

# PENNSYLVANIA BULLETIN

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for The Courts

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**Latest Pennsylvania Code Reporter  
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**No. 577, December 2022**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

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

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

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

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

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

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

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### Printing Format

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

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

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

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

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

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

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

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

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

### Fiscal Notes

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

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

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

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# List of Pa. Code Chapters Affected

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

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# THE GENERAL ASSEMBLY

## THE GENERAL ASSEMBLY

### Recent Actions during the 2022 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2022 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2022 General Acts of Regular Session Enacted—Act 099 through 166</b>					
099	Nov 3	H0103	PN3500	60 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—assault of law enforcement officer, assault by prisoner or life prisoner, sentences for second and subsequent offenses and sentences for offenses committed against law enforcement officer
100	Nov 3	H0121	PN3560	Immediately	Project 70 Lands—release of restrictions in multiple counties and related repeal
101	Nov 3	H0220	PN3617	Immediately*	Administrative Code of 1929—powers and duties, death review teams, imposing duties on the Department of Health and an editorial change
102	Nov 3	H0284	PN0282	60 days	Historical and Museums (37 Pa.C.S.)—omnibus amendments
103	Nov 3	H0324	PN0298	Immediately	First Class City Business Tax Reform Act—definitions
104	Nov 3	H0397	PN3603	Immediately*	Health and Safety (35 Pa.C.S.)—omnibus amendments
105	Nov 3	H0668	PN0629	60 days	Surface Mining Conservation and Reclamation Act—Mining and Reclamation Advisory Board
106	Nov 3	H0875	PN2904	180 days	Domestic Relations (23 Pa.C.S.)—decree of court
107	Nov 3	H0987	PN1000	60 days	Vehicle Code (75 Pa.C.S.)—suspension of operating privilege
108	Nov 3	H1059	PN3613	Immediately*	Tax Reform Code of 1971—omnibus amendments
109	Nov 3	H1103	PN1140	60 days	Self-Service Storage Facility Act—owner's lien, enforcement of lien, notice, advertisement of sale and location of sale
110	Nov 3	H1328	PN2641	60 days	CPA Law—general powers of the board, requirements for issuance of certificate, peer review and unlawful acts
111	Nov 3	H1393	PN3253	60 days	Controlled Substance, Drug, Device and Cosmetic Act—definitions
112	Nov 3	H1486	PN3604	Immediately*	Transportation (74 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—omnibus amendments
113	Nov 3	H1571	PN2648	120 days	Vehicle Code (75 Pa.C.S.)—special plates for recipients of Air Medal
114	Nov 3	H1731	PN2953	Immediately	Greater Father Involvement Act—enactment
115	Nov 3	H1795	PN3585	180 days	Real and Personal Property (68 Pa.C.S.)—omnibus amendments
116	Nov 3	H1823	PN2370	Immediately	Historical and Museums (37 Pa.C.S.)—powers over certain historic property and Washington Crossing Historic Park

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
117	Nov 3	H1829	PN2072	60 days	Child Labor Act—work permit
118	Nov 3	H1866	PN3064	60 days	Judicial Code (42 Pa.C.S.) and Public Welfare (67 Pa.C.S.)—omnibus amendments
119	Nov 3	H1929	PN2197	60 days	Crimes Code (18 Pa.C.S.)—prohibited offensive weapons
120	Nov 3	H1958	PN3504	14 months	Vehicle Code (75 Pa.C.S.)—school, examination or hearing on accumulation of points or excessive speeding, driving while operating privilege is suspended or revoked and establishment of schools
121	Nov 3	H1988	PN3592	Immediately	Judicial Code (42 Pa.C.S.) and Municipalities (53 Pa.C.S.)—automatic certification by the Municipal Police Officers' Education and Training Commission
122	Nov 3	H2057	PN3299	60 days	Corporations and Unincorporated Associations (15 Pa.C.S.) and Names (54 Pa.C.S.)—omnibus amendments
123	Nov 3	H2079	PN3127	60 days	Pennsylvania Construction Code Act—exemptions
124	Nov 3	H2086	PN2972	60 days	Military and Veterans Code (51 Pa.C.S.)—operation of State-owned vehicles
125	Nov 3	H2209	PN2976	60 days	Real and Personal Property (68 Pa.C.S.)—legislative findings and purpose, board, powers, disposition of property and exemption from realty transfer tax
126	Nov 3	H2210	PN2575	60 days	Abandoned and Blighted Property Conservatorship Act—definitions
127	Nov 3	H2214	PN3065	90 days	Public Welfare (67 Pa.C.S.)—miscellaneous provisions and an editorial change
128	Nov 3	H2293	PN3344	Immediately	Health Care Facilities Act—temporary health care services agencies
129	Nov 3	H2361	PN2775	Immediately	Holidays and Observances (38 Pa.C.S.)—Women Veterans Day
130	Nov 3	H2398	PN3563	Immediately*	Vehicle Code (75 Pa.C.S.)—omnibus amendments
131	Nov 3	H2426	PN3507	60 days	Public Welfare (67 Pa.C.S.)—resource families, editorial changes and related repeals
132	Nov 3	H2447	PN2909	Immediately	Russia and Belarus Divestiture Act—enactment
133	Nov 3	H2458	PN2981	Immediately	Philadelphia LNG Export Task Force Act—enactment
134	Nov 3	H2525	PN3586	180 days	Crimes Code (18 Pa.C.S.)—crime victim right of access
135	Nov 3	H2527	PN3150	60 days	Controlled Substance, Drug, Device and Cosmetic Act—drug overdose medication
136	Nov 3	H2528	PN3606	60 days	Oil and Gas (58 Pa.C.S.)—omnibus amendments
137	Nov 3	H2538	PN3021	60 days	State Lottery Law—powers and duties of secretary
138	Nov 3	H2586	PN3100	60 days	Holidays and Observances (38 Pa.C.S.)—Tuskegee Airmen Commemoration Day

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
139	Nov 3	H2633	PN3593	Immediately	Athletics and Sports (5 Pa.C.S.)—extensively revising the Uniform Athlete Agents Act, intercollegiate athletics, making related and inconsistent repeals and an editorial change
140	Nov 3	H2637	PN3564	Immediately*	Multiple designations in multiple counties and a repeal—designation
141	Nov 3	H2648	PN3591	60 days	Administrative Code of 1929—omnibus amendments and a repeal
142	Nov 3	H2667	PN3226	Immediately	Banks and Banking (7 Pa.C.S.)—definitions
143	Nov 3	H2800	PN3436	Immediately	Medical Practice Act of 1985—prosthetists, orthotists, pedorthists and orthotic fitters
144	Nov 3	S0118	PN0089	60 days	Judicial Code (42 Pa.C.S.)—sexual offenses and tier system
145	Nov 3	S0153	PN0127	60 days	Vehicle Code (75 Pa.C.S.)—maximum gross weight of vehicles
146	Nov 3	S0225	PN2004	Immediately*	Insurance Company Law of 1921—omnibus amendments
147	Nov 3	S0317	PN0325	90 days	Expedited Partner Therapy Act—enactment
148	Nov 3	S0431	PN0451	60 days	Game and Wildlife Code (34 Pa.C.S.)—authorized license-issuing agents
149	Nov 3	S0439	PN0457	60 days	Recorder of Deeds Fee Law—county demolition funds
150	Nov 3	S0522	PN2009	60 days	Childhood Blood Lead Test Act—enactment
151	Nov 3	S0696	PN2007	180 days	Breach of Personal Information Notification Act—omnibus amendments
152	Nov 3	S0731	PN1169	60 days	Charitable Gift Annuity Exemption Act—definitions and exemption from regulation
153	Nov 3	S0806	PN2000	120 days	Oil and Gas Lease Act—definitions, payment information to interest owners and accumulation of proceeds from production
154	Nov 3	S0807	PN0989	60 days	Notaries Public (57 Pa.C.S.)—appointment and commission as notary public, qualifications and no immunity or benefit
155	Nov 3	S1027	PN1743	60 days	Child Labor Act—minors serving in volunteer emergency service organizations
156	Nov 3	S1083	PN1940	Immediately	Unemployment Compensation Law—omnibus amendments
157	Nov 3	S1123	PN1916	60 days	Vehicle Code (75 Pa.C.S.)—flashing or revolving yellow and white lights
158	Nov 3	S1152	PN2005	60 days	Overdose Mapping Act—enactment
159	Nov 3	S1173	PN1534	60 days	Dental Law—general powers of the State Board of Dentistry
160	Nov 3	S1194	PN1904	60 days	Military and Veterans Code (51 Pa.C.S.)—establishing the Military College Educational Assistance Program and editorial changes
161	Nov 3	S1199	PN1764	60 days	Port of Pittsburgh Commission Act—definitions, commission and governing body and editorial changes

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
162	Nov 3	S1201	PN1769	60 days	Insurance Company Law of 1921—coverage for refill of prescription eye drops
163	Nov 3	S1208	PN2006	120 days	Judicial Code (42 Pa.C.S.)—payment of court costs, restitution and fines and collection of court costs, restitution and fines by private collection agency
164	Nov 3	S1287	PN1814	60 days	Cosmetology Law—floor space
165	Nov 17	H1546	PN3569	90 days	Crimes Code (18 Pa.C.S.)—endangerment of public safety official
166	Nov 17	H2373	PN3612	Immediately	Administrative Code of 1929—transfer authority over Lieutenant Governor's Mansion
<b>2022 Vetoes of Regular Session of Bills—Veto 011 through 012</b>					
011	Nov 3	S0736	PN1938		Vehicle Code (75 Pa.C.S.)—definitions, use of farm vehicle plates, consolidating the Combustible and Flammable Liquids Act, regulations, emergency controls and electrical disconnects, and a related repeal
012	Nov 17	H0140	PN3601		Vehicle Code (75 Pa.C.S.)—additional parking regulations

\* denotes an effective date with exceptions

#### Effective Dates of Statutes

The effective dates specified for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective date of statutes).

#### Advance Copies of Statutes

Section 1106 of 1 Pa.C.S. (relating to prothonotaries to keep files of advance copies of statutes) provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available.

One-time purchases of the advance copies of statutes can be purchased through the State Bookstore's web site at [www.shoppaheritage.com](http://www.shoppaheritage.com).

VINCENT C. DeLIBERATO, Jr.,  
Director  
Legislative Reference Bureau

[Pa.B. Doc. No. 22-1927. Filed for public inspection December 16, 2022, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE ARCHITECTS LICENSURE BOARD

#### [ 49 PA. CODE CH. 9 ]

#### Digital Signature and Seal

The State Architects Licensure Board (Board) adds §§ 9.140 and 9.141a (relating to definitions; and digital signature and seal) and amends §§ 9.141, 9.145 and 9.146 (relating to requirement; surrender of seals and stamps; and loss or theft of seals), to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

Section 6(a) of the Architects Licensure Law (act) (63 P.S. § 34.6(a)) authorizes the Board to establish reasonable rules and regulations to carry out the provisions of the act. Further, section 12 of the act (63 P.S. § 34.12) provides the requirement that every architect utilize a seal approved by rules and regulations promulgated by the Board.

#### *Background and Need for this final-form Rulemaking*

Section 12(a) of the act requires each licensee to obtain a seal of a design authorized by the Board and to stamp all work product issued by the licensee with that seal. The Board has promulgated § 9.141 to set standards for licensee use of the seal, including the requirement at § 9.141(b)(2) that the licensee also sign the document. However, these regulations were developed when the seal was applied with a metal embosser or a rubber stamp; it was not contemplated that a seal or signature could be placed electronically through the personal use of computer technology by placing an image of the seal or signature on a document, and it was not contemplated that a document could be signed digitally other than by placing an image of the signature on the document. With this technology now available, the National Council of Examiners for Engineering and Surveying (NCEES), the National organization of engineering and land surveying licensing boards, has addressed its use in paragraph H of section 240.20 (relating to seal on documents) of its Model Rules at [https://ncees.org/wp-content/uploads/Model\\_Rules\\_2021\\_web.pdf](https://ncees.org/wp-content/uploads/Model_Rules_2021_web.pdf). Additionally, the Uniform Electronic Transactions Act (UETA) has been adopted by many states, including this Commonwealth. In this Commonwealth, UETA was enacted as the Electronic Transactions Act (73 P.S. §§ 2260.101—2260.5101). The Board adopts definitions and provisions consistent with the Electronic Transactions Act for these regulations. Other State agencies must comply with the Pennsylvania Electronic Transactions Act under section 303(a) of the Electronic Transactions Act (73 P.S. § 2260.303(a)) in that they may not deny the legal effect or enforceability of a seal solely because it is in electronic form.

This final-form rulemaking allows licensees to use digital signatures and seals to increase electronic commerce and electronic communications, increase electronic filing of documents, help establish uniformity of rules and standards regarding the authentication and integrity of electronic records and promote public confidence in the

integrity and reliability of electronic records. The Board believes that it is appropriate to amend its regulations to make it clear that licensees are permitted to take advantage of this technology and to set standards for its use.

#### *Summary of Comments to the Proposed Rulemaking; the Board's Response and Description of Amendments to this Final-form Rulemaking*

Notice of proposed rulemaking was published at 50 Pa.B. 4241 (August 22, 2020). Publication was followed by a 30-day public comment period. The Board did not receive any comments from the public, the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC), or the House Professional Licensure Committee (HPLC). The Independent Regulatory Review Committee (IRRC) reviewed the proposed rulemaking and provided comments and recommendations.

#### *Comments from IRRC*

First, IRRC suggested that the Board ensure that this final-form rulemaking is as uniform as possible with the similar regulations submitted by the Landscape Architect Board (16A-6112) and the State Registration Board for Professional Engineers, Land Surveyors and Geologists (16A-4712). The Landscape Architect Board and the State Registration Board for Professional Engineers, Land Surveyors and Geologists share the same board counsel as the State Architects Licensure Board, and each board meets on a regular basis. The boards have been reviewing this digital seal and signature regulation frequently to ensure that each board's regulation is consistent with the others to the extent possible, given the differing statutory and regulatory framework. The Board has reviewed and compared this final-form rulemaking with the final-form rulemakings of the other Boards and finds this final-form rulemaking to be consistent and clear for the regulated community.

