flexographic Press at the Lancaster Full-Line Plant located in Lancaster, **Lancaster County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

## 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).**

*Coal Permits*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EP KNOX@pa.gov (Contact: Cayleigh Boniger).*

**Mining Permit No. 61110103. NPDES Permit No. PA0259209. Hillside Stone, LLC**, 4080 Sandy Lake Road, Sandy Lake, PA 16145. Renewal of an existing bituminous surface mine in Irwin Township, **Venango County**, affecting 73.9 acres. Receiving streams: Scrubgrass Creek, classified for the following uses: CWF. No changes proposed. Application received: January 21, 2022. Permit issued: July 18, 2022.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov (Contact: Ashley Smith).*

**Mining Permit No. 41940101. NPDES Permit No. PA0219843. Fisher Mining Company, Inc.**, 40 Choate Circle, Montoursville, PA 17754. Permit renewal for continued operation and restoration of a bituminous surface coal mine located in McHenry and Pine Townships, **Lycoming County**, affecting 409.6 acres. Receiving stream(s): Buckeye Run to Otter Run classified for the following use(s): CWF. Application received: May 5, 2021. Permit issued: July 21, 2022.

**Mining Permit No. 17910114. NPDES Permit No. PA0206628. River Hill Coal Company, Inc.**, P.O. Box 141, Kylertown, PA 16847. Permit renewal application for a bituminous surface coal mine and associated NPDES permit located in Karthaus Township, **Clearfield County**, affecting 4.0 acres. Remaining mining activities consist only of operation and maintenance of a post-mining mine drainage water treatment system. Receiving stream(s): UNT to Dutch Hollow Run classified for the following use(s): HQ-CWF, MF. Application received: April 11, 2022. Permit issued: July 21, 2022.

**Mining Permit No. 17000107. King Coal Sales, Inc.**, P.O. Box 712, Philipsburg, PA 16866. Revision to add 6.9 acres to the south east boundary of the permit and delete 6.9 acres from the boundary in a location not impacted by mining to an existing bituminous surface and auger mine located in Bigler and Woodward Townships, **Clearfield County**, affecting 167.8 acres. Receiving stream(s): Upper Morgan Run and Goss Run classified for the following use(s): CWF. Application received: February 3, 2022. Permit issued: July 21, 2022.

**Mining Permit No. 41080101. NPDES Permit No. PA0256714. Fisher Mining Company, Inc.**, 40 Choate Circle, Montoursville, PA 17754. Permit renewal for continued operation and restoration of a bituminous surface coal mine located in Pine Township, **Lycoming County**, affecting 254.0 acres. Receiving stream(s): Buckeye Run and Otter Run classified for the following use(s): CWF. Application received: February 5, 2019. Permit issued: July 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).*

**Mining Permit No. 54111301. Little Buck Coal Co.**, 57 Lincoln Drive, Pine Grove, PA 17963, renewal for reclamation activities only of an anthracite deep mine operation in Tremont Township, **Schuylkill County**, affecting 1.5 acres. Receiving stream: Stumps Run. Application received: September 9, 2021. Renewal issued: July 21, 2022.

**Mining Permit No. 54950101. Joe Kuperavage Coal Company**, c/o Robert Kuperavage, 325 Wilson

Avenue, Port Carbon, PA 17965, renewal of an anthracite surface mine and coal refuse reprocessing operation in Blythe Township, **Schuylkill County**, affecting 127.0 acres. Receiving stream: Silver Creek. Application received: March 31, 2022. Renewal issued: July 21, 2022.

*Noncoal Permits*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EP KNOX@pa.gov (Contact: Cayleigh Boniger).*

**Mining Permit No. 37010301. NPDES Permit No. PA0241881. Allegheny Mineral Corporation**, P.O. Box 1022, Kittanning, PA 16201, Renewal of an NPDES permit associated with a large noncoal permit in Slippery Rock Township, **Lawrence County**, affecting 182.3 acres. Receiving stream: Slippery Rock Creek, classified for the following use: CWF. No changes proposed. Application received: March 28, 2022. Permit issued: July 18, 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. 6277SM1. Compass Quarries, Inc., d/b/a Allan Myers Materials**, 638 Lancaster Avenue, Malvern, PA 19355, correction of a quarry operation to increase mining limit from 86.55 to 99.5 acres with a total of 157.1 total permitted acres and authorize use of reclamation fill for reclamation in Paradise Township, **Lancaster County**, affecting 99.5 acres. Receiving stream: Eshleman Run and Londonland Run. Application received: May 26, 2020. Correction issued: July 21, 2022.

**Mining Permit No. 6277SM1. NPDES Permit No. PA059080. Compass Quarries, Inc., d/b/a Allan Myers Materials**, 638 Lancaster Avenue, Malvern, PA 19355, renewal of an NPDES permit from a quarry operation in Paradise Township, **Lancaster County**, affecting 99.5 acres. Receiving stream: Eshleman Run and Londonland Run. Application received: May 26, 2020. Renewal issued: July 21, 2022.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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**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.**

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*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. 14224107. Douglas Explosives, Inc.**, 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866. Blasting for a gas station located in Benner Township, **Centre County**, with an expiration date of December 30, 2022. Permit issued: July 21, 2022.

**Permit No. 08224103. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345-1140. Blasting for a pipeline located in Leroy Township, **Bradford County**, with an expiration date of July 20, 2023. Permit issued: July 25, 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. 36224126. Keystone Blasting Service,** 15 Hopeland Road, Lititz, PA 17543, construction blasting for Westminster Presbyterian utility in Manheim Township, **Lancaster County.** Permit Issued: July 19, 2022. Permit Expires: September 30, 2022.

**Permit No. 36224127. Keystone Blasting Service,** 15 Hopeland Road, Lititz, PA 17543, construction blasting for Daniel Smucker foundation in Caernarvon Township, **Lancaster County.** Permit Issued: July 19, 2022. Permit Expires: September 30, 2022.

**Permit No. 36224128. Keystone Blasting Service,** 15 Hopeland Road, Lititz, PA 17543, construction blasting for Houston Run Pine Hill Trailer in Salisbury Township, **Lancaster County.** Permit Issued: July 19, 2022. Permit Expires: December 31, 2022.

**Permit No. 38224108. Keystone Blasting Service,** 15 Hopeland Road, Lititz, PA 17543, construction blasting for Gardell Weaver dwelling in West Cornwall Township, **Lebanon County.** Permit Issued: July 20, 2022. Permit Expires: October 30, 2022.

**Permit No. 46224106. American Rock Mechanics, Inc.,** 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for Glenwood Chase in Upper Hanover Township, **Montgomery County.** Permit Issued: July 20, 2022. Permit Expires: July 13, 2023.

**Permit No. 39224104. M3 Explo, LLC,** P.O. Box 528, Bowmansville, PA 17507, construction blasting for Spring Creek in Macungie Township, **Lehigh County.** Permit Issued: July 21, 2022. Permit Expires: July 15, 2023.

**Permit No. 40224108. Schlouch, Inc.,** P.O. Box 69, Blandon, PA 19510, construction blasting for Hazleton Creek Lots 4 & 5 in the City of Hazleton, **Luzerne County.** Permit Issued: July 21, 2022. Permit Expires: July 18, 2023.

**Permit No. 40224109. Maurer & Scott Sales, Inc.,** 122 Thomas Street, Coopersburg, PA 18036, construction blasting for Humboldt Lot 27 in Hazle Township, **Luzerne County.** Permit Issued: July 21, 2022. Permit Expires: July 20, 2023.

## 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.**

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

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

**E4002121-019, PA Department of Transportation, Eng District 4-0,** 55 Keystone Industrial Park, Dunmore, PA 18512, Sugarloaf Township, **Luzerne County,** Army Corps of Engineers Baltimore District.

To authorize the following water obstructions and encroachments associated with the SR 3040 Section D51 Project: 1. Remove the existing structure and to construct and maintain a 142-foot wide single span precast concrete box culvert carrying SR 3040 across a tributary to Nescopeck Creek (CWF, MF). The structure will have a 15-foot normal clear span and a 6-foot minimum underclearance. A scour hole just downstream of the structure will also be filled with grouted R-8 riprap choked with streambed material. A rock wedge/low flow channel will also be created through the culvert outlet and repaired scour hole area to taper the outlet channel to match the existing downstream channel width. 2. Impact approximately 47-LF of Channel 2 and approximately 55-LF of Channel 3 for the construction of the proposed culvert. 3. Impact approximately 0.03 acre of PEM/PSS/PFO wetlands due to the placement of benched riprap side slopes and the installation of culvert end sections and its associated riprap. The project is located along SR 3040 Section D51 Segment 0010, Offset 0000, approximately 0.1 mile east of the SR 3040/0093 intersection (Sybertsville, PA Quadrangle, Latitude: 41° 1' 25.43" N; Longitude: -76° 4' 40.71"W) in Sugarloaf Township, Luzerne County.

**E4802221-008. Pennsylvania Department of Conservation and Natural Resources,** 400 Market Street, 8th Floor, Harrisburg, PA 17101, Bushkill Township, **Northampton County,** U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Jacobsburg Environmental Education Center—Bushkill Creek Restoration Project: 1. A streambank restoration and stabilization project of an approximately 1,625 linear foot section of Bushkill Creek (HQ-CWF, MF) with streambank retaining devices consisting of root wads, imbricated stacked stone retaining walls, brush mattresses, live steak plantings, and R-6 riprap armoring. Gravel bar removal and streambank grading will also occur, resulting in a net cut within the stream and floodway. 2. A fill within the floodway of Bushkill Creek (HQ-CWF, MF) consisting of a public access ramp comprised of a 6-inch thick, gravel-filled Geocell having matting system having an 11:1 side slope, imbricated stacked stone, and an R-6 riprap apron at the terminus. 3. A fill within the floodway of Bushkill Creek (HQ-CWF, MF) consisting of a public access ramp comprised of a 6-inch thick, gravel-filled Geocell having matting system having a 6.5:1 side slope, imbricated stacked stone, and an R-6 riprap apron at the terminus. 4. A fill within the floodway of Bushkill Creek (HQ-CWF, MF) consisting of a public access ramp comprised of a 6-inch thick, gravel-filled Geocell having matting system having a 6:1 side slope, imbricated stacked stone, and an R-6 riprap apron at the terminus. The project is located directly south of the Henry's Wood Trailhead, approximately 0.5 mile east of the intersection of Belfast Road and SR 33 (Wind Gap, PA Quadrangle Latitude: 40° 46' 49", Longitude: -75° 17' 38") in Bushkill Township, Northampton County.

**E3502221-007. NP Covington Township, LLC, 12977 N. Outer 40 Road, Suite 203, St. Louis, MO 63141-8655. Covington Township, Lackawanna County, Army Corps of Engineers Baltimore District.**

To fill approximately 0.066 acre of a manmade Palustrine Emergent (PEM) wetland, for the construction of an 833,100 square foot warehouse/distribution center. (Moscow 41° 18' 39", -75° 33' 5"). Application received: August 26, 2021. Permit issued: July 25, 2022.