Next, IRRC commented on § 9.140 and made recommendations to improve clarity in the definitions of "digital seal" and "digital signature." IRRC recommended changing the term "person" to "licensee or architect." In consideration of IRRC's comment, the Board revises the definitions of "digital seal" and "digital signature" by substituting the term "person" with "licensed architect" to make clear that the definitions relate to a licensed architect. IRRC also recommended that the definitions of "sole control" and "verification" be changed to include "signature and seal" to match the terms used in § 9.141a. The Board agrees with this suggestion and amends the definitions to include the "signature and seal" in both definitions.

IRRC recommended that the Board refer to architectural documents consistently throughout this final-form rulemaking. The Board uses a variety of terms to describe documents produced by architects, including the following terms: "architectural documents;" "drawings, reports and documents;" and "plans." For clarity and to improve consistency throughout this final-form rulemaking, in §§ 9.140, 9.141 and 9.141a, the Board amends this final-form rulemaking by using the term "architectural documents" instead of the more specific types of documents produced by architects. The Board also adds a definition for "architectural documents" to make it clear to the public what this term encompasses.

IRRC stated that § 9.141(a) requires licensees to obtain a seal authorized by the Board and asked if the Board's

intent was for the digital seal design and the Board-approved seal to be identical. Like all seals used by licensees, the digital seal must be identical to the design approved by the Board, as set forth in § 9.141(a) and as reflected in the Board's Seal Information Notice, which can be found on the Board's web site. To clarify this requirement, the Board amends § 9.141(a) by specifying that the seal design must be identical to the design authorized by the Board. IRRC also asked whether licensees are required to apply for a traditional (physical) seal before using a digital seal. Licensees are not required to apply for approval of a traditional or digital seal. Instead, licensees are required to obtain a seal that complies with the parameters set forth in § 9.141(a). To clarify this requirement, the Board amends § 9.141(a) to clearly state that a stamp design or digital seal identical to the prescribed seal may be obtained and used instead of, or in conjunction with, a metal seal. Thus, the Board's regulations require the licensee to obtain a seal but provide the licensee with the discretion to select the type of seal (for example, metal, stamp, digital).

IRRC also questioned how an electronic sound or process could satisfy the requirements of § 9.141(a). The Board agrees that an electronic sound or process does not satisfy the requirements of § 9.141(a). As such, the Board amends the definition of "digital seal" by changing "electronic sound, symbol or process" to "electronic image" to ensure that a digital seal includes an image of the licensee's name and license number and the legend "Registered Architect" together with a reference to the Commonwealth of Pennsylvania.

IRRC commented regarding § 9.141(b)(1), which states that an architect may use their seal and signature on work being sealed and signed by the architect or under the architect's "personal supervision, direction and control." IRRC suggested that the sentence should be changed to "sole control" to be consistent with the terminology used in § 9.140. The Board considered this suggestion and determined that requiring "sole control" in this instance is not necessary or appropriate. The term "control" in subsection (b)(1) is in reference to work that may be done by an individual under a licensed architect's personal supervision, direction and control. The definition of sole control in § 9.140 is not applicable here because it applies to where and when a licensee applies the signature and seal.

IRRC questioned the Board's intent regarding the amendment to § 9.141(b)(2), which allows the use of digital seals on all subsequent pages of plans. Upon consideration of IRRC's comment, the Board determined that further clarification was necessary. The Board's intent is to require a licensee to use a traditional metal seal or a digital seal on the first page of architectural documents. Accordingly, the Board amends § 9.141(b)(2) to require the seal on the first page of final or complete architectural documents to be impressed, stamped or digital. Section 9.141(b)(2) provides for either facsimile or digital seals on subsequent pages of architectural documents. Thus, a digital seal may appear on the first page and on all subsequent pages. In the alternative, a traditional seal may be used on the first page and either a facsimile or a digital seal may be used on the subsequent pages of architectural documents.

IRRC also asked how the Board intends to address violations with regard to digital seals and suggested that § 9.141(b)(4) raises questions as to the implementation of this regulation regarding violations. Under § 9.141(b)(4), an architect may not affix or permit a seal and signature

to be affixed to an architectural document if the architect's license has lapsed, or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of the act or the Board's regulations. This provision is applicable to both traditional and digital seals and signatures. Upon consideration of IRRC's comments, the Board amends § 9.145 to include requirements for the surrender of digital seals and signatures and provides that a licensee may obtain another digital seal and signature upon reinstatement of licensure. IRRC also questioned whether the proposed regulations sufficiently address an architect's responsibilities and obligations whose digital signature or seal is compromised or stolen. Under § 9.146, the Board currently requires a licensee to notify the Board of lost or stolen stamps and seals. When the Board is notified of lost or stolen stamps or seals, the license is monitored in case there is an influx of complaints regarding the quality of work. If this occurs, the Bureau of Enforcement and Investigation determines whether the initiation of an investigation is appropriate. To ensure that the regulations include responsibilities and obligations of an architect whose digital seal or signature is compromised, the Board amends § 9.146 to clarify that this section is also applicable to compromised digital seals and signatures.

IRRC also commented that NCEES Model Rule 240.20(H) contains the following sentence: "A digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in section H above." IRRC asked why the Board omitted this provision in § 9.141a. The Board submits that the requirements as outlined in §§ 9.141 and 9.141a are sufficient to convey the requirements for digital signatures and seals authentication process. Further, under § 9.151 (relating to standards of professional conduct), a licensee who fails to adhere to §§ 9.141 and 9.141a is subject to discipline. Given these provisions, the Board does not include this sentence because it does not think it is necessary to require Board approval of an electronic authentication process.

IRRC also asked that the Board amend § 9.141a(c) to include reference to digital seals. The Board agrees that digital seals should be included in this subsection and also clarifies that any hard copy printed from a transmitted electronic file shall bear the facsimile of the digital signature and seal.

IRRC commented that the preamble cites to the Digital Signature and Electronic Authentication Law, which was a bill that was not enacted. The reference to this bill is not included in this final-form rulemaking preamble.

For clarity and consistency, the Board also amends the regulations to remove a reference to gender in § 9.145. In doing so, the Board deletes the term "his" and replaces it with "the architect's."

#### *Fiscal Impact and Paperwork Requirements*

Because the use of digital signatures and seals are voluntary rather than mandatory, this final-form rulemaking will not have a fiscal impact on, or create additional paperwork for, the regulated community, the general public, or the Commonwealth and its political subdivisions that choose to continue utilizing a traditional seal and stamp. Licensees who decide to use digital seals and signatures will be required to utilize appropriate security software that meets the requirements for digital seals and signatures as set forth in §§ 9.141 and 9.141a. This software is available from a variety of vendors. Costs will vary from one vendor to another, and costs will also

vary depending on the number of individuals who will use a digital seal and signature within a firm. For example, according to DocuSign and Adobe, sole proprietor firms using digital seals and signatures and purchasing a user license will likely select a plan where the cost for a single user license is \$15 per month or \$165 per year, which allows 1 month at no charge. For the same vendors, firms with more than ten licensees using digital seals and signatures and purchasing user licenses for their licensees may be able to negotiate a lower fee, depending on the number of licensees, with a higher number of licensees paying a lower fee. Under both plans offered by this vendor, there is no limit on the number of digital seals or signatures that a licensee may use. The Board also anticipates that as the number of users of digital seals and signatures increases over time, it is likely that the costs of purchasing digital seal and signature technology will decrease.

However, the costs to those utilizing digital seals and signatures will be outweighed by the savings realized by individuals continuing to use a “wet signature.” According to Cadalyst (a reviewer of computer aided design software and hardware), the architecture, engineering and construction industry spends an estimated \$500 million or more each year moving plans from one discipline to another by way of courier services such as FedEx and UPS. One vendor of digital seals estimates that the average cost of toner, ink and paper costs \$.03 per page, and further states that costs are even greater for firms and organizations with multiple locations or field staff that need to submit formal reports or contracts. According to Oasis Systems (a provider of information technology, systems engineering, professional services and enterprise applications to Federal agencies), the average paper document is copied 9 times to 11 times at a cost of approximately \$18 and filed at a cost of approximately \$20, plus the added cost of storage, media, space, postage and distribution. Pitney Bowes estimates that the average cost of Fortune-500 paper documents is \$10 per document. Pfizer estimates the cost of one “wet signature” at \$30, including the time to track down the signer, plus storage and scanning costs.

#### *Sunset Date*

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

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 11, 2020, the Board submitted a copy of the notice of proposed rulemaking, published at 50 Pa.B. 4241 and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the HPLC and the SCP/PLC. A copy of this material is available to the public upon request.

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

Under section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)), on August 31, 2022, the Board delivered this final-form rulemaking to IRRC, the HPLC and the SCP/PLC. Under section 5.1(g)(3) and (j.2) of the Regulatory Review Act (71 P.S. § 745.5a(g)(3) and (j.2)), on October 19, 2022, the final-form rulemaking was deemed

approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 20, 2022, and approved the final-form rulemaking.

#### *Additional Information*

Additional information may be obtained by contacting Amanda Li, Administrator, State Architects Licensure Board, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-ARCHITECT@PA.GOV.

#### *Findings*

The Board finds that:

(1) Public notice of the proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law and no comments were received.

(3) This final-form rulemaking does not include any amendments that would enlarge the scope of the proposed rulemaking published at 50 Pa.B. 4241.

(4) This final-form rulemaking is necessary and appropriate for administration and enforcement of the act.

#### *Order*

The Board orders that:

(a) The regulations of the Board at 49 Pa. Code Chapter 9, are amended by adding §§ 9.140 and 9.141a and amending §§ 9.141, 9.145 and 9.146 to read as set forth in Annex A.

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

(c) The Board shall submit this final-form rulemaking to IRRC, the HPLC and the SCP/PLC for approval as required by law.

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

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

JERRY K. ROLLER, RA,  
*President*

(*Editor's Note:* See 52 Pa.B. 6941 (November 5, 2022) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 16A-4111 remains valid for the final adoption of the subject regulations.

#### **Annex A**

#### **TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

#### **PART I. DEPARTMENT OF STATE**

#### **Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

#### **CHAPTER 9. STATE ARCHITECTS LICENSURE BOARD**

#### **ARCHITECT'S SEAL OF LICENSURE**

#### **§ 9.140. Definitions.**

The following words and terms, when used in this section and §§ 9.141 and 9.141a (relating to requirement;



and digital signature and seal), have the following meanings, unless the context clearly indicates otherwise:

*Architectural documents*—Drawings, specifications and other design documents.

*Digital seal*—An electronic image attached to or logically associated with an architectural document and executed or adopted by a licensed architect with the intent to seal the architectural document.

*Digital signature*—An electronic sound, symbol or process attached to or logically associated with an architectural document and executed or adopted by a licensed architect with the intent to sign the architectural document.

*Electronic*—Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

*Handwritten signature*—The scripted name or legal mark of an individual, written by that individual and executed or adopted with the present intention to authenticate a writing in a permanent form.

*Sole control*—A situation in which only the licensee decides when and where the signature and seal are applied.

*Verification*—Confirmation that a signature and seal are actually from the licensee whose name and license number appears on the architectural document.

**§ 9.141. Requirement.**

(a) A licensee shall, upon licensure, obtain a seal, of the identical design authorized by the Board, bearing the licensee's name and license number and the legend, "Registered Architect" together with a reference to the Commonwealth of Pennsylvania. A stamp design or digital seal identical to the prescribed seal may be obtained and used in lieu of or in conjunction with, a metal seal.

(b) The following rules govern the proper use of an architect's seal:

(1) An architect may use the architect's seal and signature only when the work being sealed and signed was prepared by the architect or under the architect's personal supervision, direction and control.

(2) When an architect issues final or complete architectural documents to a client for the client's records, or when an architect submits final or complete architectural documents to public or governmental agencies for final review, the seal and signature of the architect who prepared or who personally supervised the preparation of the architectural documents, along with the date of issuance, shall be prominently displayed on the first page of all architectural documents. The seal on the first page of a final or complete architectural document shall be impressed, stamped or digital. Facsimile or digital seals shall appear on all subsequent pages of architectural documents.

(3) When an architect's signature is applied, it shall be applied near or across the seal, but not in a location that obliterates the license number.

(4) An architect may not affix or permit a seal and signature to be affixed to an architectural document if the architect's license has lapsed, or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of the act or this chapter.

(5) When a licensee seals and signs architectural documents one of the following methods must be used:

(i) Physical placement of a seal and a handwritten signature in permanent ink containing the name of the licensee.

(ii) Digital placement of a seal and a handwritten signature in permanent ink containing the name of the licensee.

(iii) Digital placement of a seal and a digital signature containing the name of the licensee.

**§ 9.141a. Digital signature and seal.**

(a) Architectural documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.

(4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

(b) Architectural documents that are sealed with a digital seal must have an electronic authentication process attached to or logically associated with the electronic document. The digital seal must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.

(4) Linked to a document in such a manner that the digital seal is invalidated if any data in the document is changed.

(c) A hard copy printed from the transmitted electronic file shall bear the facsimile of the digital signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Alterations to the file shall cause the signature and seal to be voided.

**§ 9.145. Surrender of seals and stamps; digital seal and signature.**

(a) *Metal seal and stamp.* If an architect voluntarily surrenders or is required to surrender the architect's seal and stamp to the Board, the surrender shall be made in person or by registered mail to the office of the Board. If the cause of the surrender is forfeiture or revocation, the seal or stamp, or both, will be destroyed by the Board. The destruction will be noted for the record in the file of the architect named on the seal or stamp, or both. If the cause of surrender is suspension, the seal or stamp will be held in security by the Board until the period of the suspension is concluded or the conditions of the suspension have been complied with to the satisfaction of the Board, or both.

(a.1) *Digital seal and signature.* If an architect is required to surrender a digital seal and signature to the Board, the surrender shall be made by providing a sworn, written affidavit to the Board confirming that the licensee's digital seal and signature has been cancelled. If the cause of surrender is suspension, when the period of the suspension is concluded or the conditions of the suspension have been complied with to the satisfaction of the Board, or both, the licensee may obtain another digital seal and signature upon reinstatement of licensure.

(b) *Death of architect.* Upon the death of an architect, written notice of the death shall be submitted to the

Board by the architect's personal representative. Upon receipt of the notice, the Board will declare the license number and the stamp or seal, or both, of the deceased architect void.