**E4002222-002. The Hub at Sand Springs, 4511 Falmer Drive, Bethlehem, PA 18020, Butler Township, Luzerne County, U.S. Army Corps of Engineers, Baltimore District.**

To construct and maintain to the following water obstructions and encroachments associated with Phase 5D of the Sand Springs Golf Course Community Development Project: 1. To place fill within a de minimus area of PEM Wetlands (Other) equal to 0.038-acre with work consisting of a parking lot and associated grading. 2. A stormwater outfall within a de minimus area of PEM Wetlands (Other) equal to 0.001-acre with work consisting of a 24-inch diameter HDPE pipe, a concrete endwall, and an R-4 riprap apron. The project is located directly north of the intersection of Sand Spring Drive and N. Old Turnpike Road (Freeland, PA Quadrangle Latitude: 41° 03' 42.57", Longitude: -75° 57' 50.43") in Butler Township, Luzerne County. Application received: February 23, 2022. Permit issued: July 25, 2022.

**E5802221-005: 520 SR 370 LLC, 510 S.R. 370, Union Dale, PA 18470, Ararat Township, Susquehanna County, U.S. Army Corps of Engineers, Baltimore District.**

To construct and maintain the following water obstructions and encroachments associated with the Goose Ranch Ecological Resort Project: 1. A fill within 0.005 acre of PEM Wetlands (Other) for the purpose of constructing an entrance road adjoining SR 370 as well as a parking

lot. 2. A crossing of a UNT to East Branch Lackawanna River (HQ-CWF, MF) and 0.001 PEM Wetlands (EV) with work consisting of maintenance of an existing 15-foot wide paved access road and a 16-foot long, 24-inch diameter SLHDPE culvert pipe. 3. A utility line crossing of an enclosed portion of a UNT to East Branch Lackawanna River (HQ-CWF, MF) consisting of a 4-inch diameter PVC electrical conduit. 4. A crossing of a UNT to East Branch Lackawanna River (HQ-CWF, MF) and 0.003 acre of PSS Wetlands (EV) consisting of a 3.5-foot wide, 8-inch thick modular floating deck structure. 5. A crossing of 0.005 acre of PSS Wetlands (EV) consisting of a 3.5-foot wide, 8-inch thick modular floating deck structure. 6. A crossing of 0.007 acre of PSS Wetlands (EV) consisting of a 3.5-foot wide, 8-inch thick modular floating deck structure. 7. A crossing of 0.003 acre of PFO Wetlands (EV) consisting of a 3.5-foot wide, 8-inch thick modular floating deck structure. 8. A crossing of 0.001 acre of PFO Wetlands (EV) consisting of a 3.5-foot wide, 8-inch thick modular floating deck structure. 9. A crossing of 0.005 acre of PFO Wetlands (EV) consisting of a 3.5-foot wide, 8-inch thick modular floating deck structure. 10. A crossing of 0.02 acre of PSS Wetlands (EV) consisting of a 3.5-foot wide, 8-inch thick modular floating deck structure. 11. A crossing of 0.03 acre of PSS Wetlands (EV) consisting of a 5-foot wide, 16-inch thick modular floating gangway associated with a floating dock structure. 12. A dock within the East Branch Lackawanna River (HQ-CWF, MF) consisting of a 23-ft long, 10-foot wide, 16-inch thick floating structure.

The permittee is required to provide 0.052 acre of replacement wetlands.

The project is located approximately 0.06 mile northeast of the intersection of S.R. 370 and May Road (Orson, PA Quadrangle Latitude: 40° 47' 47", Longitude: -75° 28' 37") in Ararat Township, Susquehanna County. Application received: August 4, 2021. Permit issued: July 25, 2022.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E0703222-001: Bruce Erb, Blair County Commissioners, 423 Allegheny Street, Suite 441A, Hollidaysburg, PA 16648. Greenfield Township, Blair County, Army Corps of Engineers Baltimore District.**

To 1) rehabilitate and repair the existing structure; 2) grade 125 feet of stream; 3) install a rock vane upstream of the structure; 4) install 100 feet of riprap streambank protection downstream of the structure; and 5) install 75 feet of riprap streambank protection upstream of the structure in South Poplar Run (CWF, MF). The project proposes to permanently impact 265 linear feet of stream channel and temporarily impact 295 linear feet all for the purpose of improving transportation safety and roadway standards. The project is located in Claysburg approximately 0.1 mile north of the intersection of Bedford Street and Park Road T-311 in Greenfield Township, Blair County (Latitude: 40.293341, Longitude: -78.448598). Issued July 26, 2022.

**E0603221-011: Bethel PA (SWC Klahr and Shubert), LLC, Southeast Corner of Lancaster Ave and Schubert Road, Bethel, PA, 19507 in Bethel Township, Berks County, U.S. Army Corps of Engineers Baltimore District.**

To 1) place and maintain fill from grading, resulting in 0.046 acre of permanent impact to an palustrine forested wetland; 2) place and maintain fill from grading and a rock riprap apron, resulting in 135 square feet of perma-

ment impact to an Unnamed Tributary to Schuylkill River (WWF, MF), all for the purpose of constructing a 7,500 square feet building (84 Lumber Company Retail Center) along with a parking lot, utilities, sidewalk, and two stormwater management basins. The project is located in the 1484 Benjamin Franklin Highway in Douglas Township, Berks County (Latitude: 40.251971, Longitude: -75.71294). Permanent wetland loss is less than 0.05 acre and replacement is not required. The project is located within the Schuylkill River (WWF, MF) watershed.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Dana Drake.*

**E2605122-001, PennDOT District 12-0**, 825 North Gallatin Ave Ext, Uniontown, PA 15401, Rostraver Township, **Westmoreland County**; Army Corps of Engineers Pittsburgh District.

The applicant has been given permission to:

Remove the existing, 16.64' wide, 4' high, 35.88' long, non-composite steel I-beam bridge, and to construct and maintain a replacement, 18' wide, 5' high, 70' long Precast Concrete Box Culvert, with end sections, in Mounts Creek (WWF), and to construction and maintain stream bank protection along 32 LF on the upstream side, and along 24 LF on the downstream side, of the proposed culvert. Cumulatively, the project will have a permanent impact of 150 LF, and a temporary impact of 160 LF, on Mounts Creek (WWF).

For the purpose of replacing the structure carrying S.R. 1051 over Mounts Creek (WWF).

The project site is located near the intersection of Breakneck Road and Spruce Hollow Road (Bullskin, PA USGS topographic quadrangle; N: 40°, 4', 59.4522"; W: 79°, 28', 12.2496"; Sub-basin 18C USACE Pittsburgh District), in Bullskin, Fayette County.

**E6505221-007, Suncap Property Group, LLC**, 6101 Carnegie Boulevard, Suite 180, Charlotte, NC 28209, New Stanton Borough, **Westmoreland County**; Army Corps of Engineers Pittsburgh District.

The applicant has been given permission to:

1. Place and maintain permanent fill within 0.012 ac of W006 (PEM);
2. Place and maintain permanent fill within 0.009 ac of W007 (PEM);
3. Place and maintain permanent fill within 0.005 ac of W013 (PEM);
4. Place and maintain temporary timber mats within 0.08 ac of W017 (PEM);
5. Place and maintain permanent fill within 175 linear feet of R002, an intermittent section of an unnamed tributary to Sewickley Creek (WWF) and 840 square feet of associated floodway;
6. Construct, operate, and maintain a 15" diameter, 68 linear foot culvert and 10 linear foot outlet apron in R002, a perennial section of an unnamed tributary to Sewickley Creek (WWF);

7. Construct, operate, and maintain a 15" diameter, 88 linear foot culvert and 10 linear foot outlet apron in R007, a perennial section of an unnamed tributary to Sewickley Creek (WWF) and 1,624 square feet of associated floodway;

8. Remove a 130 linear foot enclosure of R009 and to construct, operate, and maintain a replacement permanent 60" diameter, 150 linear foot enclosure of R009, a perennial section of an unnamed tributary to Sewickley Creek (WWF) and 3,100 square feet of associated floodway;

9. Construct, operate, and maintain a permanent 15" diameter, 120 linear foot enclosure and 20 linear foot outlet apron of R020, a perennial section of an unnamed tributary to Sewickley Creek (WWF);

10. Construct, operate, and maintain a permanent 600 linear foot relocation of R030, an intermittent section of an unnamed tributary to Sewickley Creek (WWF). An existing 190 linear foot, 12" diameter enclosure will be removed and the stream daylighted as part of the relocation;

11. Place and maintain permanent fill within 5,141 square feet of the floodway of R020, a perennial unnamed tributary to Sewickley Creek (WWF);

12. Place and maintain temporary fill within 5,792 square feet of the floodway of R025, a perennial unnamed tributary to Sewickley Creek (WWF);

13. Place and maintain a permanent storm sewer utility line and water utility line within 704 square feet of the floodway of R025, a perennial unnamed tributary to Sewickley Creek (WWF);

14. Place and maintain permanent fill within 6,360 square feet of the floodway of R033, a perennial unnamed tributary to Sewickley Creek (WWF);

For the purpose of constructing a 1,000,000 square foot warehousing space with a 20,000 square foot office appendage.

Cumulative permanent impacts are to 963 linear feet of watercourses, 0.026 acre of wetlands, and 0.43 acre of floodways. Cumulative temporary impacts are to 0.08 acre of wetlands and 0.13 acre of floodways.

Compensatory mitigation is proposed through the purchase of 1,050 stream credits from the Laurel Hill Mitigation Bank.

The project site is located at the intersection of Westinghouse Drive and Glenn Fox Road, New Stanton, PA 15672 Mount Pleasant/Smithton, PA USGS topographic quadrangle; N: 40°, 13', 34"; W: -79°, 37', 30"; Sub-basin 19D; USACE Pittsburgh District), in New Stanton Borough, Westmoreland County.

*Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**E0829222-021: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Wysox Township, **Bradford County**, Army Corps of Engineers Baltimore District.

To construct, operate and maintain a 300' by 400' well pad impacting 7,318 square feet of a palustrine forested (PFO) wetland. (Towanda, PA Quadrangle, Latitude: 41.794470°, Longitude: -76.426150°).

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 2,875 square feet (0.066 acre) of permanent wetland impacts and 4,443 square feet (0.102 acre) of temporary wetland impacts, all for the purpose of establishing a well pad for Marcellus well development in Wysox Township, Bradford County. The permittee will provide 0.102 acre of onsite wetland restoration and 0.67 acre of wetland credits at the Camp Brook Restoration Site (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

**E0829222-015: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840-1567. Rexford Bra Pad in Orwell 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, Water Obstruction and Encroachment (WOEP) Application E0829222-015 Chesapeake Appalachia, LLC (Chesapeake) has applied for an Individual—Joint Permit to construct, operate and maintain 0.649 acre of permanent and 0.111 acre of temporary impacts to on-site wetlands. All impacts are associated with the Rexford Bra Pad construction in 2010.

There are no stream and floodway impacts associated with this after-the-fact authorization. The project will result in a total of 28,270 SF (0.649 acre) of permanent and 4,835 SF (0.111 acre) of temporary wetland impacts.

**WETLAND IMPACT TABLE:**

Resource Name	Municipality Quadrangle	Activity	Cow. Class	Listed Trout	Impact Length Temp. (LF)	Impact Area Temp. (SF)	Impact Length Perm. (LF)	Impact Area Perm. (SF)	Lat. Long.
W-WRA-005-T	Orwell Windham	Temporary Workspace	PEM	None	200	4,835			41.877095° 76.309832°
W-WRA-005-T	Orwell Windham	Fill	PEM	None			282	2,8270	41.877316° 76.309749°
TOTAL IMPACTS					200	4,835	282	2,8270	

**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.

**D64-239EA. Janet Helms**, 232 Ridge Lake Drive, Honesdale, PA 18431. South Caanan Township, **Wayne County**, U.S. Army Corps of Engineers Philadelphia District.