**§ 9.146. Loss or theft of seal; compromised digital signature and seal.**

(a) *Metal seal and digital seal.* An architect shall immediately notify the Board upon discovery that the architect's stamp or seal, or both, has been lost, stolen or compromised. Upon receipt of the notice, the Board will declare the lost, stolen or compromised stamp or seal void, and will authorize the issuance of a new registration number and the manufacture of a new stamp or seal. It is unlawful for a person to use the old stamp or seal.

(b) *Digital signature.* An architect shall immediately notify the Board upon discovery that the architect's digital signature has been compromised.

[Pa.B. Doc. No. 22-1928. Filed for public inspection December 16, 2022, 9:00 a.m.]

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF LANDSCAPE ARCHITECTS

#### [ 49 PA. CODE CH. 15 ]

#### Digital Signature and Seal

The State Board of Landscape Architects (Board) amends § 15.33 (relating to seals) and adds §§ 15.32a and 15.33a (relating to definitions; and digital signature and seal) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

Section 4(9) of the Landscape Architects' Registration Law (act) (63 P.S. § 904(9)) authorizes the Board to promulgate regulations, not inconsistent with the act, that it deems necessary and proper to carry into effect the powers conferred by the act. Section 9 of the act (63 P.S. § 909) requires each landscape architect registered under the act to obtain a seal of the design authorized by the Board.

#### *Background and Need for this Final-Form Rulemaking*

Section 9(a) of the act requires each registrant to obtain a seal of a design authorized by the Board and to stamp all work product issued by the registrant with that seal. The Board promulgated § 15.36(c) (relating to permitted practices), which requires a registrant to sign the documents which arise out of professional services. The Board has also promulgated § 15.33 to set standards for licensee use of the seal. However, these regulations were developed when the seal was applied with a metal embosser or a rubber stamp. It was not contemplated that a seal or signature could be placed electronically through the personal use of computer technology by placing an image of the seal or signature on a document and it was not contemplated that a document could be signed digitally other than by placing an image of the signature on the document. With this technology now available, the National Council of Examiners for Engineering and Surveying (NCEES), the National organiza-

tion of engineering and land surveying licensing boards, has addressed its use in paragraph H of section 240.20 (relating to seal on documents) of its Model Rules at [https://ncees.org/wp-content/uploads/Model\\_Rules\\_2021\\_web.pdf](https://ncees.org/wp-content/uploads/Model_Rules_2021_web.pdf). Additionally, the Uniform Electronic Transactions Act (UETA) has been adopted by many states, including this Commonwealth. In this Commonwealth, UETA was enacted as the Electronic Transactions Act (73 P.S. §§ 2260.101—2260.5101). The Board adopts definitions and provisions consistent with the Electronic Transactions Act for these regulations. Other State agencies must comply with the Pennsylvania Electronic Transactions Act under section 303(a) of the Electronic Transactions Act (73 P.S. § 2260.303(a)) in that they may not deny the legal effect or enforceability of a seal solely because it is in electronic form.

This final-form rulemaking will allow licensees to use digital signatures and seals to increase electronic commerce and electronic communications, increase electronic filing of documents, help establish uniformity of rules and standards regarding the authentication and integrity of electronic records and promote public confidence in the integrity and reliability of electronic records. The Board believes that it is appropriate to amend its regulations to make it clear that registrants are permitted to take advantage of this technology and to set standards for its use.

#### *Summary of Comments to the Proposed Rulemaking and the Board's Response*

Notice of proposed rulemaking was published at 50 Pa.B. 4243 (August 22, 2020). Publication was followed by a 30-day public comment period. The Board did not receive any comments from the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC), or the House Professional Licensure Committee (HPLC). The Board received one comment from the public. The Independent Regulatory Review Committee (IRRC) reviewed the proposed rulemaking and provided comments and recommendations.

#### *Comments from the public*

The Board received one comment from the public. The Pennsylvania-Delaware Chapter of the American Society of Landscape Architects commented in support of the proposed rulemaking but asked the Board to consider including criteria for software in this final-form rulemaking. The Board does not believe it is necessary to set forth specific criteria for software and instead, provides registrants with the ability to determine which software packages are best suited for their specific needs so long as they meet the regulatory requirements of § 15.33a.

#### *Comments from IRRC*

First, IRRC asked the Board to ensure that this final-form rulemaking is as uniform as possible with the similar final-form rulemakings submitted by the Architects Licensure Board (Architect Board) (16A-4111) and the State Registration Board for Professional Engineers, Land Surveyors and Geologists (Engineer Board) (16A-4712). The Architect Board and the Engineer Board share the same board counsel as the Landscape Architects Board, and each board meets on a regular basis. The boards have been reviewing this digital seal and signature regulation frequently to ensure that each board's final-form rulemaking is consistent with the others to the extent possible, given the differing statutory and regulatory framework. The Board has reviewed and compared this final-form rulemaking with the final-form rulemak-

ings of the other boards and finds this final-form rulemaking to be consistent and clear for the regulated community.

In this final-form rulemaking and the Engineer Board's final-form rulemakings, IRRC questioned how an electronic sound or process could satisfy the requirements of the digital seal and signature requirements. In reviewing this question, and in an effort to keep the final-form rulemakings among the boards consistent, the Board determined that it should revise the definition of digital seal. The Board agrees that an electronic sound or process does not satisfy the requirements of § 15.33. As such, the Board amends the definition of "digital seal" by changing "electronic sound, symbol or process" to "electronic image" to ensure that a digital seal includes an image of the licensee's name and license number and the legend "Registered Landscape Architect" together with a reference to Pennsylvania. In accordance with IRRC's suggestion to ensure that the regulations are as uniform as possible, the Board reviewed and compared the Architect Board regulations relating to loss or theft of seals. This Board does not have existing regulations relating to loss or theft of seals. Adding a new section to this final-form rulemaking package would go beyond the scope of the proposed rulemaking and would require more discussion, consideration and stakeholder outreach than the final-form rulemaking process allows. If the Board determines that a regulation is needed, it will propose it in a separate rulemaking.

IRRC commented on § 15.32a and made recommendations to improve clarity in the definitions of "digital seal" and "digital signature." IRRC recommended changing the term "person" to "licensee or registrant" within the definitions of "digital seal" and "digital signature." IRRC also recommended that the definitions of "sole control" and "verification" be changed to include "signature and seal" to match the terms used in § 15.33a(a) and (b). The Board agrees with IRRC's recommendations and makes the suggested changes.

In both the Architect Board and Engineer Board digital seal regulations, IRRC questioned if the intent was for the digital seal design and the Board-approved seal to be identical. Like all seals used by licensees, the digital seal must be identical to the design approved by the Board, as set forth in § 15.33. To clarify this requirement, the Board amends § 15.33(c) by specifying that the seal design must be identical to the design authorized by the Board.

IRRC questioned whether the requirements of § 15.33(c) apply to a digital seal and asked whether a digital seal is a facsimile of the seal authorized by the Board. Section 15.33(c) is applicable to digital seals. Digital seals are not the same as facsimiles of a seal. The Board notes that a digital seal is a digitally secure image of the seal used on a licensee's work product. A facsimile of the seal is a replication of the approved image of the Board-approved seal and is not digitally secure. IRRC also asked whether licensees are required to apply for a traditional (physical) seal before using a digital seal. Licensees are not required to apply for approval of a traditional seal. Instead, licensees are required to obtain a seal or stamp that complies with the parameters set forth in § 15.33. To clarify this requirement, the Board amends § 15.33(c) to clearly state that a stamp or digital seal identical to the prescribed seal may be obtained and used instead of, or in conjunction with, a metal seal. Thus, the Board's regulations require the licensee to obtain a seal but provide the licensee with the discretion

to select the type of seal (for example, metal, stamp, digital). Providing all design professionals in this Commonwealth with regulations that are as consistent as possible with respect to both traditional seals and digital seals will benefit not only the design professionals but also their clients in the public and private sectors. Providing consistency regarding all seals will help eliminate confusion among clients in the public and private sectors and those members of the public who may view documents prepared by design professionals.

IRRC commented regarding the requirement to obtain an authorized seal or stamp that aligns with the sample of the visual depiction of the seal in § 15.33(c). The approved seal must contain the licensee's name above the three stars within the seal and the registration number within the keystone of the seal. IRRC noted that the annex indicates that the seal must include a reference to the "Commonwealth of Pennsylvania," but the actual seal as seen in § 15.33(c) only requires a reference to "Pennsylvania." To clarify this requirement, the Board amends the language in Annex A to remove reference to "the Commonwealth of."

IRRC commented that NCEES Model Rule 240.20(H) states that a "digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in section H above." IRRC asked why the Board omitted this provision. The process outlined in §§ 15.33 and 15.33a contains the specific requirements for the digital signatures and seals authentication process. Further, under § 15.63 (relating to misconduct), a licensee who fails to adhere to §§ 15.33 and 15.33a is subject to discipline. Given these provisions, the Board does not include this sentence because it does not think it is necessary to reiterate that §§ 15.33 and 15.33a must be followed to meet the criteria for a valid digital signature and seal. IRRC also asked why the Board, in § 15.33a(c), did not include digital seal in reference to alterations to an electronic file. The Board agrees with IRRC and makes this amendment. The Board also clarifies that any alterations to a file will cause both the signature and seal to be voided.

IRRC asked that the numbers in RAF questions 15, 20, 21 and 23 be updated in this final-form rulemaking. These updates are made.

Lastly, IRRC commented that the preamble cites to the Digital Signature and Electronic Authentication Law, which was a bill that was not enacted. The reference to this bill is not included in this final-form rulemaking preamble.

#### *Fiscal Impact and Paperwork Requirements*

Because the use of digital signatures and seals are voluntary rather than mandatory, this final-form rulemaking will not have a fiscal impact on, or create additional paperwork for, the regulated community, the general public, or the Commonwealth and its political subdivisions that choose to continue utilizing a traditional seal and stamp. Licensees who decide to use digital seals and signatures will be required to utilize appropriate security software that meets the requirements for digital seals and signatures as set forth in §§ 15.32a through 15.33a. This software is available from a variety of vendors. Costs will vary from one vendor to another, and costs will also vary depending on the number of individuals who will use a digital seal and signature within a firm. For example, according to DocuSign and Adobe, sole proprietor firms using digital seals and signatures and purchasing a user license will likely select a plan where

the cost for a single user license is \$15 per month or \$165 per year, which allows 1 month at no charge. For the same vendors, firms with more than ten licensees using digital seals and signatures and purchasing user licenses for their licensees may be able to negotiate a lower fee, depending on the number of licensees, with a higher number of licensees paying a lower fee. Under both plans offered by this vendor, there is no limit on the number of digital seals or signatures that a licensee may use. The Board also anticipates that as the number of users of digital seals and signatures increases over time, it is likely that the costs of purchasing digital seal and signature technology will decrease.

However, these costs to those utilizing digital seals and signatures will be outweighed by the savings realized by individuals continuing to use a "wet signature." According to Cadalyst (a reviewer of computer aided design software and hardware), the architecture, engineering and construction industry spends an estimated \$500 million or more each year moving plans from one discipline to another by way of courier services such as FedEx and UPS. One vendor of digital seals estimates that the average cost of toner, ink and paper costs \$.03 per page, and further states that costs are even greater for firms and organizations with multiple locations or field staff that need to submit formal reports or contracts. According to Oasis Systems (a provider of information technology, systems engineering, professional services and enterprise applications to Federal agencies), the average paper document is copied 9 times to 11 times at a cost of approximately \$18 and filed at a cost of approximately \$20, plus the added cost of storage, media, space, postage and distribution. Pitney Bowes estimates that the average cost of Fortune-500 paper documents is \$10 per document. Pfizer estimates the cost of one "wet signature" at \$30, including the time to track down the signer, plus storage and scanning costs.

#### *Sunset Date*

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

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 11, 2020, the Board submitted a copy of the notice of proposed rulemaking, published at 50 Pa.B. 4243, and a copy of a Regulatory Analysis form to IRRC and to the Chairpersons of the HPLC and the SCP/PLC.

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

Under section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)), on August 31, 2022, the Board delivered this final-form rulemaking to IRRC, the HPLC and the SCP/PLC. Under section 5.1(g)(3) and (j.2) of the Regulatory Review Act (71 P.S. § 745.5a(g)(3) and (j.2)), on October 19, 2022, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 20, 2022, and approved the final-form rulemaking.

#### *Additional Information*

Additional information may be obtained by contacting Terrie Kocher, Administrator, State Board of Landscape Architects, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-LANDSCAPE@PA.GOV.

#### *Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

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

(3) This final-form rulemaking does not include any amendments that would enlarge the scope of the proposed rulemaking published at 50 Pa.B. 4243.

(4) This final-form rulemaking is necessary and appropriate for administration and enforcement of the act.

#### *Order*

The Board orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 15, are amended by amending § 15.33 and adding §§ 15.32a and 15.33a to read as set forth in Annex A.

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

(c) The Board shall submit this final-form rulemaking to IRRC, the HPLC and the SCP/PLC for approval as required by law.

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

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

DAVID B. MORGAN, RLA,  
Chairperson

(*Editor's Note:* See 52 Pa.B. 6941 (November 5, 2022) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 16A-6112 remains valid for the final adoption of the subject regulations.

#### **Annex A**

### **TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

#### **PART I. DEPARTMENT OF STATE**

#### **Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

#### **CHAPTER 15. STATE BOARD OF LANDSCAPE ARCHITECTS**

#### **ADMINISTRATION**

#### **§ 15.32a. Definitions.**

The following words and terms, when used in this section and §§ 15.33 and 15.33a (relating to seals; and digital signature and seal), have the following meanings, unless the context clearly indicates otherwise:

*Digital seal*—An electronic image attached to or logically associated with a document and executed or adopted by a licensee with the intent to seal the document.

*Digital signature*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a licensee with the intent to sign the document.

*Electronic*—Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

*Handwritten signature*—The scripted name or legal mark of an individual, written by that individual and executed or adopted with the present intention to authenticate a writing in a permanent form.

*Sole control*—A situation in which only the registrant decides when and where the signature and seal are applied.

*Verification*—Confirmation that a signature and seal are actually from the registrant whose name and license number appears on the document.

*Work product*—Drawings, specifications, plans, models and other deliverable documents representing the professional practice of landscape architecture.