The Department of Environmental Protection, Division of Dam Safety (Department) has reviewed and approved the restoration plan to remove the Ridge Lake Dam to eliminate a threat to public safety and to restore approximately 3,700 feet of stream channel to a free-flowing condition and to restore inundated wetlands. The project is located across Pond Brook (HQ-CWF, MF) (Honesdale, PA Quadrangle, Latitude: 41.5326; Longitude: -75.3362). The plan was approved on July 25, 2022.

**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.

*Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

ESCGP-3 # ESG290822020-00  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 Municipality Rome Township  
 County Bradford  
 Receiving Stream(s) and Classification(s) Wysox Creek (CWF, MF), UNT to Wysox Creek (CWF, MF), Parks Creek (CWF, MF)

ESCGP-3 # ESX291151800772  
 Applicant Name Coterra Energy, Inc.  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 Municipality Dimock Township  
 County Susquehanna  
 Receiving Stream(s) and Classification(s) UNT to White Creek (CWF)

ESCGP-3 # ESG295922009-00  
 Applicant Name Repsol Oil & Gas USA, LLC  
 Contact Person Jonathan Fronk  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horsheads, NY 14845-1008  
 Municipality Ward Township  
 County Tioga  
 Receiving Stream(s) and Classification(s) Fall Brook  
 (CWF, MF)

ESCGP-3 # ESG290822028-00  
 Applicant Name Appalachia Midstream Svc, LLC  
 Contact Person Adam Weightman  
 Address 30351 Route 6  
 City, State, Zip Wysox, PA 18854  
 Municipality West Burlington Township  
 County Bradford  
 Receiving Stream(s) and Classification(s) Tomjack Creek  
 (TSF, MF), UNT to Mill Creek (TSF, MF)

### STORAGE TANKS

#### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 504, 1101-1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	<b>22-02-047</b>
Applicant Name & Address	<b>Allegheny Petroleum Products Co.</b> 999 Airbrake Avenue Wilmerding, PA 15148 Attn: Luke Wisniewski
Municipality	Wilmerding Borough
County	<b>Allegheny</b>
Tank Type	4 ASTs storing lube oil
Tank Capacity	106,000 gallons total

### CORRECTIVE ACTION UNDER ACT 32, 1989

#### PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

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 support-

ing 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.*

**Buchert Fuels 69440**, 46-23706, 1001 Buchert Road, Pottstown, PA 19464, Lower Pottsgrove Township, **Montgomery County**. Petrodi, LLC, 5 Elmwood Drive, Tabernacle, NJ 08088, on behalf of Ramoco Marketing Group, P.O. Box 2218, Princeton, NJ 08540 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 residential and nonresidential Statewide health and site-specific standards.

**PQ Chester PLT**, 23-16475, 1201 W. Front Street, Chester, PA 19013, Chester City, **Delaware County**. GZA Geoenvironmental, Inc., 55 Lane Road, Ste 407, Fairfield NJ 07004, on behalf of PQ LLC, 300 Lindenwood Drive, Malvern, PA 19355 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with No. 2 and No. 6 fuel oil. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

**Sunoco 80010510 05662408**, 15-38409, 950 Common Drive, Parkesburg, PA 19365, Parkesburg Borough, **Chester County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton PA 19341, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and diesel fuel. The report is intended to document remediation of the site to meet residential Statewide health standards.

**Greyhound Aramingo Petro**, 51-30272, 2750 Aramingo Avenue, Philadelphia, PA 19134, **City of Philadelphia**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Greyhound Aramingo Petroleum, 290 Bilmar Drive, Pittsburgh, PA 15205, 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 residential Statewide health standards.

**Mobil Oil 15 DAX**, 15-43629, 620 E. Gay Street, West Chester, PA 19380, West Chester Borough, **Chester County**. Arcadis U.S., Inc., 6041 Wallace Rd Ext., Suite 300, Wexford, PA 15090 on behalf of ExxonMobil Environ-

mental and Property Solutions Company, 1900 E Linden Ave., Bldg 28A, Linden, NJ 07036, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet residential site-specific standards.

**Richboro Fuels 67434**, 09-23948, 778 2nd Street Pike, Richboro, PA 18954, Northampton Township, **Bucks County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Corp., 292 Madison Avenue, 9th Floor, New York, NY 10017, submitted a Remedial 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 site-specific standards.

**Pennsbury Citgo**, 09-32284, 415 W. Trenton Avenue, Morrisville, PA 19067, Falls Township, **Bucks County**. On-Site Environmental, Inc., 119 Shepherds Way, Coatesville, PA 19320 on behalf of John's Service Center, 415 West Trenton Avenue, Morrisville, PA 19067 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet nonresidential site-specific standards.

**Springfield Twp Sch Dist Bus Garage, 46-17258**, 103 Montgomery Avenue, Glenside, PA 19038, Springfield Township, **Montgomery County**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Springfield Township School District, 1901 Paper Mill Rd, # 2, Oreland, PA 19075 submitted a Remedial Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel. The report is intended to document remediation of the site to meet nonresidential site-specific standards.

**US Capital Investments 6**, 51-55064, 512 W. Montgomery Avenue, Philadelphia, PA 19146, **City of Philadelphia**. Environmental Maintenance Company, 1420 E. Mermaid Lane, Glenside, PA 19038, on behalf of the US Capital Investments Inc., 2301 Washington Avenue, Suite 111, Philadelphia, PA 19146 submitted a Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and heating oil. The report is intended to document remediation of the site to meet residential 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.*

**Pilot Travel Center 522**, Storage Tank ID # **54-50187**, 482 Suedberg Road, Pine Grove, PA 17963, Pine Grove Township, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Fuel On St. Mary's LLC, 100 N. Wilkes-Barre Boulevard, Suite 322, Wilkes-Barre, PA 18702, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide health standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Gregory Bowman, Environmental Group Manager.*

**Arconic Lancaster Corporation**, Storage Tank Facility ID # **36-20858**, 1480 Manheim Pike, Lancaster, PA 17601-3152, Manheim Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Arconic Lancaster Corporation, 1480 Manheim Pike, Lancaster, PA 17601, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document remediation of the site to meet the Statewide Health and site-specific standards.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

**2700 Leechburg Rd**, Storage Tank Facility ID # **65-82366**, 2700 Leechburg Road, Lower Burrell, PA 15068, Lower Burrell City, **Westmoreland County**. Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of CrossAmerica Partners, LP, 645 West Hamilton Street, Suite 400, Allentown, PA 18101, submitted a Remedial Action Completion Report concerning remediation of site soils and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the nonresidential site specific standards.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.*

*Contact: Kim Bontrager, Clerical Assistant 3.*

**Kwik Fill M0127**, Storage Tank Facility ID # **25-00738**, 3620 Peach Street, Erie, PA 16508, City of Erie, **Erie County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, P.O. Box 688, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting the site-specific standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**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).**

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.*

**MEX 105, 15-44189**, 1453 S. Hanover St., Pottstown, PA 19465, North Coventry Township, **Chester County**. Petrodi LLC, 5 Elmwood Drive, Tabernacle, NJ 08088, on behalf 1453 South Hanover Street LLC, 1233 Haddonfield Berlin Road, St. 8, Voorhees, NJ 08043, Norristown, PA 19403, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report did not demonstrate attainment of nonresidential Statewide health and site-specific standards and was disapproved by DEP on July 14, 2022.

**Lakulish Ridge**, 46-40232, 1100 E. Ridge Pike, Norristown, PA 19401, Plymouth Township, **Montgomery County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Lakulish Ridge, LLC, 1100 E. Ridge Pike, Norristown, PA 19401, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report was acceptable to meet residential Statewide health standards and was approved by DEP on July 22, 2022.

**Roosevelt Blvd Exxon**, 51-41481, 9042 Roosevelt Blvd., Philadelphia, PA 19115, **City of Philadelphia**. Synergy Environmental, Inc., 155 Rail Road Plaza, First Floor, Royersford, PA 19468, on behalf of 9042 Roosevelt Blvd., Philadelphia, LLC, 645 Hamilton Street, Suite 400, Allentown, PA 181001, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of site-specific standards and was approved by DEP on July 25, 2022.

**Hatfield Exxon**, 46-06965, 2480 Bethlehem Pike, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of 2480 Bethlehem Pike, LLC, 645 Hamilton Street, Allentown, PA 18101, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater

contaminated with petroleum products. The report demonstrated attainment of residential Statewide health standards and was approved by DEP on July 26, 2022.

*Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Eric Supey, Environmental Program Manager.*

**Pereira Enterprises**, Storage Tank ID # **13-50082**, 117 Delaware Avenue, Palmerton, PA 18071, Palmerton Borough, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pereira Enterprises Inc., 117 Delaware Avenue, Palmerton, PA 18071, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of a combination of Site Specific and Statewide health standards and was approved by DEP on July 26, 2022.

*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 July 23, 2022*

**Ashland Branded Market 962044**, Storage Tank Facility ID # **10-08829**, 264 Ekastown Road, Sarver, PA 16055, Buffalo Township, **Butler County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Ashland, LLC, 500 Hercules Road, Wilmington, DE 19808, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the site-specific standard and was approved by DEP on July 12, 2022.

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## SPECIAL NOTICES

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### ACTIVE AND ABANDONED MINE OPERATIONS

#### NOTICE OF PUBLIC MEETING

*California District Mining Office, 25 Technology Drive, Coal Center, PA 15423.*

Notice is hereby given to the Pennsylvania Department of Environmental Protection (DEP) District Mining Operations, has received a major modification application from **Consol Pennsylvania Coal Company LLC** for **Bailey Mine & Prep Plant, Permit No. 30841316**, to amend the existing permit. The application is to expand the existing Coal Mining Activities Permit (CMAP) underground mining acreage and the subsidence control plan area by 684.5 acres for development only. The proposed mine expansion is located within Aleppo Township, Greene County. The existing mine is located within Richhill Township, **Greene County**.

California District Mining offices has received a request for an informal public conference (IPC) concerning this major modification application. While the majority of COVID-19 restrictions have been lifted, many still feel unsafe gathering in person and in large groups indoors. In an effort to make this proceeding available to as many interested stakeholders as possible, this IPC is being held virtually on Wednesday, August 24, 2022 and will commence at 6 p.m. and end at 8 p.m.

Individuals who wish to participate and ask questions during the IPC must contact Community Relations Coordinator Lauren Fraley at [lfraley@pa.gov](mailto:lfraley@pa.gov) or 412.442.4203 a minimum of 24 hours in advance of the event to reserve a time to present testimony. Individuals who register for the event will receive an email containing the link and instructions on how to join the virtual IPC. Video demonstrations and screen sharing will not be permitted. DEP 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 IPC two (2) weeks after the date of the proceeding until September 7, 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](mailto: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 related 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. Please call or email Bonnie Herbert to inquire about electronic application review options.

### WATER PROGRAMS EROSION AND SEDIMENT CONTROL

*Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.*

**ESG830622001-00.** The Department of Environmental Protection (Department) provides notice of final action regarding the following Chapter 102, Erosion and Sediment Control Permit Application related to Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities for the BERV-BECH Line 27 CAP-2749 Replacement Project. The project involves approximately 20.44 acres of earth disturbance for excavation digs at three identified pipeline anomaly locations and the replacement of approximately 3,200 feet of the 30-inch Bernville-Bechtelsville VS-01 Line 27 pipeline segment.

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Counties</i>	<i>DEP Office</i>
ESG830622001-00	Texas Eastern Transmission, LP 5400 Westheimer CT Houston, TX 77056-5310	Berks	Regional Permit Coordination Office

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 Envtl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Envtl 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 Envtl 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 Envtl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

### NPDES PUBLIC NOTICE

#### **Application for National Pollutant Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities.**

*DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701, 570-826-2511.*

*Contact: Carl J. DeLuca, Acting Waterways and Wetlands Program Manager, email: RA-EPNEROWW@pa.gov.*

This notice is provided in accordance with 25 Pa. Code Chapter 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).

The Department of Environmental Protection (DEP) has received an application for renewal of an Individual NPDES Permit from the applicant named as follows to authorize discharges of stormwater associated with construction activities to surface waters of the Commonwealth. The renewal application includes modifications to the site as compared to the application received for original permit issuance in 2016. In addition, DEP has made a tentative decision to authorize renewal of the Individual NPDES Permit to the applicant and is providing notice in accordance with 25 Pa. Code § 92a.82. Interested persons may submit written comments to DEP regarding the permit renewal application at the previously listed address within 30 days of the publication of this notice for DEP's consideration in taking a final action on the application. A public hearing was held for this application on February 2, 2022 and a comment/response document was prepared to address comments received during the hearing process. You may also review the permit application file, the draft permit, draft fact sheets, and comment/response documents by contacting DEP's File Review Coordinator at 570-826-2511.

<i>Application Number</i>	<i>Applicant Name and Address</i>	<i>Application Type</i>	<i>Project Site Name and Address</i>	<i>Municipality</i>	<i>County</i>	<i>Total Earth Disturbance Area</i>
PAD480132	New Demi Road, LLC 559 Main Street Suite 300 Bethlehem, PA 18018-5862	Renewal (with changes)	303 Demi Road Planned Industrial Park 303 Demi Road Mount Bethel, PA 18343	Upper Mount Bethel Township & Portland Borough	Northampton	50.9 acres

Surface Waters Receiving New Stormwater Discharges: UNT to Delaware River (CWF, MF) & UNT to Delaware River via EV Wetlands (EV). The discharges will be conveyed from the development site to the surface waters of the Commonwealth as follows: to the UNT to Delaware River via existing public storm sewer with the existing Portland Industrial Park and to the UNT to Delaware River via EV Wetlands through the newly proposed level spreaders and the newly protected downstream voluntary riparian forest buffer as an approved non-discharge alternative.

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The applicant seeks renewal of an existing NPDES Permit (issued 2016). The application was submitted more than 180 days prior to the permit expiration date and the permit has been administratively extended. The current renewal proposes the construction of a 420,000-square foot industrial building with associated employee parking, loading docks and tractor trailer parking areas with driveway access to Demi Road. Three detention basins discharge via level spreader to a voluntary riparian forest buffer to mitigate stormwater peak rate, volume and water quality increases (non-discharge alternative). The site is currently proposed to be served with public water and on-lot sewage disposal.

Special Conditions: N/A (no project-specific special conditions are proposed).

[Pa.B. Doc. No. 22-1178. Filed for public inspection August 5, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Justice Advisory Board Meeting

The Environmental Justice Advisory Board (Board) will meet on Thursday, August 18, 2022, at 1 p.m. in the Cambria County Library, Community Room, 248 Main Street, Johnstown, PA. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up prior to the start of the meeting by contacting Justin Dula at RA-EPOEJ@pa.gov or (484) 250-5820.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Board's webpage, found on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov/EJAB](http://www.dep.pa.gov/EJAB).

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the August 18, 2022, meeting can be directed to Justin Dula at RA-EPOEJ@pa.gov or (484) 250-5820.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Justin Dula at (484) 250-5820 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, P.E.,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1179. Filed for public inspection August 5, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Mining and Reclamation Advisory Board; Meeting Date and Location Change

The Mining and Reclamation Advisory Board (Board) will meet on Thursday, October 13, 2022, at 9 a.m. at the Bureau of Abandoned Mine Reclamation's River Street Facility, 29 North River Street, Plains, PA 18705. This meeting was originally scheduled to be held in the Rachel Carson State Office Building on October 12, 2022, and October 13, 2022. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up prior to the start of the meeting by contacting Daniel E. Snowden at [dsnowden@pa.gov](mailto:dsnowden@pa.gov) or (717) 783-8846.

Information on how to join the meeting remotely, 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 "Mining," then "Mining and Reclamation Advisory Board," then "2022").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the October 13, 2022, meeting can be directed to Daniel E. Snowden at [dsnowden@pa.gov](mailto:dsnowden@pa.gov) or (717) 783-8846.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 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, P.E.,  
Acting Secretary

[Pa.B. Doc. No. 22-1180. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, July 21, 2022, and announced the following:

#### Action Taken—Regulations Approved:

Pennsylvania Public Utility Commission # 57-332: Diversity Reporting for Major Jurisdictional Utilities; Notice of Proposed Rulemaking (amends 52 Pa. Code Chapter 51 by adding Sections 51.11—51.14)

Environmental Quality Board # 7-544: Control of VOC Emissions from Unconventional Oil and Natural Gas Sources (amends 25 Pa. Code Chapters 121 and 129 and adds 129.121—129.131)

Board of Coal Mine Safety # 7-558: Prohibiting Electronic Liquid-Vaporizing Devices at Underground Bituminous Coal Mines (amends 25 Pa. Code § 208.375 and adds 25 Pa. Code § 208.376)

Environmental Quality Board # 7-565: Coal Refuse Disposal Revisions (amends 25 Pa. Code Chapters 88 and 90)

### Approval Order

Public Meeting Held  
July 21, 2022

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson, Dissenting; John J. Soroko, Esq., Dissenting; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission—  
Diversity Reporting for Major Jurisdictional Utilities;  
Notice of Proposed Rulemaking  
Regulation No. 57-332 (# 3304)*

On May 24, 2021, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 51 by adding Sections 51.11—51.14. The proposed regulation was published in the June 5, 2021 *Pennsylvania Bulletin* with a public comment period ending on July 19, 2021. The final-form regulation was originally submitted to the Commission on May 20, 2022. It was withdrawn and simultaneously resubmitted on June 16, 2022.

This final-form rulemaking will make diversity reporting mandatory for major jurisdictional utilities providing electric, natural gas, water, and wastewater services.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501 and 504) and the intention of the General Assembly.

Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting Held  
July 21, 2022

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—  
Control of VOC Emissions from Oil and  
Natural Gas Sources  
Regulation No. 7-544 (# 3256)*

On April 27, 2020, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 121 and 129 and adds 129.121—129.131. The proposed regulation was published in the May 23, 2020 *Pennsylvania Bulletin* with a public comment period ending on July 27, 2020. The final-form regulation was submitted to the Commission on March 15, 2022. It was withdrawn on May 4, 2022 and resubmitted on June 16, 2022.

This rulemaking amends Chapters 121 and 129 (relating to general provisions; and standards for sources) to establish Reasonably Available Control Technology (RACT) requirements and RACT emission limitations for unconventional oil and natural gas sources of volatile organic compound (VOC) emissions as required under the Clean Air Act.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 4005(a)(1) and 4005(a)(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting Held  
July 21, 2022

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Board of Coal Mine Safety—  
Prohibiting Electronic Liquid-Vaporizing Devices at  
Underground Bituminous Coal Mines  
Regulation No. 7-558 (# 3292)*

On February 25, 2021, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Board of Coal Mine Safety (Board). This rulemaking amends 25 Pa. Code § 208.375 and adds 25 Pa. Code § 208.376. The proposed regulation was published in the March 13, 2021 *Pennsylvania Bulletin* with a public comment period ending on April 12, 2021. The final-form regulation was submitted to the Commission on June 16, 2022.

This final-form rulemaking amends smoking prohibitions at underground bituminous coal mines and adds civil penalties for individuals who violate the regulation.

We have determined this regulation is consistent with the statutory authority of the Board (52 P.S. §§ 690-105(16), and 690-106.1(a) and (f)(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting Held  
July 21, 2022

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—  
Coal Refuse Disposal Revisions  
Regulation No. 7-565 (# 3318)*

On October 20, 2021, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB).

This rulemaking amends 25 Pa. Code Chapters 88 and 90. The proposed regulation was published in the November 6, 2021 *Pennsylvania Bulletin* with a public comment period ending on December 6, 2021. The final-form regulation was submitted to the Commission on June 16, 2022.

This final-form regulation implements Act 74 of 2019 which addresses the differences between the Commonwealth’s regulations and Federal regulations relating to temporary cessation of operations at coal refuse disposal sites. It also clarifies provisions related to the design of coal refuse disposal sites.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. § 691.5, 52 P.S. § 30.53b and 52 P.S. § 1396.4b(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 22-1181. Filed for public inspection August 5, 2022, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Comments Issued**

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
10-224	Department of Health Long-Term Nursing Care Facilities 52 Pa.B. 3070 (May 28, 2022)	6/27/22	7/27/22

**Department of Health Regulation # 10-224  
(IRRC # 3343)**

**Long-Term Care Nursing Facilities  
July 27, 2022**

We submit for your consideration the following comments on the proposed rulemaking published in the May 28, 2022 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Department of Health (Department) to respond to all comments received from us or any other source.

**1. Determining whether the regulation is in the public interest; Protection of the public health, safety, and welfare; Reasonableness; Implementation.**

The Department has submitted this proposed regulation as the fourth and final of a series of rulemaking packages which promulgate comprehensive amendments to Subpart C (relating to long-term care facilities):

- Proposed Rulemaking Package # 1 (regulation # 10-221) was published in the *Pennsylvania Bulletin* on July 31, 2021, and this Commission issued comments on September 29, 2021;
- Proposed Rulemaking Package # 2 (regulation # 10-222) was published in the *Pennsylvania Bulletin* on October 9, 2021, and this Commission issued comments on December 8, 2021; and
- Proposed Rulemaking Package # 3 (regulation # 10-223) was published in the *Pennsylvania Bulletin* on March 19, 2022, and this Commission issued comments on May 18, 2022.

As with the previous rulemaking packages, members of the regulated community continue to oppose to the delivery of separate proposed regulations. We include a sampling of the statements made by the regulated community as taken from the submitted comments:

- “. . .this fragmented process has and will continue to create confusion, and make it challenging for [commenters] and the regulated community to have a

clear understanding of the impact of the proposed provisions in their totality.” (PA Health Care Association (PHCA))

- “Without view of the comprehensive package, neither the regulated community nor the public can assess the full scope of changes that may be promulgated as final.” (LeadingAge PA)
- “We found it quite challenging and cumbersome to review and comment on each package in isolation of the remaining proposed changes.” (American Association of Retired Persons—PA Chapter)

We agree with the continuing concerns of the regulated community and question whether the presentation of this regulation as a separate regulation rather than as part of a comprehensive regulatory package is in the public interest and reasonable, and protects the public health, safety, and welfare. We encourage the Department to reevaluate its approach to the promulgation of these rulemakings and consider submitting one comprehensive regulatory package regarding long-term care nursing facilities.