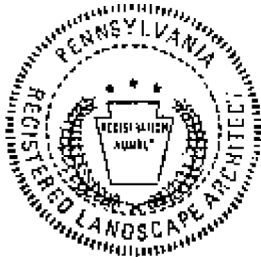
**§ 15.33. Seals.**

(a) An approved seal or stamp will be required for a registrant for the purpose of signing and sealing drawings, preliminary documents, specifications and contract documents or other work product.

(b) Only one registered landscape architect's name may be used per seal. However, more than one seal or stamp may appear on drawings, specifications and documents or other work product.

(c) A registrant shall be required to obtain the authorized seal or a rubber stamp, bearing the registrant's name and registration number and the legend "Registered Landscape Architect" together with a reference to Pennsylvania. A digital seal or rubber stamp identical to the prescribed seal may be obtained and used in lieu of, or in conjunction with, a metal seal.

A sample seal is as follows:



**Landscape Architect**

(d) A licensee who fails to obtain a seal or rubber stamp will be subject to disciplinary action and penalties under section 11(b) of the act (63 P.S. § 911(b)).

(e) When a registrant seals and signs landscape architectural drawings, reports, documents and other work product, one of the following methods must be used:

(1) Physical placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.

(2) Digital placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.

(3) Digital placement of a seal and a digital signature containing the name of the registrant.

**§ 15.33a. Digital signature and seal.**

(a) Drawings, reports and documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be:

- (1) Unique to the registrant.
- (2) Capable of verification.
- (3) Under the sole control of the registrant.
- (4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

(b) Drawings, reports and documents that are sealed with a digital seal must have an electronic authentication process attached to or logically associated with the electronic document. The digital seal must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.
- (4) Linked to a document in such a manner that the digital seal is invalidated if any data in the document is changed.

(c) A hard copy printed from the transmitted electronic file shall bear the facsimile of the digital signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Alterations to the file shall cause the signature and seal to be voided.

[Pa.B. Doc. No. 22-1929. Filed for public inspection December 16, 2022, 9:00 a.m.]

**Title 49—PROFESSIONAL AND  
VOCATIONAL STANDARDS**  
**STATE REGISTRATION BOARD FOR  
PROFESSIONAL ENGINEERS, LAND SURVEYORS  
AND GEOLOGISTS**  
**[ 49 PA. CODE CH. 37 ]**  
**Digital Signature and Seal**

The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) amends §§ 37.57—37.59 (relating to registration number; seal; and use of seal) and adds §§ 37.56a and 37.60 (relating to definitions; and digital signature and seal), to read as set forth in Annex A.

*Effective Date*

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

*Statutory Authority*

Section 4(l) of the Engineer, Land Surveyor and Geologist Registration Law (act) (63 P.S. § 151(l)) authorizes

the Board to promulgate regulations, not inconsistent with the act, that it deems necessary and proper to carry into effect the powers conferred by the act. Further, section 7 of the act (63 P.S. § 154) requires engineers, land surveyors and geologists registered under the act to obtain and utilize a seal of a design authorized by the Board.

#### *Background and Need for this Final-Form Rulemaking*

Section 7(a) of the act requires each licensee to obtain a seal of a design authorized by the Board and to stamp all work product issued by the licensee with that seal. The Board previously promulgated §§ 37.58 and 37.59 to set standards for licensee use of the seal, including the requirement in § 37.59(2) that the licensee also sign the document. However, these regulations were developed when the seal was applied with a metal embosser or a rubber stamp; it was not contemplated that a seal or signature could be placed digitally through the personal use of computer technology by placing an image of the seal or signature on a document and did not contemplate that a document could be signed digitally other than by placing an image of the signature on the document. With this technology now available, the National Council of Examiners for Engineering and Surveying (NCEES), the National organization of engineering and land surveying licensing boards, has addressed its use in paragraph H of section 240.20 (relating to seal on documents) of its Model Rules at [https://ncees.org/wp-content/uploads/Model\\_Rules\\_2021\\_web.pdf](https://ncees.org/wp-content/uploads/Model_Rules_2021_web.pdf). Additionally, the Uniform Electronic Transactions Act (UETA) has been adopted by many states, including this Commonwealth. In this Commonwealth, UETA was enacted as the Electronic Transactions Act (73 P.S. §§ 2260.101—2260.5101). The Board adopts definitions and provisions consistent with the Electronic Transactions Act for these regulations. Other State agencies must comply with the Pennsylvania Electronic Transactions Act under section 303(a) of the Electronic Transactions Act (73 P.S. § 2260.303(a)) in that they may not deny the legal effect or enforceability of a seal solely because it is in electronic form.

This final-form rulemaking allows licensees to use digital signatures and seals to increase electronic commerce and electronic communications, increase electronic filing of documents, help establish uniformity of rules and standards regarding the authentication and integrity of electronic records and promote public confidence in the integrity and reliability of electronic records. The Board believes that it is appropriate to amend its regulations to make it clear that licensees are permitted to take advantage of this technology and to set standards for its use.

#### *Summary of Comments to the Proposed Rulemaking and the Board's Response*

Notice of proposed rulemaking was published at 50 Pa.B. 4245 (August 22, 2020). Publication was followed by a 30-day public comment period. The Board did not receive any comments from the public, the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC), or the House Professional Licensure Committee (HPLC). The Board received one comment from the public. The Independent Regulatory Review Commission (IRRC) reviewed the proposed rulemaking and provided comments and recommendations.

#### *Comments from the public*

There was one comment received from the public, which expressed support for the regulation amendments and noted that registrants “have been formalizing their work with electronic seals and signatures for the past lustrum.”

#### *Comments from IRRC*

First, IRRC asked the Board to ensure that this final-form rulemaking is as uniform as possible with the similar final-form rulemakings submitted by the Landscape Architect Board (16A-6112) and the State Architects Licensure Board (Architect Board) (16A-4111). The Landscape Architect Board and the Architect Board share the same board counsel as the Board, and each board meets on a regular basis. The boards have been reviewing this digital signature and seal regulation frequently to ensure that each board's regulation is consistent with the others to the extent possible, given the differing statutory and regulatory framework. The Board has reviewed and compared this final-form rulemaking with the final-form rulemakings of the other boards and finds this final-form rulemaking to be consistent and clear for the regulated community.

In both this final-form rulemaking and the Architect Board's final-form rulemaking, IRRC questioned how an electronic sound or process could satisfy the requirements of the proposed digital seal requirements. In reviewing this question, and in an effort to keep the regulations among the boards consistent, the Board determines that it should revise the definition of “digital seal.” The Board agrees that an electronic sound or process does not satisfy the requirements of § 37.58. As such, the Board amends the definition of “digital seal” by changing “electronic sound, symbol or process” to “electronic image” to ensure that a digital seal includes an image of the licensee's name and license number and the legend “Registered Professional Engineer,” “Registered Professional Land Surveyor,” or “Registered Professional Geologist” together with a reference to the Commonwealth of Pennsylvania. In accordance with IRRC's suggestion to ensure that the regulations are as uniform as possible, the Board reviewed and compared the Architect Board final-form rulemaking relating to loss or theft of seals. This Board does not have existing regulations relating to loss or theft of seals. Adding a new section to this final-form rulemaking package would not be appropriate because it would go beyond the scope of the proposed rulemaking and would require more discussion, consideration and stakeholder outreach than the final-form rulemaking process allows. If the Board determines that a regulation is needed, it will propose it in a separate rulemaking.

In the Architect Board's final-form rulemaking, IRRC stated that the regulation requires licensees to obtain a seal authorized by the Architect Board and asked if the Architect Board's intent was for the digital seal design and the Board-approved seal to be identical. Like all seals used by licensees, the digital seal must be identical to the design approved by the Board. To clarify this requirement, the Board amends § 37.58(a) by specifying that the seal design must be identical to the design authorized by the Board.

Next, IRRC asked for clarification within the definition “digital seal,” wherein the Board states that the digital seal must be adopted by “a person with the intent to seal the document.” IRRC recommended that the Board change “person” to “licensee” within the definitions of “digital seal” and “digital signature.” IRRC also recommended that the definition of “sole control” and “verification” be changed to include “seal and signature” to match the terms used in § 37.60(a) and (b). The Board agrees with IRRC's recommendations and makes the suggested changes. The Board also amends § 37.58(d) to clarify that a registrant may use metal and digital seals.

IRRC stated that § 37.59(2) is amended to allow all the use of digital seals on all subsequent pages of plans and asked what the Board's intent is with this amendment. Upon consideration of IRRC's comment, the Board determined that further clarification was necessary. The Board's intent is to require a licensee to use a traditional metal seal or a digital seal on the first page of documents. Accordingly, the Board amends § 37.59(2) to require the seal on the first page of final or complete documents to be impressed, stamped or digital. Section 37.59(2) provides for either facsimile or digital seals on subsequent pages of documents. Thus, a digital seal may appear on the first page and on all subsequent pages. In the alternative, a traditional seal may be used on the first page and either a facsimile or a digital seal may be used on the subsequent pages of documents.

In § 37.60(a) and (b), the Board replaces "drawings, reports and documents" with the term "documents." The Board's regulations already define the term "documents" in § 37.1 (relating to definitions) to include drawings and reports; therefore, there is no need to include those terms. IRRC also commented that NCEES Model Rule 240.20(H) contains the following sentence: "A digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in section H above." IRRC asked why the Board omitted this provision. The process outlined in §§ 37.58 through 37.60 contains the specific requirements for the digital signatures and seals authentication process. Further, under § 37.81(10) (relating to misconduct), a licensee who fails to adhere to §§ 37.58 through 37.60 is subject to discipline. Given these provisions, the Board does not include this sentence because it does not think it is necessary to reiterate that §§ 37.58 through 37.60 must be followed to meet the criteria for a valid digital signature and seal. IRRC also asked the Board why digital seal was not included in § 37.60(c) and suggested that the Board include digital seals to the alteration provisions. The Board agrees with IRRC and makes this amendment. The Board also clarifies that any alterations to a file will cause both the signature and seal to be voided.

IRRC asked that the numbers provided in questions 15, 16 and 19 of the RAF be updated in the final-form RAF. Those numbers are updated.

IRRC commented that the preamble cites to the Digital Signature and Electronic Authentication Law, which was a bill that was not enacted. The reference to this bill is not included in this final-form rulemaking preamble.

#### *Fiscal Impact and Paperwork Requirements*

Because the use of digital signatures and seals are voluntary rather than mandatory, this final-form rulemaking will not have a fiscal impact on, or create additional paperwork for, the regulated community, the general public, or the Commonwealth and its political subdivisions that choose to continue utilizing a traditional seal and stamp. Licensees who decide to use digital seals and signatures will be required to utilize appropriate security software that meets the requirements for digital seals and signatures as set forth in this final-form rulemaking in §§ 37.58 through 37.60. This software is available from a variety of vendors. Costs will vary from one vendor to another, and costs will also vary depending on the number of individuals who will use a digital seal and signature within a firm. For example, according to DocuSign and Adobe, sole proprietor firms using digital seals and signatures and purchasing a user license will likely select a plan where the cost for a single user license is \$15 per month or \$165 per year, which allows 1 month

at no charge. For the same vendors, firms with more than ten licensees using digital seals and signatures and purchasing user licenses for their licensees may be able to negotiate a lower fee, depending on the number of licensees, with a higher number of licensees paying a lower fee. Under both plans offered by this vendor, there is no limit on the number of digital seals or signatures that a licensee may use. The Board also anticipates that as the number of users of digital seals and signatures increases over time, it is likely that the costs of purchasing digital seal and signature technology will decrease.

However, the costs to those utilizing digital seals and signatures will be outweighed by the savings realized by individuals continuing to use a "wet signature." According to Cadalyst (a reviewer of computer aided design software and hardware), the architecture, engineering and construction industry spends an estimated \$500 million or more each year moving plans from one discipline to another by way of courier services such as FedEx and UPS. One vendor of digital seals estimates that the average cost of toner, ink and paper costs \$.03 per page, and further states that costs are even greater for firms and organizations with multiple locations or field staff that need to submit formal reports or contracts. According to Oasis Systems (a provider of information technology, systems engineering, professional services and enterprise applications to Federal agencies), the average paper document is copied 9 times to 11 times at a cost of approximately \$18 and filed at a cost of approximately \$20, plus the added cost of storage, media, space, postage and distribution. Pitney Bowes estimates that the average cost of Fortune-500 paper documents is \$10 per document. Pfizer estimates the cost of one "wet signature" at \$30, including the time to track down the signer, plus storage and scanning costs.

#### *Sunset Date*

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

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 11, 2020, the Board submitted a copy of the notice of proposed rulemaking, published at 50 Pa.B. 4245 and a copy of a Regulatory Analysis form to IRRC and to the Chairpersons of the HPLC and the SCP/PLC.

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

Under section 5.1(g)(3) and (j.2) of the Regulatory Review Act (71 P.S. § 745.5a(g)(3) and (j.2)), on October 19, 2022, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 20, 2022, and approved the final-form rulemaking.

#### *Additional Information*

Additional information may be obtained by contacting Jeannie Bronshtein, Administrator, State Registration Board for Professional Engineers, Land Surveyors and Geologists, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-ENGINEER@PA.GOV.

*Findings*

The Board finds that:

(1) Public notice of the proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

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

(3) This final-form rulemaking does not include any amendments that would enlarge the scope of the proposed rulemaking published at 50 Pa.B. 4245.

(4) This final-form rulemaking is necessary and appropriate for administration and enforcement of the act.

*Order*

The Board orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 37, are amended by amending §§ 37.57—37.59 and adding §§ 37.56a and 37.60 to read as set forth in Annex A.

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

(c) The Board shall submit this final-form rulemaking to IRRC, the HPLC and the SCP/PLC for approval as required by law.

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

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

JAMES SZALANKIEWICZ, PE, PLS,  
*President*

*(Editor's Note: See 52 Pa.B. 6941 (November 5, 2022) for IRRC's approval order.)*

**Fiscal Note:** 16A-4712. No fiscal impact; (8) recommends adoption.

**Annex A****TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS****PART I. DEPARTMENT OF STATE****Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS****CHAPTER 37. STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS****REGISTRATION NUMBER AND SEAL****§ 37.56a. Definitions.**

The following words and terms, when used in this section and §§ 37.59 and 37.60 (relating to use of seal; and digital signature and seal), have the following meanings, unless the context clearly indicates otherwise:

*Digital seal*—An electronic image attached to or logically associated with a document and executed or adopted by a licensee with the intent to seal the document.

*Digital signature*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a licensee with the intent to sign the document.

*Electronic*—Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

*Handwritten signature*—The scripted name or legal mark of an individual, written by that individual and executed or adopted with the present intention to authenticate a writing in a permanent form.

*Sole control*—A situation in which only the registrant decides when and where the signature and seal are applied.

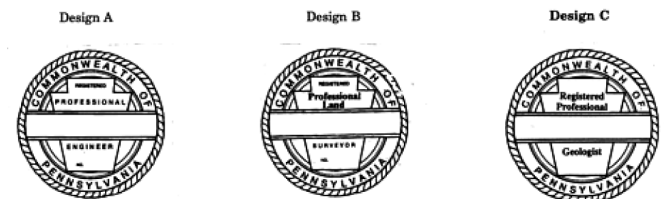
*Verification*—Confirmation that a signature and seal are actually from the registrant whose name and registration number appears on the document.

**§ 37.57. Registration number.**

Upon approval of an application for registration by the Board, each registrant will be assigned a unique registration number.

**§ 37.58. Seal.**

(a) A registrant shall obtain, at the registrant's own expense, a seal in the identical design authorized by the Board. The following are Board authorized seals for "Registered Professional Engineer" (Design A), "Registered Professional Land Surveyor" (Design B) and "Registered Professional Geologist" (Design C):



(b) The seal shall contain the legend "Registered Professional Engineer," "Registered Professional Land Surveyor" or "Registered Professional Geologist" and the registrant's name and registration number together with a reference to the Commonwealth of Pennsylvania.

(c) The seal shall be 1 3/4 inch in diameter. The diameter of a pocket seal may be reduced to 1 1/2 inch if the design is in the same relative proportions in subsection (a).

(d) A registrant may use a metal seal, rubber stamp, computer image which is a facsimile of the seal or digital seal, if the registrant first obtains a seal in accordance with this section.

**§ 37.59. Use of seal.**

The following rules govern the proper use of a registrant's seal:

(1) A registrant may use the registrant's seal and signature only when the work being sealed and signed was prepared by the registrant or under the registrant's complete direction and control.

(2) When a registrant issues final or complete documents to a client for the client's records, or when a registrant submits final or complete documents to public or governmental agencies for final review, the seal and signature of the registrant who prepared or who directed and controlled the preparation of the documents, along



with the date of issuance, shall be prominently displayed on the first page of all documents. The seal on the first page of a final or complete document shall be impressed, stamped or digital. Facsimile or digital seals shall appear on all subsequent pages of plans or plats.

(3) When multiple registrants prepare or direct and control the preparation of documents, each registrant's seal and signature shall appear on the first page of the documents, or on the first page of the identifiable portion or section of the documents, which were prepared or directed and controlled by that registrant, if the respective registrants' direction and control can be reasonably segregated.

(4) When a registrant's signature is applied, it shall be applied near or across the seal, but not in a location that obliterates the registration number.

(5) A registrant may not affix or permit a seal and signature to be applied to a document after the expiration of the registrant's licensure status, or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of the act or this chapter.

(6) In the case of a temporary permit issued to an engineering, land surveying or geology registrant of another state, the registrant shall use the seal of the registrant's home state and shall affix his signature and a copy of the temporary permit to work performed in this Commonwealth.

(7) When a registrant seals and signs engineering, surveying or geology documents, one of the following methods must be used:

(i) Physical placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.

(ii) Digital placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.

(iii) Digital placement of a seal and a digital signature containing the name of the registrant.

**§ 37.60. Digital signature and seal.**

(a) Documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be:

- (1) Unique to the registrant.
- (2) Capable of verification.
- (3) Under the sole control of the registrant.

(4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

(b) Documents that are sealed with a digital seal must have an electronic authentication process attached to or logically associated with the electronic document. The digital seal must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.

(4) Linked to a document in such a manner that the digital seal is invalidated if any data in the document is changed.

(c) A hard copy printed from the transmitted electronic file shall bear the facsimile of the digital signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Alterations to the file shall cause the signature and seal to be voided.

[Pa.B. Doc. No. 22-1930. Filed for public inspection December 16, 2022, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) issues this temporary order designating Chronic Wasting Disease (CWD), Viral Hemorrhagic Septicemia (VHS), the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1), *Brucella canis*, Tilapia lake virus (TiLV), *Streptococcus equi ssp. zooepidemicus* (*S. zooepidemicus*) in swine, Rabbit Hemorrhagic Disease (RHD) and *Leishmaniasis* as “dangerous transmissible diseases.” These designations are made under the authority of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).

This temporary order is the successor to a previous temporary order which was published in the December 4, 2021, *Pennsylvania Bulletin*, 51 Pa.B. 7496 (December 4, 2021). This temporary order hereby rescinds and replaces the December 4, 2021, temporary order.

Under the Domestic Animal Law at 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d) (relating to designation of additional dangerous transmissible diseases through temporary order), the Department has authority to declare a disease that has not been specifically identified in that statute as a “dangerous transmissible disease” to be a dangerous transmissible disease through issuance of a temporary order making that designation. Under the authority of the Domestic Animal Law, previously set forth, the Department hereby establishes the following diseases as “Dangerous Transmissible Diseases.”

#### 1. *Chronic Wasting Disease (CWD)*

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSEs). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or “mad cow” disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a “prion”. There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

CWD has been identified in both captive and wild deer in this Commonwealth. The designation of CWD as a “dangerous transmissible disease” allowed the Department to facilitate the development and oversight of a surveillance program and quarantine orders that allow for detection, tracing and containment of the CWD outbreak and allows the Department to react and take action necessary to carry out its statutory duty under the Domestic Animal Law.

#### 2. *Viral Hemorrhagic Septicemia (VHS)*

VHS virus is a serious pathogen of fresh and saltwater fish that is causing a disease in the Great Lakes region of the United States and Canada. VHS virus is a rhabdovirus (rod shaped virus) that affects fish of all size

and age ranges. It does not pose any threat to human health. VHS can cause hemorrhaging of fish tissue, including internal organs and can cause the death of infected fish. Once a fish is infected with VHS, there is no known cure. Not all infected fish develop the disease, but they can carry and spread the disease to other fish. The World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

#### 3. *Neurologic Form of Equine Herpes Virus (EHV-1)*

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheobronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild in coordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur by means of coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

#### 4. *Canine Brucellosis (Brucella canis)*

Canine brucellosis is an infectious disease of dogs caused by the *Brucella canis* (*B. canis*) bacteria. *B. canis* infection in breeding dogs is an important cause of reproductive failure, particularly in kennels. *B. canis* infection can result in abortions, stillbirths, epididymitis, orchitis and sperm abnormalities in breeding dogs. Infected dogs that have been spayed or neutered may develop other conditions such as ocular disease and discospondylitis.

Transmission of *B. canis* occurs through exposure to secretions during estrus or mating or by contact with infected tissues during birth or following abortion. In addition, infected dogs may spread the bacteria in blood, milk, urine, saliva, nasal and ocular secretions, and feces. Puppies can become infected in utero, during birth, through nursing, and by contact with contaminated surfaces. The bacteria can also be transmitted by fomites.

*B. canis* is considered to be a zoonotic organism, although its importance as a cause of human illness is still unknown. People in very close contact with infected dogs are thought to be more at risk of infection, including

those who work in a breeding kennel and veterinarians. Laboratory personnel handling the organism are also considered to have a higher risk of infection. The symptoms of this disease in humans are nonspecific and cases may not be reported. The 2012 National Association of State Public Health Veterinarians (NASPHV) document “Public Health Implications of *B. canis* Infections in Humans” reports that there are documented cases of infection with *B. canis* leading to serious health problem. Those with compromised immune systems may be at higher risk of serious illness. Treatment with antibiotics may be effective.

Although infection in dogs can be treated with antibiotics, *B. canis* can persist in an animal even after treatment. Prevention is key, and all dogs entering a breeding kennel or used for breeding should first be test-negative or come from a brucella-negative source. Ongoing and regular testing is recommended, even in closed breeding facilities, and this is an essential component of recognition and prevention. Proper biosecurity and sanitation of breeding facilities is also recommended to prevent disease transmission. Infected puppies or dogs should not be purchased or adopted.

#### 5. *Tilapia lake virus (TiLV)*

Tilapia lake virus (TiLV) is a serious viral pathogen of farmed and wild Tilapia which has caused large losses in farmed fish in other countries. This orthomyxo-like virus was detected in an aquaculture facility within the United States and spread to other fish farms before it was eradicated from the country. The entry of the virus was traced to the importation of infected fry (juvenile fish) from an endemic region.

Lesions associated with TiLV infection include discoloration, renal congestion, encephalitis, ocular degeneration and abdominal swelling. Mortality can range from 10 to 90%. Morbidity and mortality generally become apparent in farmed fish within 1 month of movement from the hatchery to grow-out cages—thus, the disease is commonly known as “tilapia one-month mortality syndrome.”

#### 6. *Streptococcus equi* subspecies *zooepidemicus* (*S. zooepidemicus*) in swine

*Streptococcus equi* ssp. *zooepidemicus* (*S. zooepidemicus*) is an opportunistic bacteria that has recently caused major economic losses in the swine industry in China. Although *S. zooepidemicus* is most commonly known as the cause of severe respiratory or uterine infections in horses, it is able to infect many other species, including swine, cattle, rabbits, pigs, dogs, cats and humans. In animals, symptoms can include fever, inflammation of lymph nodes, sepsis, mastitis and bronchopneumonia.

To protect the swine industry in Pennsylvania, potential infections in swine should be investigated to determine how widespread this organism is in swine and to assist producers in reducing the risk of infection and spread of disease.

#### 7. Rabbit Hemorrhagic Disease (RHD)

Rabbit Hemorrhagic Disease (RHD) is a fatal disease in rabbits and is considered a foreign animal disease in the United States. RHD is caused by a calicivirus and there are several strains which cause disease. Rabbit Hemorrhagic Disease Virus Serotype 2 (RHDV-2) has been detected in North America in recent years. RHDV-2 is highly contagious and affects both domestic and wild rabbits, including hares, jackrabbits and cottontails.

The virus causing RHD can be transmitted by direct contact with infected rabbits or indirectly through carcasses, food, water, and any contaminated materials and it is very resistant to extreme temperatures. Infection may result in a peracute febrile disease which causes hepatic necrosis, enteritis, and lymphoid necrosis, followed by massive coagulopathy and hemorrhages in multiple organs. Rabbits often show few clinical signs and die within six to 24 hours after the onset of fever and may have blood visible around the nose from the internal hemorrhaging. Morbidity rate is often 100%, and the mortality rate is often 60%—90%.

RHD has not been shown to affect people or other mammals.

#### 8. *Leishmaniasis*

Leishmaniasis is a zoonotic disease caused by infection with *Leishmania* parasites, affecting humans, dogs and other mammals.

Leishmaniasis is most commonly reported in tropical and subtropical regions, including Asia, the Middle East, Africa, southern Europe, South and Central America and southern Mexico. The disease has also been identified in foxhound populations in the United States and Canada and sporadic cases in other dogs have been reported in the United States.

Infection with *Leishmania* parasites can result in disease ranging from mild cutaneous lesions, a mucocutaneous form, or severe and often fatal visceral leishmaniasis in which internal organs such as the bone marrow, spleen and liver may be affected. Approximately one million human cases, most with the cutaneous presentation, are reported worldwide annually. The visceral form of leishmaniasis is most often caused by the *Leishmania infantum* parasite in the Americas. The parasite is spread by infected female phlebotomine sandflies which feed on blood. The existence of competent insect vectors for *Leishmania* parasites in the United States has been documented and changing environmental factors may expand the geographic range of vectors in North America. Disease in humans caused by *Leishmania infantum* is reportedly a serious public health problem in those areas where canine leishmaniasis is endemic, and dogs have been implicated as a reservoir of infection, transmitting the parasite to insect vectors when the insects take a blood meal. The importation of infected dogs to an area with competent vectors could lead to the spread of the parasite in animal and human populations.

Treatment may not clear the parasite, and recrudescence may occur. There is no vaccine available to prevent leishmaniasis in humans or other mammals.

#### Order

The Department hereby designates CWD, VHS, EHV-1, *Brucella canis*, Tilapia lake virus, *Streptococcus equi* ssp. *zooepidemicus* (*S. zooepidemicus*) in swine, Rabbit Hemorrhagic Disease (RHD), and *Leishmaniasis* as “dangerous transmissible diseases” under the Domestic Animal Law at 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making such a designation.

This order shall take effect as of January 1, 2023, and upon publication in the *Pennsylvania Bulletin* and shall

remain in effect until no later than January 1, 2024. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2024, (2) allow this temporary order to expire on January 1, 2024, (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Kevin Brightbill, DVM, Director, Bureau of

Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 22-1931. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending December 6, 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>
11-16-2022	First Citizens Community Bank Mansfield Tioga County	3840 Kennett Pike Greenville New Castle County, DE	Opened
12-05-2022	First Citizens Community Bank Mansfield Tioga County	1820 East 3rd Street Williamsport Lycoming County	Approved

#### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-30-2022	Peoples Security Bank and Trust Co. York York County	<i>To:</i> 600 DeKalb Pike King of Prussia Montgomery County  <i>From:</i> 610 Freedom Business Center Drive King of Prussia Montgomery County	Approved

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-30-2022	Community Bank Carmichaels Greene County	351 Oak Spring Road Washington Washington County	Closed

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
12-01-2022	Farmers and Merchants Trust Company of Chambersburg Chambersburg Franklin County	Filed

Amendment to Article II of the institution's Articles of Incorporation provides for the principal place of business of the institution, which includes customer service, loan services, trust client services and all support operations, to be relocated from 20 South Main Street, Chambersburg, Franklin County, PA to 1500 Nitterhouse Drive, Chambersburg, Franklin County, PA.

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

**CREDIT UNIONS**

No activity.

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

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 22-1932. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of January 2023

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of January 2023, is 6 1/2%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate

limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 4.03 to which was added 2.50 percentage points for a total of 6.53 that by law is rounded off to the nearest quarter at 6 1/2%.