If the Department proceeds with separate regulatory packages, we recommend that the Department deliver each of the individual packages as final regulations on the same day, which would give the regulated community an opportunity to review the separate final regulations at the same time. We want to make clear that doing so is not the equivalent of withdrawing and submitting one comprehensive regulatory package, which would include a public comment period, providing both the regulated community and this Commission an opportunity to provide feedback on the entirety of the Department’s proposed changes regarding long-term care nursing facilities.

Further, if the Department proceeds on this course, we suggest that the Department consider issuing an Advance Notice of Final Rulemaking (ANFR) to assist in reaching consensus. Section 2(a) of the RRA states, “To the greatest extent possible, this act is intended to encourage the resolution of objections to a regulation and the reaching of a consensus among the [C]ommission, the standing committees, interested parties and the agency.” 71 P.S. § 745.2(a). An ANFR would provide the regulated community with an opportunity to offer input on the entirety of the four regulatory packages prior to the Department’s delivery of the final-form versions of the regulations.

Finally, commenters express concern with the Department’s statement in the Regulatory Analysis Form (RAF) that the expected effective date of the final-form regulation is upon publication in the *Pennsylvania Bulletin*. They assert that this is not reasonable. One commenter notes that compliance with new regulations takes time to understand the required changes and requires planning to initiate the staffing and budget changes to achieve compliance. The commenter asserts that it is particularly unreasonable to assume that the private-pay long-term care nursing facilities will be able to implement immediately Federal regulations with which they need not currently comply. Commenters are particularly concerned about the implementation timeframe for Section 211.12 (related to nursing services). We ask the Department to address the reasonableness of the implementation

timeframe in the final regulation and to explain what alternatives were considered to ease the implementation burden, particularly as relates to nursing services.

## **2. Determining whether the regulation is in the public interest; Protection of the public health, safety, and welfare; Reasonableness.**

The Department explains in the Preamble that the proposed amendments include the elimination of provisions that are duplicative and that conflict with the Federal requirements. While some commenters support this aspect of the proposed regulation, other commenters oppose these changes. One commenter asserts that “the proposed revisions of the regulations reflect a massive and sometimes incomplete or unjustified deferral to the [F]ederal regulations.” Commenters note that the existing state regulations had already expanded or improved upon the Federal requirements, which means that the deletion of such provisions would be taking away existing improvements by reverting to the lesser Federal regulations. For any provisions that currently expand upon the Federal requirements and which the Department deletes at final, we ask the Department to address in the Preamble to the final regulation the reasonableness of deferring to the Federal requirements. We further ask the Department to explain how the final regulation protects the public health, safety, and welfare related to deleted provisions which are more protective than Federal requirements. We will consider the Department’s responses in order to determine whether the regulation is in the public interest.

Additionally, we note that these proposed regulations address the care of residents of long-term care nursing facilities. People who have a family member in a facility and who are not familiar with these or Federal regulations should be able to access easily the regulations that govern long-term care nursing facilities. In most cases where the Department deletes provisions and defers to Federal regulations, the applicable Federal regulation is not cross-referenced. Without cross-references to the appropriate Federal requirements, individuals may not be able to identify or find the corresponding applicable Federal provisions. For protection of the public health, safety, and welfare, we ask the Department to cross-reference provisions deleted from the final regulation to the appropriate Federal requirements.

Additionally, commenters are concerned that facilities that are solely private pay would not be bound by these requirements since the Federal regulations found at 42 CFR Part 483 establish conditions of participation for the Medicare and/or Medicaid program. We note that 42 CFR § 483.1(b) (related to scope) states:

The provisions of this part contain the requirements that an institution must meet in order to qualify to participate as a Skilled Nursing Facility in the Medicare program, and as a nursing facility in the Medicaid program. They serve as the basis for survey activities for the purpose of determining whether a facility meets the requirements for participation in Medicare and Medicaid.

We ask the Department to explain the reasonableness of applying 42 CFR Part 483 to facilities which are not seeking Medicare reimbursement.

**CHAPTER 201. APPLICABILITY, DEFINITIONS,  
OWNERSHIP AND GENERAL OPERATION OF  
LONG-TERM CARE NURSING FACILITIES**

**OWNERSHIP AND MANAGEMENT**

**3. Section 201.18. Management.—Protection of the public health, safety, and welfare; Clarity; Need; Reasonableness; Implementation procedures.**

Subsection (d.1) provides for requirements to be met in order for facilities with 25 beds or less to share an administrator. Under Paragraph (d.1)(4), one requirement is that the director of nursing services has “adequate knowledge and experience” to compensate for the time the administrator is not in the building. What standards will determine “adequate knowledge and experience?” We ask the Department to clarify this provision in order to establish enforceable standards that can be predicted by the regulated community.

Subsection (d.2) requires the administrator’s schedule to be publicly posted in the facility. What are the expectations for the posting, updating, and accuracy of the schedule? Is it to be posted daily or weekly? Can it be a “normal” or “anticipated” schedule? If the administrator gets sick, must the schedule be updated? We ask the Department to clarify the standards for implementation of this provision in the final regulation.

Subsection (e) provides for the administrator’s responsibilities. Under Subsection (e)(2.1), the administrator is responsible for ensuring “satisfactory” housekeeping in the facility and maintenance of the building and grounds. What standards will determine “satisfactory” housekeeping? We ask the Department to clarify this provision in order to establish enforceable standards that can be predicted by the regulated community.

The Department proposes to amend Subsection (f) related to written records of residents’ personal possessions received or deposited with the facility, removing a requirement to maintain a written record of residents’ “funds” and “expenditures and disbursements made on behalf of the resident.” Commenters object to these deletions. One commenter states that existing regulations are more protective than Federal regulations. Another commenter notes that this provision requires a record of all that has been done with those funds to be available at all times to residents, while the Federal requirement provides for financial records to be available to residents through quarterly statements. We ask the Department to explain the need for and reasonableness of residents only receiving quarterly statements. Also, we ask the Department to explain how the final regulation protects the public health, safety, and welfare related to records of residents’ personal possessions.

Subsection (h) is amended to address the length of time that a facility has to provide a resident with cash or a check. The provision states, “The facility shall provide cash, if requested, within [one] day of the request or a check, if requested, within [three] days of the request.” Existing language requires that the facility provide residents with access to their money within three bank business days of the request. The Department states in the Preamble that it proposes no amendment to the existing requirement that a check be provided, if requested, within three days. We note that the Department made a slight modification in removing the existing language of “bank business” to describe how to count the days. We ask the Department to clarify how the days are to be counted for implementation of the final regulation.

**4. Section 201.19. Personnel records.—Reasonableness.**

This section addresses the information to be kept in an employee’s personnel records. Paragraph (8) requires criminal history information to be included in these records. Paragraph (9) would require, in the event of a conviction prior to or following employment, a determination by the facility of an employee’s suitability for initial or continued employment in the position to which the employee is assigned. What information does the Department anticipate being included in an employee’s personnel records related to a conviction? We ask the Department to explain the reasonableness of the requirements related to personnel records in the final regulation. We also ask the Department to explain whether these requirements are consistent with the Commonwealth Court’s ruling in *Peake v. Commonwealth of PA*, 132 A.3d 506 (Pa. Cmwlth. 2015) regarding individuals with criminal convictions.

**5. Section 201.20. Staff development.—Protection of the public health, safety, and welfare.**

The Department proposes in Subsection (b) to delete the following requirement: “The orientation shall include training on the prevention of resident abuse and the reporting of the abuse.” A commenter opposes this amendment, stating that although the Federal training requirements include this topic, the Federal regulations do not require it to be taught at an orientation. The commenter asserts that “training on the prevention and reporting of abuse (and facility-specific procedures) are cardinal areas which must be taught to staff immediately upon starting to work in a facility.” We ask the Department to explain how the final regulation protects the public health, safety, and welfare related to training on the prevention and reporting of abuse.

**6. Section 201.21. Use of outside resources.—Protection of the public health, safety, and welfare; Clarity; Implementation.**

The Department proposes to delete Subsections (a)—(c) in order to eliminate duplication and to avoid conflict with the Federal requirements. Subsection (a) states, “The facility is responsible for insuring that personnel and services provided by outside resources meet all necessary licensure and certification requirements, including those of the Bureau of Professional and Occupational Affairs in the Department of State, as well as requirements of this subpart.” Subsection (c) states, “The responsibilities, functions and objectives and the terms of agreement, including financial arrangements and charges of the outside resource shall be delineated in writing and signed and dated by an authorized representative of the facility and the person or agency providing the service.”

Several commenters strongly object to this proposal. One commenter asserts that Subsections (a) and (c) are not addressed by the Federal provision, which applies to a “qualified professional person.” The commenter asserts that if the Federal provision does not include a certified nurse aide, then current Subsection (a) is needed to require the facility to ensure that such personnel meet all necessary licensure and certification requirements. The commenter further asserts that Subsection (c) should also be retained since it is broader than the Federal provision. The commenter explains that with the proliferation of service provision by related entities, written records, including the financial arrangements and charges of the outside source, are especially important. We ask the

Department to explain how deletion of these subsections protects the public health, safety, and welfare related to a certified nurse aid and written records.

Subsection (e) adds a provision that, if a facility acquires employees from outside resources, the facility shall obtain confirmation from the outside resource that the employees are free from the communicable diseases and conditions listed in Section 27.155 (relating to restrictions on health care practitioners) and are physically able to perform their assigned duties. A commenter notes that the qualification of “physically able to perform their assigned duties” is ambiguous and may lead to challenges under the Americans with Disabilities Act. We ask the Department to clarify in the final regulation how the requirement related to evaluating whether a person is physically able to perform their assigned duties is to be implemented.

**7. Section 201.24. Admission policy.—Protection of the public health, safety, and welfare; Need; Reasonableness.**

The Department proposes to delete Subsection (a) which includes the following provision: “The resident is not required to name a responsible person if the resident is capable of managing the resident’s own affairs.” Several commenters disagree with the deletion of this provision. One commenter states that residents should be free to choose whether or not they want to designate a representative. Another commenter states that this protection does not appear in the Federal regulations and is an important protection for residents who have capacity to make decisions. We ask the Department to explain the need for deleting this provision, and how the final regulation protects the public health, safety, and welfare of residents capable of managing their own affairs.

In order to eliminate duplication and avoid conflict with Federal requirements, the Department proposes to delete Subsection (b) which states, “A facility may not obtain from or on behalf of residents a release from liabilities or duties imposed by law or this subpart except as part of formal settlement in litigation.” Several commenters object to the removal of this provision, stating that the Federal provision only covers liability for losses of personal property, not other types of liability or duties under the licensing regulations. Would facilities be able to obtain a release from other types of liabilities if the Department deletes this provision? We ask the Department to explain how this provision in the final regulation is reasonable and protects the public health, safety, and welfare related to liabilities other than liability for loss of personal property.

Proposed Subsection (f) requires the coordination of introductions, orientation, and discussions, under Subsection (e), to occur within two hours of a resident’s admission. We share commenters’ concern with the need not to overwhelm a resident during this time of transition. Is this timeframe reasonable considering that an individual may be coming directly from a hospital or have other serious health conditions? We ask the Department to explain the reasonableness of the timeframe related to the coordination of introductions, orientation, and discussions.