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 22-1933. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

*Section*            *Category*

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.

- General Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.

- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

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

Section II identifies individual NPDES permit applications received and draft permits indicating DEP’s tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP 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: 814-332-6078. 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 DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

**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>
PAD070020	Chapter 102 Individual NPDES Permit	Amendment Minor	Claysburg Kimmel School District 531 Bedford Street Claysburg, PA 16625-7701	Greenfield Township Blair County	SCRO
0122810	Joint DEP/PFBC Pesticides Permit	New	Carroll Valley Golf at Liberty Mountain 78 Country Club Trail Fairfield, PA 17320-8550	Carroll Valley Borough Adams County	SCRO
1113800	Joint DEP/PFBC Pesticides Permit	Renewal	Ebensburg Borough Cambria County 300 W High Street Ebensburg, PA 15931	Ebensburg Borough Cambria County	SWRO
1413801	Joint DEP/PFBC Pesticides Permit	Renewal	Mountain View Country Club 310 Elks Club Road Boalsburg, PA 16827-1609	Harris Township Centre County	NCRO
2613800	Joint DEP/PFBC Pesticides Permit	Renewal	Nemacolin Woodlands, Inc. 1001 Lafayette Drive Farmington, PA 15437-9754	Wharton Township Fayette County	SWRO
2620801	Joint DEP/PFBC Pesticides Permit	Renewal	Scullion Cheryl 9703 Guildford Drive Allison Park, PA 15101-1734	Saltlick Township Fayette County	SWRO
5313801	Joint DEP/PFBC Pesticides Permit	Renewal	Lake Lloyd Properties Owners Association 4398 State Route 3011 Meshoppen, PA 18630-8431	Bingham Township Potter County	NCRO
5620800	Joint DEP/PFBC Pesticides Permit	Renewal	YMCA of Greater Pittsburgh 134 Camp Soles Lane Rockwood, PA 15557-7911	Middlecreek Township Somerset County	SWRO
6514800	Joint DEP/PFBC Pesticides Permit	Renewal	Seward Prosser Mellon P.O. Box K Ligonier, PA 15658	Ligonier Township Westmoreland County	SWRO
467S302	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Mon Valley Sewer Authority 20 S Washington Street Donora, PA 15033-1394	Carroll Township Washington County	SWRO
PA0219487	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	CNX Land, LLC 1000 Horizon Vue Drive Canonsburg, PA 15317	Amwell Township Washington County	SWRO
0603412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Caernarvon Township Municipal Authority Berks County 601 Hemlock Road P.O. Box 291 Morgantown, PA 19543-0291	Caernarvon Township Berks County	SCRO
5906402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Lawrenceville Borough Tioga County 6 Mechanic Street Lawrenceville, PA 16929-9768	Lawrenceville Borough Tioga County	NCRO
6303403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	CNX Land LLC 1000 Horizon Vue Drive Canonsburg, PA 15317	Amwell Township Washington County	SWRO

<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>
PAG042211	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Bujnowski Alison 6005 Woodlawn Drive Zionsville, PA 18092-2370	Upper Milford Township Lehigh County	NERO
PAG046425	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Reeves Patrick N 323 State Park Road New Alexandria, PA 15670-3535	Indian Lake Borough Somerset County	SWRO
PAG132283	PAG-13 NPDES General Permit for MS4s	Renewal	East Penn Township Carbon County 167 Municipal Road Lehigh, PA 18235	East Penn Township Carbon County	NERO
PAG136119	PAG-13 NPDES General Permit for MS4s	Renewal	Paint Borough Somerset County 119 Hoffman Avenue Windber, PA 15963-2358	Paint Township Somerset County	SWRO
PAG136233	PAG-13 NPDES General Permit for MS4s	Renewal	Scalp Level Borough Cambria County 422 Main Street Windber, PA 15963-1017	Scalp Level Borough Cambria County	SWRO
PAG136352	PAG-13 NPDES General Permit for MS4s	Renewal	Paint Township Somerset County 1741 Basin Drive Windber, PA 15963-6801	Paint Township Somerset County	SWRO
0493402	Pump Stations Individual WQM Permit	Amendment	N Sewickley Township Sewer Authority 525 Lawrence Avenue Ellwood City, PA 16117-8528	Ellwood City Borough Lawrence County	SWRO
0622408	Sewer Extensions Individual WQM Permit	New	Muhlenberg Township Authority Berks County 2840 Kutztown Road Reading, PA 19605-2655	Muhlenberg Township Berks County	SCRO
PA0288845	Single Residence STP Individual NPDES Permit	Transfer	Bruce & Leslie Walton 14645 Black Bear Road West Palm Beach, FL 33418-8606	Cranberry Township Venango County	NWRO
3122403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Bittle Joshua 1335 N State Route 934 Annville, PA 17003-8928	Cromwell Township Huntingdon County	SCRO
3904403	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Bujnowski Alison 6005 Woodlawn Drive Zionsville, PA 18092-2370	Upper Milford Township Lehigh County	NERO
5606402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Reeves Patrick N 323 State Park Road New Alexandria, PA 15670-3535	Indian Lake Borough Somerset County	SWRO
6117402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Fosburg Nic 1110 Old Petroleum Center Road Titusville, PA 16354-8040	Cherrytree Township Venango County	NWRO
6122407	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Bacher Stephen 1450 State Route 157 Oil City, PA 16301-4334	Cranberry Township Venango County	NWRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0232947	Small Flow Treatment Facility Individual NPDES Permit	Transfer	GCI Lakeside, LLC P.O. Box 1493 Christiansburg, VA 24068-1493	Middlebury Township Tioga County	NCRO
PA0273139	Small Flow Treatment Facility Individual NPDES Permit	Transfer	Haylett Ryan 13794 N Wayland Road Meadville, PA 16335	East Mead Township Crawford County	NWRO
0188413	Small Flow Treatment Facility Individual WQM Permit	Transfer	Flatbush Athletics, LLC 5000 Hanover Road Hanover, PA 17331-9077	Union Township Adams County	SCRO
5917401	Small Flow Treatment Facility Individual WQM Permit	Transfer	GCI Lakeside, LLC P.O. Box 1493 Christiansburg, VA 24068-1493	Middlebury Township Tioga County	NCRO
WQG01201503	WQG-01 WQM General Permit	Transfer	Haylett Ryan 13794 N Wayland Road Meadville, PA 16335	East Mead Township Crawford County	NWRO

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

*Northcentral Regional Office*

**PA0229016**, Sewage, SIC Code 4952, **Robert G Waldman**, 767 N Shaffer Hill Road, Cogan Station, PA 17728-7611. Facility Name: Robert G Waldman Single Residence Sewage Treatment Plant (SRSTP). This existing facility is located in Lycoming Township, **Lycoming 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 Hoagland Run (HQ-CWF), is located in State Water Plan watershed 10-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 .0005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	20.0	XXX	40
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0281786**, Concentrated Animal Feeding Operation (CAFO), **R&T Family Farms LLC** (R&T Farms), 2088 Cleman Hollow Road, Unityville, PA 17774-9115, Franklin Township, **Lycoming County**.

R&T Family Farms LLC has submitted an application for an Individual NPDES permit for a CAFO known as R&T Farms.

The CAFO is situated near Unnamed Tributary to Beaver Run (CWF, MF) and Unnamed Tributary to Little Indian Run (CWF, MF) both in Watershed 10-D, which is classified for Cold Water Fishes and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 663.90 animal equivalent units (AEUs) consisting of 4,200 Swine Grow Finish, 34 Beef Cow, 10 Beef Finishers, 34 Beef Calf, and 13 Beef Replacement Heifers. Manure is handled as a liquid and accumulates in shallow concrete gutters under each swine barn before being transferred via a pull-plug gravity system to a HDPE lined lagoon. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

*Northeast Regional Office*

**PA0034517**, Industrial, SIC Code 4941, **East Stroudsburg Borough**, 24 Analomink Street, East Stroudsburg, PA 18301-2801. Facility Name: East Stroudsburg Borough Water Filtration Plant. This existing facility is located in Smithfield Township, **Monroe 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), Sambo Creek (CWF, MF), is located in State Water Plan watershed 1-E 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 .09 MGD—Interim Limits.

(From Permit Effective Date to Two Years After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average	Average		Average	Daily	
	Monthly	Weekly		Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.09 MGD—Final Limits.

(From Two Years After Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average	Average		Average	Daily	
	Monthly	Weekly		Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.31	1.0	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.09 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average	Average		Average	Daily	
	Monthly	Weekly		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	2.5	5.0	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX

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

- Chemical Additives
- Sedimentation Cleaning Recordkeeping

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*

**PA0020052**, Sewage, SIC Code 4952, **Eldred Borough**, P.O. Box 270, Eldred, PA 16731-0270. Facility Name: Eldred Borough STP. This existing facility is located in Eldred Borough, **McKean County**.

Description of Existing Activity: The application is for an NPDES permit for an existing discharge of treated sewage. This application also amends the NPDES Permit to relocate the location of Outfall 001 with the construction of a new STP, and to increase the discharge flow from 0.259 MGD to 0.35 MGD.

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

NOTICES

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The proposed effluent limits for Outfall 001 are based on a design flow of 0.259 MGD.—Interim 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 Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	1.08	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	54.0	86.4	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	64.8	97.2	XXX	30.0	45.0	60
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Copper, Total (ug/L)	0.040	0.060	XXX	18.8	28.2	37.6
Lead, Total (ug/L)	0.028	0.042	XXX	13.2	19.8	26.4
Nickel, Total (ug/L)	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Zinc, Total (ug/L)	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Chloride	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001—New are based on a design flow of 0.35 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	72.9	116.7	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	87.5	131.3	XXX	30.0	45.0	60
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 intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Copper, Total (ug/L)	0.03	0.05	XXX	15.7	23.5	31.4
Lead, Total (ug/L)	0.02	0.03	XXX	9.5	14.2	19
Nickel, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Zinc, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Chloride	Report	XXX	XXX	Report	XXX	XXX

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

- Solids Management

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*

**PA0034720**, Sewage, SIC Code 4952, 6515, **Meadville DJVNW LLC**, 8865 Norwin Avenue, Suite 27 PMB 319, North Huntingdon, PA 15642-2769. Facility Name: Lakeview Manor MHP. This existing facility is located in Union Township, **Crawford County**.

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

The receiving stream is an Unnamed Tributary of French Creek, located in State Water Plan watershed 16-D 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 .016 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
			Inst Min			
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
			Daily Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	7.5	XXX	1.05
Nov 1—Apr 30	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	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*

**PA0291161**, Sewage, SIC Code 8800, **Urban Bires**, 201 Easy Street, Russell, PA 16345-4505. Facility Name: Urban Bires SRSTP. This proposed facility is located in Pine Grove Township, **Warren County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	Inst Min 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
Total Residual Chlorine (TRC)	XXX	XXX	0.5	XXX	XXX	1.6
			Avg Mo			

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

**PA0291285**, Sewage, SIC Code 8800, **Gerald Magee**, 111 Nicola Lane, Indiana, PA 15701-2315. Facility Name: Gerald Magee SRSTP. This proposed facility is located in Muddy creek Township, **Butler 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 Yellow Creek, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	Inst Min 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

**PA0291323**, Sewage, SIC Code 8800, **Ashley Farrell**, 5702 Lunger Road, Erie, PA 16510-4841. Facility Name: Ashley Farrell SRSTP. This proposed facility is located in Harborcreek Township, **Erie 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 Sixmile 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 0.0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	Inst Min 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*

**PA0291439**, Sewage, SIC Code 4952, 8800, **Dom Kasony**, 310 Hickory Nut Road, Eighty Four, PA 15330. Facility Name: Dom Kasony SRSTP. This proposed facility is located in Tionesta Township, **Forest 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 North Branch Hemlock Creek, located in State Water Plan watershed 16-E and classified for Exceptional Value Waters, 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.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
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*

**PA0291447**, Sewage, SIC Code 4952, **Anna Mary & Benuel Fisher**, 23306 Hilltop Road, Springboro, PA 16435-2412. Facility Name: Anna Mary & Benuel Fisher SFTF. This proposed facility is located in Spring Township, **Crawford County**.

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

The receiving stream(s), Carr Run, is located in State Water Plan watershed 16-D 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.

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

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0291714**, Sewage, SIC Code 6514, **Jose Santiago**, 6612 River Road, Conestoga, PA 17516-9749. Facility Name: Jose Santiago SRSTP. This proposed facility is located in Conestoga Township, **Lancaster 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 Pequea Creek (WWF, MF), is located in State Water Plan watershed 7-K and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0006 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0 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 717-705-4732.

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0058408**, Sewage, SIC Code 6552, **Rivercrest Homeowners Association**, 100 Rivercrest Drive, Phoenixville, PA 19460. Facility Name: Rivercrest STP. This existing facility is located in Upper Providence Township, **Montgomery County**.

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

The receiving streams, Doe Run (TSF, MF) and Unnamed Tributary to Schuylkill River (WWF, MF), are located in State Water Plan watershed 3-D and 3-E and are classified for Trout Stocking, 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 Monitoring Point 101 are based on a design flow of 0.112 MGD.—Limits.

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

The proposed effluent limits for Outfall 101 are based on a design flow of 0.112 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	9.3	14	XXX	10	15	20
Total Suspended Solids	9.3	14	XXX	10	15	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	3.0	XXX	XXX	3.0	XXX	6
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

\*Outfalls 001 and 002 are monitored at the same Monitoring Point 101.

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP if Public Sewers Become Available
- E. Notification of Responsible Operator

- F. Discharge to the Pond  
 G. Fecal Coliform Reporting  
 H. Solids Management

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0056898**, Industrial, SIC Code 2033, **To-Jo Mushrooms Inc.**, 947 Penn Green Road, Avondale, PA 19311. Facility Name: To-Jo Mushroom Farm. This existing facility is located in New Garden Township, **Chester 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), UNT to Trout Run (CWF), is located in State Water Plan watershed 3-I 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 0.049 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	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	8.3	16.6	XXX	20	40	50
Total Suspended Solids	12.3	18.4	XXX	30	45	60
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	2,500
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	16.3	32.7	XXX	40	80	100
Ammonia-Nitrogen	1.35	XXX	XXX	3.3	XXX	8.3
Total Phosphorus	0.82	1.6	XXX	2.0	4.0	5

The proposed effluent limits for Outfall 002 are based on a design flow of 0.035 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	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Temperature (deg F) (°F)						
Jan 1 - 31	XXX	XXX	XXX	45	XXX	110
Feb 1 - 28	XXX	XXX	XXX	Wkly Avg 44	XXX	110
Mar 1 - 31	XXX	XXX	XXX	Wkly Avg 53	XXX	110
Apr 1 - 15	XXX	XXX	XXX	Wkly Avg 55	XXX	110
Apr 16 - 30	XXX	XXX	XXX	Wkly Avg 67	XXX	110
May 1 - 31	XXX	XXX	XXX	Wkly Avg 61	XXX	110
Jun 1 - 30	XXX	XXX	XXX	Wkly Avg 68	XXX	110
Jul 1 - 31	XXX	XXX	XXX	Wkly Avg 73	XXX	110



<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>	
Aug 1 - 31	XXX	XXX	XXX	72 Wkly Avg	XXX	110
Sep 1 - 30	XXX	XXX	XXX	65 Wkly Avg	XXX	110
Oct 1 - 31	XXX	XXX	XXX	55 Wkly Avg	XXX	110
Nov 1 - 15	XXX	XXX	XXX	49 Wkly Avg	XXX	110
Nov 16 - 30	XXX	XXX	XXX	45 Wkly Avg	XXX	110
Dec 1 - 31	XXX	XXX	XXX	46 Wkly Avg	XXX	110
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	5.9	11.8	XXX	20	40	50
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000	2,500
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	5.8	11.6	XXX	20	40	50
Ammonia-Nitrogen	1.0	XXX	XXX	3.3	XXX	8.3
Total Phosphorus	0.6	1.2	XXX	2.0	4.0	5

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

- Optimization of chlorine dosage
- 2° temperature change
- Acquire Necessary Property Rights
- Proper Sludge Disposal
- WQM Permits
- BAT/BCT Reopener
- Additional Requirements from DRBC
- DRBC Docket
- Effluent Limitations for Fecal Coliform
- Remedial Measures if Public Nuisance
- Permit application sampling requirement within 60 days of commencement of discharge

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

The EPA Waiver is not in effect.

*Southwest Regional Office*

**PA0020681**, Sewage, SIC Code 4952, **Sewickley Borough**, 601 Thor Street, Sewickley, PA 15143-1855. Facility Name: Sewickley Borough STP. This existing facility is located in Sewickley Borough, **Allegheny 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), Ohio River (WWF), is located in State Water Plan watershed 20-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.9 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>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.9 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	185.0	300.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	225.0	335.0	XXX	30.0	45.0	60
Nov 1 - Mar 31	XXX	XXX	XXX	2,000	XXX	10,000
Apr 1 - Oct 31	XXX	XXX	XXX	200	XXX	400
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.9 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	XXX	Report

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.

Southwest Regional Office

**PA0027430**, Sewage, SIC Code 4952, **Municipal Authority of Westmoreland County**, P.O. Box 730, Greensburg, PA 15601-0730. Facility Name: Jeannette STP. This existing facility is located in Penn Borough, **Westmoreland 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), 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 3.3 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Copper, Total (ug/L)	0.467	XXX	XXX	17.0	27.0	42
Acrolein (ug/L)	Report	Report	XXX	Report	Report	XXX
Bis(2-Ethylhexyl)Phthalate (ug/L)	Report	Report	XXX	Report	Report	XXX
Trichloroethylene (ug/L)	Report	Report	XXX	Report	Report	2.26

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Copper, Total (ug/L)	0.37	0.57	XXX	13.3	20.6	20.6
Acrolein (ug/L)	0.083	0.087	XXX	3.0	3.18	3.18
Bis(2-Ethylhexyl)Phthalate (ug/L)	0.013	0.021	XXX	0.48	0.75	1.21
Trichloroethylene (ug/L)	0.025	0.039	XXX	0.9	1.41	2.26

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	465.0	700.0	XXX	17.0	25.5 Wkly Avg	34
May 1 - Oct 31	340.0	510.0	XXX	12.5	18.7 Wkly Avg	25
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	825.0	1235.0	XXX	30.0	45.0 Wkly Avg	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
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen						
Nov 1 - Apr 30	81.5	XXX	XXX	2.96	XXX	5.92
May 1 - Oct 31	54.8	XXX	XXX	1.99	XXX	3.98
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Antimony, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Free (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Chloroform (ug/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 3.3 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>Daily Maximum</i>	
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Combined Sewer Overflows
- POTW Pretreatment Program Development and Implementation
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

*Southwest Regional Office*

**PA0027618**, Sewage, SIC Code 4952, **Bethel Park Municipal Authority**, 3100 Piney Fork Road, South Park, PA 15219. Facility Name: Piney Fork STP. This existing facility is located in Bethel Park Borough, **Allegheny 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), Piney Fork (TSF), is located in State Water Plan watershed 19-C 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 4.92 MGD.—Interim 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 Phosphorus	Report	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Copper, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Free (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Bis(2-Ethylhexyl)Phthalate (ug/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.—Final 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 Phosphorus	82.0	XXX	XXX	2.0	4.0	5
Copper, Total (ug/L)	XXX	XXX	XXX	30.1	46.9	75.2
Cyanide, Free (ug/L)	XXX	XXX	XXX	4.43	6.91	11.1
Bis(2-Ethylhexyl)Phthalate (ug/L)	XXX	XXX	XXX	0.58	0.91	1.5

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Manganese, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 4.92 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	1,025	1,555 Wkly Avg	XXX	25.0	38.0	50
May 1 - Oct 31	410	615 Wkly Avg	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Wkly Avg	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Wkly Avg	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	1230	1,845 Wkly Avg	XXX	30.0	45.0	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
Total Nitrogen	XXX	XXX	XXX	Report	Report Daily Max	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	140	XXX	XXX	3.5	XXX	7
May 1 - Oct 31	60	XXX	XXX	1.5	XXX	3
Aluminum, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Boron, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report Daily Max	XXX
Iron, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Zinc, Total	XXX	XXX	XXX	Report	Report Daily Max	XXX
Benzene (ug/L)	XXX	XXX	XXX	Report	Report Daily Max	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	1.1 Daily Max	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	1.1 Daily Max	XXX

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

The EPA Waiver is not in effect.

*Southwest Regional Office*

**PA0028711 A-1**, Sewage, SIC Code 4952, **Peters Township Sanitary Authority**, 111 Bell Drive, McMurray, PA 15317-3415. Facility Name: Brush Run WPCP. This existing facility is located in Peters Township, **Washington County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instanta- neous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	475.0	715.0	XXX	25.0	37.5	50
May 1 - Oct 31	380.0	575.0	XXX	20.0	30.0	40
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent Total Suspended Solids	575.0	860.0	XXX	30.0	45.0	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
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen						
Nov 1 - Apr 30	57.5	XXX	XXX	3.0	XXX	6.1
May 1 - Oct 31	36.4	XXX	XXX	1.9	XXX	3.9
Total Phosphorus	38.3	XXX	XXX	2.0	XXX	4

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 not in effect.

*Southwest Regional Office*

**PA0110922**, Sewage, SIC Code 7032, **Camp Allegheny, Inc.**, 100 Camp Allegheny Drive, Stoystown, PA 15563-8823. Facility Name: Camp Allegheny STP. This existing facility is located in Stonycreek Township, **Somerset 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), UNT Calendars Run (CWF), is located in State Water Plan watershed 18-E 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 .015 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.015	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	5.0	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.25	XXX	0.818
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	20.0	XXX	40.0
Total Suspended Solids	XXX	XXX	XXX	20.0	XXX	40.0
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	XXX	1,000
				200		
Total Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	XXX
Ammonia-Nitrogen				Report		
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0218693**, Sewage, SIC Code 4952, **Luzerne Township Sewer Authority, Fayette County**, P.O. Box 241, La Belle, PA 15450-0241. Facility Name: Luzerne Township Sewer Authority WWTF. This existing facility is located in Luzerne Township, **Fayette 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), Monongahela River (WWF), is located in State Water Plan watershed 19-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 0.42 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	85.0	130.0	XXX	25.0	37.5	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	105.0	155.0	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	25.0	XXX	50.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Daily Max Report Daily Max	XXX	XXX

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

- None.

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.

*Southwest Regional Office*

**PA0092223**, Industrial, SIC Code 2822, **BASF Corporation**, 370 Frankfort Road, Monaca, PA 15061-2210. Facility Name: Monaca Plant. This existing facility is located in Potter Township, **Beaver County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of treated industrial waste, cooling tower blowdown, and storm water.

The receiving streams, Raccoon Creek (WWF) and Ohio River (WWF), are located in State Water Plan watershed 20-D and 20-B and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.433 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 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Acrolein (ug/L)	XXX	XXX	XXX	11.4	17.8	28.5
Acrylonitrile	XXX	XXX	XXX	XXX	Report	XXX
1,4-Dioxane	XXX	XXX	XXX	XXX	Report	XXX
Butyl Benzyl Phthalate	XXX	XXX	XXX	XXX	Report	XXX
Bis(2-Ethylhexyl)Phthalate	XXX	XXX	XXX	XXX	Report	XXX
Heptachlor Epoxide	XXX	XXX	XXX	XXX	Report	XXX
Trichloroethylene	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0.066 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Daily Maximum</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point pH (S.U.)	Avg Mo XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Internal Monitoring Point Biochemical Oxygen Demand (BOD <sub>5</sub> )	29.4 Avg Mo	56.8	XXX	19.5 Avg Mo	51.2	XXX
Internal Monitoring Point Chemical Oxygen Demand (COD)	505 Avg Mo	755	XXX	500.0 Avg Mo	1,000.0	XXX
Internal Monitoring Point Total Suspended Solids	55.7 Avg Mo	111	XXX	32.8 Avg Mo	103.9	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Daily Maximum</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Oil and Grease	19.8	31.2	XXX	10.0	20.0	XXX
Internal Monitoring Point	Avg Mo			Avg Mo		
Acrolein	XXX	XXX	XXX	XXX	Report	XXX
Internal Monitoring Point						
1,4-Dioxane	XXX	XXX	XXX	XXX	Report	XXX
Internal Monitoring Point						
Heptachlor	XXX	XXX	XXX	XXX	Report	XXX
Internal Monitoring Point						
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Internal Monitoring Point						
Chromium, Total	0.443	1.106	XXX	1.11	2.77	XXX
Internal Monitoring Point						
Copper, Total	0.579	1.349	XXX	1.45	3.38	XXX
Internal Monitoring Point						
Cyanide, Total	0.167	0.479	XXX	0.420	1.20	XXX
Internal Monitoring Point						
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Internal Monitoring Point						
Lead, Total	0.127	0.275	XXX	0.320	0.690	XXX
Internal Monitoring Point						
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Internal Monitoring Point						
Nickel, Total	0.674	1.589	XXX	1.69	3.98	XXX
Internal Monitoring Point						
Zinc, Total	0.419	1.042	XXX	1.05	2.61	XXX
Internal Monitoring Point						
2-Chlorophenol	0.0123	0.0391	XXX	0.031	0.098	XXX
Internal Monitoring Point						
2,4-Dichlorophenol	0.0155	0.0447	XXX	0.039	0.112	XXX
Internal Monitoring Point						
2,4-Dimethylphenol	0.0071	0.0143	XXX	0.018	0.036	XXX
Internal Monitoring Point						
Fluorene	0.0087	0.0235	XXX	0.022	0.059	XXX
Internal Monitoring Point						
2,4-Dinitrophenol	0.0283	0.0491	XXX	0.071	0.123	XXX
Internal Monitoring Point						
2,4-Dinitrotoluene	0.0451	0.1138	XXX	0.113	0.285	XXX
Internal Monitoring Point						
2,6-Dinitrotoluene	0.1018	0.2559	XXX	0.255	0.641	XXX
Internal Monitoring Point						
4,6-dinitro-o-cresol	0.0311	0.1106	XXX	0.078	0.277	XXX
Internal Monitoring Point						
2-Nitrophenol	0.0163	0.0275	XXX	0.041	0.069	XXX
Internal Monitoring Point						
4-Nitrophenol	0.0287	0.0495	XXX	0.072	0.124	XXX
Internal Monitoring Point						
Phenol	0.0059	0.0103	XXX	0.015	0.026	XXX
Internal Monitoring Point						
Acenaphthene	0.0087	0.0235	XXX	0.022	0.059	XXX
Internal Monitoring Point						
Acenaphthylene	0.0087	0.0235	XXX	0.022	0.059	XXX
Internal Monitoring Point						
Acrylonitrile	0.0383	0.0966	XXX	0.096	0.242	XXX
Internal Monitoring Point						
Anthracene	0.0087	0.0235	XXX	0.022	0.059	XXX
Internal Monitoring Point						
Chlorobenzene	0.0067	0.0126	XXX	0.015	0.028	XXX
Internal Monitoring Point						
1,2-Dichlorobenzene	0.0307	0.0650	XXX	0.077	0.163	XXX
Internal Monitoring Point						
1,3-Dichlorobenzene	0.0123	0.0175	XXX	0.031	0.044	XXX
Internal Monitoring Point						
1,4-Dichlorobenzene	0.0059	0.0111	XXX	0.015	0.028	XXX
Internal Monitoring Point						