**8. Section 201.25. [Discharge policy] (Reserved).—Protection of the public health, safety, and welfare.**

The Department proposes to delete this section to eliminate duplication and avoid conflict with Federal requirements. The provision states, “There shall be a centralized coordinated discharge plan for each resident

to ensure that the resident has a program of continuing care after discharge from the facility. The discharge plan shall be in accordance with each resident’s needs.” Several commenters object to the removal of this provision. One commenter explains that discharges are one of the most frequent resident rights problem areas. The commenter notes that the Federal provision focuses on the discharge planning process rather than the plan itself. Do the Federal requirements address a centralized coordinated discharge plan for each resident as required by existing regulation? We ask the Department to explain how the final regulation protects the public health, safety, and welfare of residents regarding discharge plans.

**9. Section 201.29. Resident rights.—Protection of the public health, safety, and welfare; Clarity; Reasonableness.**

Several commenters oppose the deletion of provisions from this section relating to resident rights. A commenter states that laypeople do not understand the interplay between state and Federal law, and that most people would look to state regulations to determine their rights as a resident of a Pennsylvania-based long-term care nursing facility. The commenter requests that state regulations should either spell out all rights, or, at a minimum, refer people to the Federal source for the rights. We ask the Department to explain how the final regulation protects the public health, safety, and welfare in relation to making clear resident rights.

The Department proposes to delete Subsection (d) to eliminate duplication and avoid conflict with Federal regulations. Subsection (d) states, “The staff of the facility shall be trained and involved in the implementation of the policies and procedures.” Commenters disagree that the provisions are not duplicative of Federal requirements. A commenter asserts that while the Federal provision requires that staff be educated on residents’ rights and care requirements, the language that would be deleted requires that staff be trained and involved in the implementation of the *facility’s policies and procedures regarding* the rights and responsibilities of residents. (Emphasis added.) We ask the Department to clarify whether the existing regulation requires more involvement of staff in policies and procedures than the Federal regulation, and, if so, how the final regulation protects the public health, safety, and welfare by lessening staff involvement.

To eliminate duplication and avoid conflict with Federal requirements, the Department proposes to delete existing Subsection (e) which states,

The resident or if the resident is not competent, the resident’s responsible person, shall be informed verbally and in writing prior to, or at the time of admission, of services available in the facility and of charges covered and not covered by the per diem rate of the facility. If changes in the charges occur during the resident’s stay, *the resident shall be advised verbally and in writing reasonably in advance of the change. “Reasonably in advance” shall be interpreted to be 30 days unless circumstances dictate otherwise.* If a facility requires a security deposit, the written procedure or contract that is given to the resident or resident’s responsible person shall indicate how the deposit will be used and the terms for the return of the money. *A security deposit is not permitted for a resident receiving Medical Assistance (MA).* (Emphasis added.)

Commenters oppose the complete deletion of this provision. One commenter notes that the Federal regulation

only requires facilities to inform a resident before changes in charges, without requiring the resident to be informed verbally and in writing. The commenter also notes that the Federal regulations only address changes due to charges not being covered by Medicare or MA. The commenter further opposes the removal of the requirement of at least 30 days advance notice. Another commenter states that the explicit prohibition against security deposits from residents receiving MA does not appear in the Federal requirement referenced by the Department. We ask the Department to explain how the deletion of these provisions related to notice and security deposits are reasonable and protect the public health, safety, and welfare.

The Department proposes to delete from Subsection (g) the following sentence: “Unless the discharge is initiated by the resident or resident’s responsible person, the facility is responsible to assure that appropriate arrangements are made for a safe and orderly transfer and that the resident is transferred to an appropriate place that is capable of meeting the resident’s needs.” Commenters oppose this deletion, emphasizing the protection afforded by the requirement that “the resident is transferred to an appropriate place that is capable of meeting the resident’s needs.” One commenter asserts that while the transfer/discharge Federal regulation cited in the Preamble addresses the situation where a resident is transferred to another nursing facility, the Federal regulation does not address transfers to other settings. The commenter explains that the language existing in Subsection (g) is the clearest protection for residents of long-term care nursing facilities against being transferred to non-nursing facility settings where their needs will not be met. How will the final regulation protect residents from transfers to settings where their needs cannot be met? We ask the Department to explain the reasonableness of removing this provision and how the final regulation protects the public health, safety, and welfare related to transfers.

To eliminate duplication and avoid conflict with Federal regulations, the Department proposes to delete Subsection (i) which states:

The resident shall be *encouraged and assisted* throughout the period of stay to exercise rights as a resident and as a citizen and may voice grievances and recommend changes in policies and services to the facility staff or to outside representatives of the resident’s choice. The resident or resident’s responsible person shall be made aware of the Department’s Hot Line (800) 254-5164, the telephone number of the Long-Term Care Ombudsman Program located within the Local Area Agency on Aging, and the telephone number of the local Legal Services Program to which the resident may address grievances. *A facility is required to post this information in a prominent location and in a large print easy to read format.* (Emphasis added.)

Commenters oppose this deletion, stating that the existing language contains several elements which are not present in the analogous Federal regulation, including the requirement that a resident “be encouraged and assisted” to exercise rights as a resident and a citizen. Commenters note further that the Federal regulation does not require that the telephone number of the local legal services program be provided to residents and posted, nor does it require that the information be physically posted in a prominent location and in large print. One commenter emphasizes that posting this information is important for residents to exercise their rights

and contact outside advocates for assistance when their rights are being violated. We ask the Department to explain how the final regulation protects the public health, safety, and welfare without these provisions regarding assistance with and notice for exercising rights.

Subsection (m) states, “The resident rights in this section shall be reflected in the policies and procedures of the facility.” The Department states in the Preamble that it proposes to delete Subsection (m) because existing Subsection (a) addresses the requirement that a facility have policies and procedures related to resident rights. A commenter notes, however, that Subsection (a) does not require that a facility’s policies and procedures reflect the residents’ rights provided for in this section, only that policies regarding rights be developed and adhered to. We ask the Department to explain how deletion of the requirement for a facility’s policies and procedures to reflect a resident’s rights *as provided for in this section* is reasonable and protects the public health, safety, and welfare. (Emphasis added.)

The Department proposes to delete a portion of Subsection (n) to eliminate duplication and avoid conflict with the Federal requirements. The language to be deleted states, “The facility shall on admission provide a resident or resident’s responsible person with a personal copy of the notice. In the case of a resident who cannot read, write or understand English, arrangements shall be made to ensure that this policy is fully communicated to the resident.” A commenter opposes this deletion, stating that “residents must be provided a copy of their rights and facilities must make accommodations for [Limited English Proficiency] or low-literacy individuals.” We ask the Department to explain how this provision in the final regulation protects the public health, safety, and welfare related to providing notice, particularly to a resident who cannot understand English.

**10. Section 201.30. [Access requirements] (Reserved).—Protection of the public health, safety, and welfare; Reasonableness.**

The Department proposes to delete this section to eliminate duplication and avoid conflict with Federal regulations. Subsection (a) states,

The facility may limit access to a resident when the interdisciplinary care team has determined it may be a detriment to the care and well-being of the resident in the facility. The facility may not restrict the right of the resident to have legal representation or to visit with the representatives of the Department of Aging Ombudsman Program. A facility may not question an attorney representing the resident or representatives of the Department, or the Department of Aging Ombudsman Program, as to the reason for visiting or otherwise communicating with the resident.

Subsection (b) states:

A person entering a facility who has not been invited by a resident or a resident’s responsible persons shall promptly advise the administrator or other available agent of the facility of that person’s presence. The person may not enter the living area of a resident without identifying himself to the resident and without receiving the resident’s permission to enter.

Several commenters oppose these deletions. Related to Subsection (a), a commenter notes that while the Federal regulations specify the resident’s right to visitors, this provision provides more detail to prohibit the facility from interfering with access by others. Another commenter emphasizes that the existing prohibition on the facility

questioning an attorney, ombudsman staff, or agency representatives about the reason for visiting a resident is not included in the Federal regulations. Related to Subsection (b), a commenter states that the requirement that a person not enter the living area of a resident without identifying themselves to the resident and receiving permission to enter is not included in the Federal regulations. We ask the Department to explain the reasonableness of not providing in the final regulation for the protection of a resident's right to visitors and control over who enters the living area, and how the final regulation protects the public health, safety, and welfare related to a resident's right to visitors and control over who enters the living area.

**11. Section 201.31. [Transfer agreement] (Reserved).—Protection of the public health, safety, and welfare; Reasonableness.**

The Department proposes to delete this section to eliminate duplication and avoid conflict with the Federal requirements. Subsection (a) states,

The facility shall have in effect a transfer agreement with one or more hospitals, located reasonably close by, which provides the basis for effective working arrangements between the two health care facilities. Under the agreement, inpatient hospital care or other hospital services shall be promptly available to the facility's residents when needed.

Subsection (b) states,

A transfer agreement between a hospital and a facility shall be in writing and specifically provide for the exchange of medical and other information necessary to the appropriate care and treatment of the residents to be transferred. The agreement shall further provide for the transfer of residents' personal effects, particularly money and valuables, as well as the transfer of information related to these items when necessary.

Commenters object to the deletion of this section. One commenter explains that the Federal regulations provide that a nursing facility shall be considered to have a transfer agreement in effect if it attempts in good faith to enter an agreement with a hospital sufficiently close to make transfer feasible. The commenter asserts that it is unacceptable for a nursing facility to lack an agreement permitting it to transfer its residents for hospital care when needed, even if the nursing facility has tried in good faith but failed to obtain such an agreement. The commenter argues that the current provision, which requires there to be a transfer agreement without exception, should be retained in order to protect residents of long-term care nursing facilities. If these provisions are removed from the final regulation, we ask the Department to explain how the final regulation will protect the public health, safety, and welfare in the event of the need to transfer a resident to a hospital without a transfer agreement in effect.

**CHAPTER 207. HOUSEKEEPING AND MAINTENANCE STANDARDS FOR LONG-TERM CARE NURSING FACILITIES**

**HOUSEKEEPING AND MAINTENANCE**

**12. Section 207.2. [Administrator's responsibility] (Reserved).—Protection of the public health, safety, and welfare; Reasonableness.**

The Department states in the Preamble that it proposes to delete Subsection (b) as this provision is "outdated." Subsection (b) states, "Nursing personnel may not

be assigned housekeeping duties that are normally assigned to housekeeping personnel." The Preamble states, "In recent years, there has been a shift in the long-term care nursing environment to providing residents with a more homelike environment. Residents being cared for at home would not typically have services provided by multiple people. Prohibiting nursing services personnel from performing any housekeeping duties can contribute to residents feeling as though they are institutionalized regardless of what their environment looks like." Commenters oppose this deletion. A commenter states that "it is not clear how having nursing personnel performing housekeeping tasks would make an environment more homelike. Nursing personnel, who are often understaffed relative to residents' nursing needs, are needed to provide nursing care and should not be diverted to performing housekeeping tasks." Given the numerous comments received on the existing staffing shortage (addressed in Comment # 18), we, too, question the reasonableness of expanding the duties of nursing personnel to include housekeeping duties. We ask the Department to explain how adding housekeeping duties to nursing personnel in the final regulation is reasonable and protects the public health, safety, and welfare.

**CHAPTER 209. FIRE PROTECTION AND SAFETY PROGRAMS FOR LONG-TERM CARE NURSING FACILITIES**

**FIRE PROTECTION AND SAFETY**

**13. Section 209.3. [Smoking] (Reserved).—Protection of the public health, safety, and welfare.**

The Department proposes to delete this section related to smoking to eliminate duplication and avoid conflict with Federal requirements. Commenters object to the proposed deletion of this section because there are several aspects of the existing language which are not included in the Federal regulations, including the requirement in Subsection (a) that smoking policies be posted in a conspicuous place and legible format, and the requirement in Subsection (c) that adequate supervision while smoking be provided for residents who need it. We ask the Department to explain how the final regulation protects the public health, safety, and welfare by not providing requirements related to the posting of smoking policies and a requirement for adequate supervision for residents while smoking.

**CHAPTER 211. PROGRAM STANDARDS FOR LONG-TERM CARE NURSING FACILITIES**

**14. Section 211.2. Medical director.—Protection of the public health, safety, and welfare; Clarity; Implementation.**

While commenters generally support the changes to this section, some commenters express concerns related to the Department's proposal to delete a portion of Subsection (c). The Department proposes to delete a provision which states that a medical director may "serve on a full- or part-time basis depending on the needs of the residents and the facility." Commenters raise concerns that the Federal regulation permits a medical director to serve on a consultant basis and does not include the provision requiring the consideration of resident and facility needs in deciding the level of medical director presence. The commenter asserts that the existing provision is not duplicative of the Federal requirement, and, that by deferring to the Federal provision, the Department would lower the standard for medical director coverage in Pennsylvania. We ask the Department to explain how permitting a medical director to serve on a consultant

basis protects the public health, safety, and welfare, particularly without the qualifying provision that the needs of the residents and facility serve as the basis for the amount of time that a medical director is present.

Further, we have two questions related to the new annual training requirement under Subsection (c) which requires that a medical director shall complete at least four hours annually of continuing medical education. How will this provision be implemented? For example, who will monitor whether the training is completed? We ask the Department to clarify in the final regulation how this training provision will be implemented and monitored for compliance.

**15. Section 211.3. Verbal and telephone orders.—Need; Reasonableness.**

The Department is proposing to merge portions of existing Subsections (b) and (c) to require verbal and telephone orders for care, treatment, or medication to be dated and countersigned with the original signature of the physician or physician's delegee within 48 hours of receipt of the order, whereas currently only orders for medications must be dated and countersigned within 48 hours. The current timeframe for orders for care and treatment to be dated and countersigned with the original signature of the physician or physician's delegee is seven days. Commenters are concerned that this change will be challenging for many long-term care nursing facilities and may be unreasonable. The Department states in the Preamble that it is imperative that orders be signed within 48 hours to ensure that the orders are correct, especially in cases where the medical issue that is being addressed is urgent. While we agree regarding the importance of accuracy of orders, we ask the Department to further explain the need for such a seemingly significant change. Is the Department aware of an existing problem that this amendment addresses? Does the Department have data to support the need for this change? We ask the Department to explain the reasonableness of the timeframe in which a signature must be obtained for verbal and telephone orders in the final regulation.

**16. Section 211.6. Dietary services.—Protection of public health, safety, and welfare; Need.**

The Department proposes to delete Subsection (b), which currently requires there to be at least three days' supply of food available in storage in the facility at all times. The Department states in the Preamble, "Requiring a facility to have food on hand for a specific number of days could result in a cost and waste to the facility. Instead, facilities should utilize the emergency plan developed." A commenter disagrees, asserting that the existing provision is not wasteful, and that it would be shortsighted to remove a minimally protective requirement for that reason. What are the minimum number of days' supply of food available in storage in the facility provided for in an emergency plan? We ask the Department to explain the need for and reasonableness of this proposal in the Preamble to the final regulation. Also, we ask the Department to explain how the final regulation protects the public health, safety, and welfare related to having a sufficient food supply available in the facility at all times.

The Department proposes to delete Subsection (d) to eliminate duplication and avoid conflict with Federal requirements. The language to be deleted states, in part, "If consultant dietary services are used, the consultant's visits shall be at appropriate times and of sufficient duration and frequency to provide... resident counseling..." A commenter notes that resident counseling is not

included in the Federal regulations. Is the Department reducing the standard of care for residents by eliminating this provision? We ask the Department to explain how the final regulation protects the public health, safety, and welfare related to resident counseling by a dietary consultant.

**17. Section 211.8. Use of restraints.—Protection of the public health, safety, and welfare; Clarity and lack of ambiguity.**

The Department proposes to delete Subsection (c) related to use of restraints, and offers new language in Subsection (c.1). Existing Subsection (c) states:

Physical restraints shall be removed at least 10 minutes out of every 2 hours during the normal waking hours to allow the resident an opportunity to move and exercise. Except during the usual sleeping hours, the resident's position shall be changed at least every 2 hours. During sleeping hours, the position shall be changed as indicated by the resident's needs.

The Department is deleting the language out of concern that setting forth a requirement in regulation for the removal of restraints for a specified period of time could result in a facility complying only with the minimum standard for removal, rather than considering the health and safety of the particular individual that is being restrained. We note that the deleted language sets finite standards of compliance, whereas proposed Subsection (c.1) states, "If restraints are used, a facility shall ensure that *appropriate* interventions are in place to safely and adequately respond to resident needs." (Emphasis added.) The term "appropriate" is ambiguous and non-regulatory language. Who will determine whether an intervention is appropriate and protective of the residents? We ask the Department to ensure that the final regulation sets standards of compliance related to the use of restraints that are clear, enforceable, lack ambiguity, and protect the public health, safety, and welfare.

**18. Section 211.12. Nursing services.—Protection of the public health, safety, and welfare; Need; Reasonableness.**

The Department proposes to delete Subsections (b) and (e) to eliminate duplication and avoid conflict with Federal requirements. The language to be deleted in Subsection (b) states, "There shall be a full-time director of nursing services who shall be a qualified licensed registered nurse [(RN)]." The language to be deleted in Subsection (e) states, "The facility shall designate [an RN] who is responsible for overseeing total nursing activities within the facility on each tour of duty each day of the week." A commenter objects to the elimination of these subsections, noting that these requirements are mandatory under Pennsylvania's current regulations but may be waived under the Federal regulations. The commenter further notes that the Federal requirement is only for a licensed nurse, while the existing provision requires an RN. What is the impact if either of these provisions would be waived under the Federal requirements? And what is the impact of having an RN versus a licensed nurse designated as responsible for overseeing total nursing activities within the facility? We ask the Department to explain how the deletion of provisions related to qualifications for a full-time director of nursing services and designating an RN to be responsible for overseeing total nursing activities within a facility protects the public health, safety, and welfare.

Subsection (f.1) proposes minimum staffing ratios for RNs, licensed practical nurses (LPNs), and nurse aides.

While some commenters support the proposed staffing ratios, others express concerns, including the following:

- “. . .the result will not be improved quality of care or improved work environment for the staff; instead, it will be the closure or the sale of high-quality nursing facilities.” (PHCA)

- “. . .what is being proposed by the [Department] is not reasonable and will be excessively burdensome, if not impossible to achieve. . .in a small community like ours, there is not a pool of [RNs] or [LPNs] out there waiting to be hired.” (Garvey Manor & Our Lady of the Alleghenies Residence)

- “The requirements will compel many providers to either implement or increase the use of agency staffing, which will impact the continuity of care our vulnerable seniors receive.” (Concordia Lutheran Ministries)

- “The proposed staffing requirements will place an even greater challenge on providers who are already doing everything they can to recruit staff to fill vacant positions. Staffing challenges are wide spread throughout our state and [continue] to be a huge concern among senior living communities.” (Asbury Springhill)

- “. . .the labor shortage is causing long-term care providers to reduce the number of individuals they can serve and halting new admissions to those who need the care the most.” (LeadingAge PA)

- “By prescribing standardized nursing ratios, local hiring and staffing patterns aren’t able to be taken into consideration. This could disproportionately impact rural and underserved areas where the services are vital to the community.” (Warren County Rouse Home)

Furthermore, in new Subsection (i.1), the Department proposes to add a requirement that only direct resident care provided by nursing service personnel be counted towards the total number of hours of general nursing care required under Subsection (i). Subsection (i) currently states, “A minimum number of general nursing care hours shall be provided for each 24-hour period. The total number of hours of general nursing care provided during each shift in each 24-hour period shall, when totaled for the entire facility, be a minimum of 2.7 hours of direct resident care for each resident.” The Department has proposed to amend Subsection (i) in the first regulatory package to change the minimum number of direct care resident hours, per day, from 2.7 to 4.1.

Under the new requirement in Subsection (i.1), only direct care provided to residents by RNs, LPNs, and nurse aides would count toward the number of direct care hours under Subsection (i). Subsection (i.1) goes above and beyond the Federal requirements for direct care staffing, as the Federal requirements contemplate that direct care may be provided by additional individuals, including therapists. In response to RAF Question # 11, the Department states that the proposed increase in staffing ratios will require:

- The six facilities operated by the Department of Military and Veterans Affairs to employ an additional 166 RNs, 83 LPNs, and 43 nurse aides;

- The 20 county-owned facilities to hire 184 Full Time Equivalent (FTE) RNs but no LPNs, and 539 FTE nurse aides;

- The 594 privately-owned facilities to hire 2,374 FTE RNs, 26 FTE LPNs, and 5,988 FTE nurse aides;

- The 62 facilities that participate only in Medicare to hire 258 FTE RNs, three FTE LPNs, and 659 nurse aides; and

- The three private-pay facilities to hire three FTE RNs, no LPNs, and eight nurse aides.

Given the Department’s deferral to Federal requirements throughout this regulation, we ask the Department to explain why the Federal requirements are not sufficient related to who provides direct care. Also, given the level of concern from commenters related to the shortage of qualified staff, we ask the Department to explain the need for and reasonableness of staffing ratios that are more stringent than the Federal regulations.

**19. Section 211.15. [Dental services] (Reserved).—Protection of the public health, safety, and welfare.**

The Department proposes to delete this section to eliminate duplication and avoid conflict with Federal regulations. Subsection (b) states that a facility “shall make provisions to assure that resident dentures are retained by the resident. Dentures shall be marked for each resident.” A commenter states that this provision is an added protection and not duplicative of Federal regulations. Will the deletion of this provision reduce existing protections for residents of long-term care nursing facilities? We ask the Department to explain how the removal of this provision related to dental services protects the public health, safety, and welfare of residents in long-term care nursing facilities.

**20. Section 211.16. Social services.—Feasibility; Reasonableness; Implementation.**

The Department states in the Preamble that amendments to Subsection (a) require that all facilities have a full-time qualified social worker, regardless of size. While several commenters support this proposal, one commenter is concerned that this new requirement will be difficult for smaller long-term care nursing facilities to meet, particularly if the facility is in a remote/rural area. The Department states in response to RAF Question # 11 that an estimated 81 long-term care facilities reported in fiscal year 2019-2020 that they did not have either a full- or part-time social worker. What alternatives did the Department consider to assist rural and small facilities with implementation of this requirement? If the provision is retained in the final regulation, we ask the Department to explain the reasonableness and feasibility of requiring a full-time qualified social worker for all long-term care nursing facilities regardless of size.

**21. RAF.—Fiscal impacts.**

We appreciate the Department’s attempt to estimate the fiscal impacts of the proposed regulation on long-term care nursing facilities. A commenter states that the Department ignores the potential impacts on small businesses. The commenter asserts that the three private-pay facilities are likely to be considered small businesses, and failing to consider the significant impact on these facilities seems to be an egregious omission. Throughout the RAF, the Department states that “any costs to these three facilities are outweighed by the need for consistency in the application of standards to all long-term care nursing facilities, regardless of whether they participate in Medicare or MA.” We ask the Department to address the fiscal impacts on small businesses in the Preamble and RAF to the final regulation.

Additionally, a commenter points out that the inflation rate is higher than the five percent inflation rate used in the estimate, and believes that it would be appropriate for the Department to provide updated estimates. We ask

the Department to revise the Preamble and RAF to reflect a more current inflation rate for the final regulation.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 22-1182. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

Chubb European Group SE has applied for designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on August 25, 2021, for coverage year 2022 and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1183. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

Chubb Tempest Reinsurance Limited has applied for designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on July 9, 2021, for coverage year 2022 and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insur-

ance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1184. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

Equator Reinsurances Limited has applied for designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on October 25, 2021, for coverage year 2022 and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Douglas Coleman, Financial Analysis Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, doucoleman@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1185. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

QBE Blue Ocean Re Limited has applied for designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on October 25, 2021, for coverage year 2022 and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Douglas Coleman, Financial Analysis Division, Insurance

Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, douccoleman@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1186. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Qualisha Keion Benson; Order to Show Cause; Doc. No. SC22-05-025

The proceedings in this matter will be governed by 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) except as modified by order.

A prehearing telephone conference initiated by this office is scheduled for September 9, 2022, at 10 a.m. Each party will provide the Hearings Administrator a telephone number to be used for the telephone conference on or before September 7, 2022. A hearing will occur on October 6, 2022, at 9:30 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before August 26, 2022, with the Administrative Hearings Office. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, will be electronically filed on or before September 7, 2022.

Persons with a disability who wish to attend the previously-referenced administrative proceedings and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1187. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Genworth Life Insurance Company; Rate Increase Filing for LTC Form 7032 (GEFA-133237758); Rate Filing

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 76.5% on 24 policyholders with individual LTC policy form 7032. This filing applies to policies issued after September 15, 2002.

Unless formal administrative action is taken prior to October 21, 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 word "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. 22-1188. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Genworth Life Insurance Company; Rate Increase Filing for LTC Form 7035 (GEFA-133338038); Rate Filing

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 98.6% on 3,841 policyholders with individual LTC policy form 7035. This filing applies to policies issued after September 15, 2002.

Unless formal administrative action is taken prior to October 21, 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. 22-1189. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Genworth Life Insurance Company; Rate Increase Filing for LTC Form 7035 (GEFA-133338100); Rate Filing

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 117.1% on 2,154 policyholders with individual LTC policy form 7035. This filing applies to policies issued prior to September 16, 2002.

Unless formal administrative action is taken prior to October 21, 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. 22-1190. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Genworth Life Insurance Company; Rate Increase Filing for LTC Forms 7030 and 7032 (GEFA-133237762); Rate Filing

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 99.0% on 3,175 policyholders with individual LTC policy forms 7030 and 7032. This filing applies to policies issued prior to September 16, 2002.

Unless formal administrative action is taken prior to October 21, 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. 22-1191. Filed for public inspection August 5, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Physicians Mutual Insurance Company; Rate Increase Filing for LTC Forms P103 and P104 (PHYS-133317092); Rate Filing

Physicians Mutual Insurance Company is requesting approval to increase the premium an aggregate 18% on 99 policyholders with individual LTC policy forms P103 and P104.

Unless formal administrative action is taken prior to October 21, 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. 22-1192. Filed for public inspection August 5, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### General Rule Transaction

**A-2022-3034019. American Broadband and Telecommunications Company.** Application for approval of a pro forma transaction on behalf of American Broadband and Telecommunications Company for approval to undertake a pro forma intra-corporate internal reorganization transaction that will result in a change of American Broadband and Telecommunications Company's indirect holding company, but not its ultimate owner, Jeffrey Ansted.

The application was filed as a pro forma transaction under 52 Pa. Code § 63.325(a) (relating to Commission approval of a pro forma transaction subject to 66 Pa.C.S. §§ 1102(a)(3) and 1103). However, it has been determined that the intra-company change of ownership results in the transfer of 100% of the membership interests of American Broadband and Telecommunications Company to a newly created corporate entity, American Broadband and Telecommunications Company Holdings, Inc. Under the regulations in 52 Pa. Code § 63.324(a) (relating to Commission approval of a general rule transaction subject to 66 Pa.C.S. §§ 1102(a)(3) and 1103), a transaction that results in the transfer of 20% or more of the assets or of the direct or indirect control of an applicant is a general rule transaction. The Pennsylvania Public Utility Commission (Commission) therefore reclassifies the application as a general rule transaction per 52 Pa. Code § 63.325(b).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before August 22, 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 for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* American Broadband and Telecommunications Company

*Through and By Counsel:* John J. Heitmann, Debra McGuire Mercer, Nelson Mullins Riley & Scarborough, LLP, 101 Constitution Avenue, NW, Suite 900, Washington, DC 20001, (202) 689-2945, john.heitmann@nelsonmullins.com, debra.mercer@nelsonmullins.com

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 22-1193. Filed for public inspection August 5, 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 August 22, 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 August 22, 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-2022-3032899. Steve's Transportation Service, LLC** (217 North Hopple Hollow Road, Loganton, Clinton County, PA 17747) to transport by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Clinton and Lycoming Counties, to points in Pennsylvania, and return.

**A-2022-3033562. Martha J. Martin** (P.O. Box 149, Terre Hill, Lancaster County, PA 17581) 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 Lancaster County, to points in Pennsylvania, and return.

**A-2022-3033571. Roxannes Transportation & Hauling, LLC** (4283 White Deer Pike, New Columbia, Union County, PA 17856) 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 Counties of Lycoming, Northumberland and Union, to points in Pennsylvania, and return. *Attorney:* John A. Smay, Williams and Smay, 39 South Main Street, P.O. Box 35, Muncy, PA 17756-0035.

**A-2022-3033749. Parminder Singh Chatha** (702 Steinman Drive, Lancaster, Lancaster County, PA 17603) persons upon call or demand, in Lancaster County. *Attorney:* Ali M. Audi, 20 Briarcrest Square, Suite 206, Hershey, PA 17033.

#### **Applications 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 each application.***

**A-2022-3033551. Jordan R. Dietrich** (120 Cleveland Street, Kittanning, Armstrong County, PA 16201) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, limited to transporting pianos, between points in Pennsylvania.

**A-2022-3033917. New Generation Moving, LLC** (9 Kiltie Drive, Penn Hills, Allegheny County, PA 15235) for the right to begin to transport, as a common carrier, by motor vehicle, 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-2022-3033746. E. S. Savage, Inc.** (P.O. Box 167, 221 Island Street (Rear), Hamburg, Berks County, PA 19526) partial discontinuance of the rights, authorized at A-00101598. Carrier is discontinuing right No. 29 of the original ordering paragraph which states: to transport, as a Class D carrier, household goods in use between points in the Borough of Hamburg, Berks County, and within an airline distance of 10 miles of the center of said borough; and right No. 30 of the original ordering paragraph which states: to transport as a Class D carrier, household goods in use from points in the Borough of Hamburg, Berks County, and within an airline distance of 10 miles of the center of said borough to other 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-2022-3034030. Clarence L. Hess** (693 Truce Road, Quarryville, Lancaster County, PA 17566) for the discontinuance and cancellation of its right, 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, as originally docketed at A-2008-2013855.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 22-1194. Filed for public inspection August 5, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer Indirect Control

**A-2022-3034040. AMP Capital Investors International Holdings, Ltd., Everstream Solutions, LLC and DB Puma GIF II GP HoldCo, LLC.** Joint application of AMP Capital Investors International Holdings, Ltd., Everstream Solutions, LLC and DB Puma GIF II GP HoldCo, LLC for approval to transfer indirect control of Everstream Solutions, LLC to DB Puma GIF II GP Hold Co.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before August 22, 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 for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Joint Applicants:* AMP Capital Investors International Holdings, Ltd.; Everstream Solutions, LLC; DB Puma GIF II GP HoldCo, LLC

*Through and By:* Catherine Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921, (215) 963-5952, fax (215) 963-5001, [catherine.vasudevan@morganlewis.com](mailto:catherine.vasudevan@morganlewis.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1195. Filed for public inspection August 5, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer by Sale

**A-2022-3033960 and U-2022-3033961. PECO Energy Company.** Application of PECO Energy Company for approval of transfer by sale to Skippack Township of street lighting facilities located in Montgomery County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before August 22, 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 may submit the filing by overnight delivery to the Secretary, Pennsyl-

vania 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:* PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

*Through and By Counsel for:* Caroline S. Choi, Assistant General Counsel, PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699, (770) 910-3006, [Caroline.Choi@exeloncorp.com](mailto:Caroline.Choi@exeloncorp.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1196. Filed for public inspection August 5, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Wastewater Service

**A-2022-3033924 and G-2022-3033925. NextEra Water Pennsylvania, LLC.** In the matter of the application of NextEra Water Pennsylvania, LLC for all of the necessary authority, approvals and certificates of public convenience: (1) conferring upon NextEra Water Pennsylvania, LLC the status of a Pennsylvania wastewater public utility authorized to furnish and supply wastewater service to or for the public within this Commonwealth; (2) for the approval of affiliated interest agreements; (3) approval of the rules and regulations for the initial tariff of NextEra Water Pennsylvania, LLC; and (4) for any other approvals necessary in advance of the contemplated transaction.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before August 22, 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 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:* NextEra Water Pennsylvania, LLC, 6710 Spring Stuebner Road, Suite 709 PMB 1051, Spring, TX 77389

*Through and By Counsel for:* Dan Clearfield, Carl R. Shultz, Sarah C. Stoner, Eckert Seamans Cherin & Mellot, LLC, 213 Market Street, 8th Floor, Harrisburg,

PA 17101, (717) 237-7173, dclearfield@eckertseamans.com; cshultz@eckertseamans.com; sstoner@eckertseamans.com

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1197. Filed for public inspection August 5, 2022, 9:00 a.m.]

## 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 August 22, 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-22-07-05. Johary Taxi, LLC** (47 Lexington Avenue, Landowne, PA 19050): 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:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-22-07-06. Puran Taxi, LLC** (2535 South 7th Street, Philadelphia, PA 19148): 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.

**Doc. No. A-22-07-07. Feteh Transportation, Inc.** (2529 Island Avenue, P.O. Box 16960, Philadelphia, PA 19153): 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.

DENNIS WELDON,  
*Temporary Executive Director*

[Pa.B. Doc. No. 22-1198. Filed for public inspection August 5, 2022, 9:00 a.m.]

## STATE BOARD OF DENTISTRY

### Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Ashley M. Garcia Ruiz, Respondent; File No. 21-46-006703

*Notice to Ashley M. Garcia Ruiz:*

On March 17, 2022, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Dentistry, alleging that you have violated certain provisions of the Pennsylvania Dental Law, act of May 1, 1933, P.L. 216, No. 76 ("Act"), as amended, 63 P.S. §§ 120—130L; 63 Pa.C.S. Chapter 31 ("Chapter 31"). Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, provides for service of process upon you by publication.

#### Notice

Formal disciplinary action has been filed against you. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary  
Department of State  
2601 North Third Street  
P.O. Box 2649  
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

SHAWN CASEY, DMD,  
*Chairperson*

[Pa.B. Doc. No. 22-1199. Filed for public inspection August 5, 2022, 9:00 a.m.]