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Daily Maximum</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
1,3-Dichloropropylene Internal Monitoring Point	0.0115	0.0175	XXX	0.029	0.044	XXX
1,2,4-Trichlorobenzene Internal Monitoring Point	0.0271	0.0559	XXX	0.068	0.140	XXX
Ethylbenzene Internal Monitoring Point	0.0144	0.0486	XXX	0.032	0.108	XXX
Hexachlorobenzene Internal Monitoring Point	0.0059	0.0111	XXX	0.015	0.028	XXX
Nitrobenzene Internal Monitoring Point	0.0107	0.0271	XXX	0.027	0.068	XXX
Benzene Internal Monitoring Point	0.0147	0.0543	XXX	0.037	0.136	XXX
Benzo(a)Anthracene Internal Monitoring Point	0.0087	0.0235	XXX	0.022	0.059	XXX
Benzo(a)Pyrene Internal Monitoring Point	0.0091	0.0243	XXX	0.023	0.061	XXX
Benzo(k)Fluoranthene Internal Monitoring Point	0.0087	0.0235	XXX	0.022	0.059	XXX
3,4-Benzofluoranthene Internal Monitoring Point	0.0091	0.0243	XXX	0.023	0.061	XXX
Carbon Tetrachloride Internal Monitoring Point	0.0071	0.0151	XXX	0.018	0.038	XXX
Chloroethane Internal Monitoring Point	0.0415	0.1070	XXX	0.104	0.268	XXX
1,1,1-Trichloroethane Internal Monitoring Point	0.0083	0.0215	XXX	0.021	0.054	XXX
1,1,2-Trichloroethane Internal Monitoring Point	0.0083	0.0215	XXX	0.021	0.054	XXX
1,1-Dichloroethane Internal Monitoring Point	0.0087	0.0235	XXX	0.022	0.059	XXX
1,2-Dichloroethane Internal Monitoring Point	0.0271	0.0842	XXX	0.068	0.211	XXX
1,2-Dichloropropane Internal Monitoring Point	0.0611	0.0918	XXX	0.153	0.230	XXX
Bis(2-Ethylhexyl)Phthalate Internal Monitoring Point	0.0411	0.1114	XXX	0.103	0.279	XXX
Chloroform Internal Monitoring Point	0.0083	0.0183	XXX	0.021	0.046	XXX
Chrysene Internal Monitoring Point	0.0087	0.0235	XXX	0.022	0.059	XXX
Diethyl Phthalate Internal Monitoring Point	0.0323	0.0810	XXX	0.081	0.203	XXX
Dimethyl Phthalate Internal Monitoring Point	0.0075	0.0187	XXX	0.019	0.047	XXX
Di-n-Butyl Phthalate Internal Monitoring Point	0.0107	0.0227	XXX	0.027	0.057	XXX
Fluoranthene Internal Monitoring Point	0.0099	0.0271	XXX	0.025	0.068	XXX
Hexachlorobutadiene Internal Monitoring Point	0.0079	0.0195	XXX	0.020	0.049	XXX
Hexachloroethane Internal Monitoring Point	0.0083	0.0215	XXX	0.021	0.054	XXX
Methyl Chloride Internal Monitoring Point	0.0343	0.0758	XXX	0.086	0.190	XXX
Methylene Chloride Internal Monitoring Point	0.0159	0.0355	XXX	0.040	0.089	XXX
Naphthalene Internal Monitoring Point	0.0099	0.0265	XXX	0.022	0.059	XXX
Phenanthrene Internal Monitoring Point	0.0087	0.0235	XXX	0.022	0.059	XXX
Pyrene Internal Monitoring Point	0.0099	0.0267	XXX	0.025	0.067	XXX
1,1-Dichloroethylene Internal Monitoring Point	0.0072	0.0112	XXX	0.016	0.025	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Daily Maximum</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
trans-1,2-Dichloroethylene Internal Monitoring Point	0.0083	0.0215	XXX	0.021	0.054	XXX
Tetrachloroethylene Internal Monitoring Point	0.0087	0.0223	XXX	0.022	0.056	XXX
Toluene Internal Monitoring Point	0.0117	0.0360	XXX	0.026	0.080	XXX
Trichloroethylene Internal Monitoring Point	0.0083	0.0215	XXX	0.021	0.054	XXX
Vinyl Chloride Internal Monitoring Point	0.0415	0.1070	XXX	0.104	0.268	XXX

The proposed effluent limits for Internal Monitoring Point 301 are based on a design flow of 0.008 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD) Internal Monitoring Point	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.) Internal Monitoring Point	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Free Available Chlorine Internal Monitoring Point	XXX	XXX	XXX	0.2	0.5 Daily Max	XXX

The proposed effluent limits for Outfall 002 are for variable storm water discharges.—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 (GPM)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Flow (GPM) Effluent Net	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Flow (GPM) Industrial Influent	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.) pH (S.U.) Industrial Influent	XXX XXX	XXX XXX	XXX XXX	XXX XXX	Report Report	XXX XXX
pH (S.U.) Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD) Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD) Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD) Total Suspended Solids Effluent Net	XXX XXX	XXX XXX	XXX XXX	XXX XXX	Report Report	XXX XXX
Total Suspended Solids Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Phosphorus Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total Effluent Net	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total Effluent Net	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are for variable storm water discharges.—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 (GPM)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are for variable storm water discharges.—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 (GPM) Effluent Net	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Flow (GPM) Industrial Influent	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Flow (GPM)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
pH (S.U.) Effluent Net	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Industrial Influent						
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Effluent Net						

In addition, the permit contains the following major special conditions: requirements applicable to storm water associated with industrial activities, chemical additives, and compliance requirements for water quality limits below target quantitation limits. The permittee is required to conduct a storm water flow study to determine net site contributions to storm water discharges at Outfalls 002 and 004.

The permittee has the option of collecting additional samples of Outfall 001's discharges and analyzing those samples for Acrolein, Acrylonitrile, Bis(2-ethylhexyl) phthalate, and Trichloroethylene using analytical methods with reporting

limits equivalent to DEP's target quantitation limits. If new sample analyses show that those pollutants are not detectable at the level of DEP's target quantitation limits, then the limits and monitoring requirements for Acrolein, Acrylonitrile, Bis(2-ethylhexyl) phthalate, and Trichloroethylene will be removed from Outfall 001 in the final permit.

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 not in effect.

*Southwest Regional Office*

**PA0284785**, Storm Water, SIC Code 4225, **Amazon.com Services, LLC**, P.O. Box 80842, Seattle, WA 98108-0842. Facility Name: Amazon.com Services LLC—DAE7. This proposed facility is located in North Versailles Township, **Allegheny County**.

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

The receiving stream(s), Monongahela River (WWF), is located in State Water Plan watershed 19-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 Outfalls 001 and 002 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
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 412-442-4000.

The EPA Waiver is in effect.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD460076	New	Southeastern Pennsylvania Transportation Authority 103 Washington Street Conshohocken, PA 19428-2052	Conshohocken Borough Montgomery County	SERO
PAD210092	Renewal	Parkview at Boiling Springs LP SR 0174 & E. Old York Road Boiling Springs, PA 17007	South Middleton Township Cumberland County	SCRO
PAD390261	New	Jaindl Land Company 3150 Coffeetown Road Orefield, PA 18069	Upper Macungie Township Lehigh County	NERO
PAD390258	New	Sunoco Pipeline, LP 525 Fritztown Road Sinking Spring, PA 19608	South Whitehall Township Lehigh County	NERO
PAD440021	New	David M. Maine & Associates, Inc. Sheetz Drive Reedsville, PA 17084-9639	Brown Township Mifflin County	SCRO
PAD150285	New	MCH Development, LLC 527 Bethel Church Road Spring City, PA 19475-9660	East Coventry Township Chester County	SERO
PAD150281	New	Adam Pompei and Patricia Pompei 1021 Bodine Road Chester Springs, PA 19425-2007	West Pikeland Township Chester County	SERO
PAD150273	New	PA DCNR—Bureau of State Parks 675 Park Road Downingtown, PA 19335	Upper Uwchlan Township Chester County	SERO
PAD360099	New	Coby King 448 Springville Road Quarryville, PA 17566	Eden Township Lancaster County	SCRO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PA300004D	New	Peoples Natural Gas, LLC 375 North Shore Drive Pittsburgh, PA 15212	Franklin Township Morgan Township Washington Township West Bethlehem Township Greene County Washington County	SWRO
PAD110014	New	Jackson Township 513 Pike Road Johnstown, PA 15909	Jackson Township Cambria County	SWRO
PAD480048	Renewal	Colony Park Partners, LLC 1348 Hamilton St. Allentown, PA 18102	Plainfield Township Northampton County	NERO
PAC650334	New	Penn Line Real Estate Holdings 300 Scottsdale Avenue Scottsdale, PA 15683	Hempfield Township Westmoreland County	SWRO
PAC650328	New	U-Haul Co of Northwestern PA 1027 William Flynn, # 861 Glenshaw, PA 15116	Unity Township Westmoreland County	SWRO
PAC630265	New	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Centerville Borough Washington County	SWRO
PAD090089	New	NP Falls Township Industrial, LLC 10 Solar Drive Fairless Hills, PA 19030-5012	Falls Township Bucks County	SERO
PAD450114A-1	Major Amendment	Sanofi Pasteur, Inc. Discovery Drive Swiftwater, PA 18370	Pocono Township Monroe County	NERO
PA210001D	New	PPL Electric Utilities Corp 827 Hausman Rd Genn4 Allentown, PA 18104	Lower Allen Township Cumberland County	SCRO

## PUBLIC WATER SUPPLY PERMITS

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

Individuals 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 Environmental Protection (DEP) 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, DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

## SAFE DRINKING WATER

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

*Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Nicole Mechtly, Clerical Supervisor II, 570-327-3490.*

**Application No. 5722501**, Construction, Public Water Supply.

Applicant	<b>Red Rock Job Corps</b>
Address	Route 487 North Lopez, PA 18628
Municipality	Colley Township
County	<b>Sullivan County</b>
Responsible Official	Annette Mary Crilley Owner/Operator Lopez, PA 18628

Consulting Engineer John G. Synoski, P.E.  
2584 Christine Road  
Hazle Township, PA 18202

Application Received November 30, 2022

Description Red Rock Job Corp adding water softener to existing system.

*Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

Contact: Pam Yoder Clerical Assistant, 814-332-6899.

**Application No. 4222502**, Construction, Public Water Supply.

Applicant **FHO Corporation**

Address 1000 Glendorn Drive  
Bradford, PA 16701

Municipality Bradford Township

County **McKean County**

Responsible Official Chris Bradley  
Chief Engineer  
1000 Glendorn Drive  
Bradford, PA 16701

Consulting Engineer Steven R. Halmi, P.E.  
Deiss & Halmi Engineering, Inc.  
105 Meadville Street  
Edinboro, PA 16412

Application Received November 29, 2022

Description Lodge at Glendorn Main Spring  
Limestone Contractor for  
Corrosion Control Treatment

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

**Application No. 5022505**, Construction, Public Water Supply.

Applicant **Newport Borough  
Water Authority**

Address 497 North Front Street  
Newport, PA 17074

Municipality Newport Borough

County **Perry County**

Responsible Official Penny Frownfelter  
497 North Front Street  
Newport, PA 17074

Consulting Engineer Barton and Loguidice  
3901 Hartzdale Drive  
Suite 101  
Camp Hill, PA 17011

Application Received November 1, 2022

Description The proposed project involves (1) relocation of the entry point flow meter, (2) in-kind replacement of the existing CFE turbidimeter, (3) relocation of the CFE sample tap, and (4) addition of sulfuric acid chemical feed to adjust pH as needed.

## WATER ALLOCATIONS

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

*Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

Contact: Pam Yoder Clerical Assistant, 814-332-6899.

**WA 61-922A**, Water Allocations. **Cranberry-Venango County General Authority**, 3726 State Route 257, Seneca, PA 16378, Cranberry Township, **Venango County**. Renewal of right to purchase 433,333 gpd on a Peak Month 30-day basis from the City of Oil City. Application received: November 30, 2022.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

### Acknowledgment of Notice(s) 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 (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where an individual proposes to, or has been required to, respond to a release of a regulated substance at a site. Individuals 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 DEP. A NOI to Remediate filed with DEP 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. An individual 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 DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals 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 individual, 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 plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following Notice(s) of Intent to Remediate.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**DCNR 587 (02-003) Well Pad**, Primary Facility ID # **862295**, 189 Long Ridge Lane, Morris Run, PA 16939, Ward Township, **Tioga County**. WSP USA Inc., 2000 Lenox Drive, 3rd Fl, Lawrenceville, NJ 08648, on behalf of Repsol Oil & Gas USA, LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, submitted a Notice of Intent to Remediate. The NIR concerns site soil contaminated with produced water. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *Wellsboro Gazette* on November 17, 2022. Application received: November 7, 2022.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Range Unit 52 Seamans Well Pad**, Primary Facility ID # **857792**, 780 White Road, New Milford, PA 18834, Harford Township, **Susquehanna County**. Folsom Engineering, 4361 State Route 87, Mehoopany, PA 18629, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of production fluid (brine). The Notice of Intent to Remediate was published in *The Susquehanna County Transcript* on October 19, 2022. Application received: December 1, 2022.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.*

**6473 & 6475 Heatherfield Way**, Primary Facility ID # **862658**, 6473 and 6475 Heatherfield Way, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Mr. Antonino Vetrano and Ms. Vickie Harle, 6473 and 6475 Heatherfield Way, Harrisburg, PA 17112, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with No. 2 fuel oil. The site will be remediated to the Statewide health standard. Future use of the site will remain residential. The Notice of Intent to Remediate was published in *The Sun* on November 3, 2022. Application received: November 16, 2022.

**Wawa 158**, Primary Facility ID # **862694**, 1990 Miller Road, East Petersburg, PA 17520, East Hempfield Township, **Lancaster County**. Aquaterra Technologies, Inc.,

P.O. Box 744, West Chester, PA 19381, on behalf of Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate groundwater contaminated with Diesel Fuel. The site will be remediated to the Statewide health standard. Future use of the site will remain nonresidential. The Notice of Intent to Remediate was published in *LNP Media Group, Inc.* on November 22, 2022. Application received: November 18, 2022.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Vanport Quarry**, Primary Facility ID # **624913**, Olivia Street, Beaver, PA 15009, Vanport Township, **Beaver County**. Key Environmental, Inc., 200 Third Avenue, Carnegie, PA 15106, on behalf of Wright Brothers Development VII, LLC, 1200 Sharon Road, Suite 1, Beaver, PA 15009, submitted a Notice of Intent to Remediate. The ViacomCBS, Inc., site (which includes the former ViacomCBS, Inc. property and the former Beaver Sand Co. property) has been thoroughly investigated under the Hazardous Sites Cleanup Act (HSCA) and historical releases of chlorinated solvents at the former ViacomCBS, Inc., property have impacted groundwater at the former Beaver Sand Co. property. The following list includes the primary contaminants that originated from the ViacomCBS, Inc. property and have migrated via groundwater flow beneath the former Beaver Sand Co. property: tetrachloroethene; trichloroethene; cis-1,2-dichloroethene; trans-1,2-dichloroethene; 1,1-dichloroethene; and vinyl chloride. The intended future use of the property will be a Clean Fill Facility, restoring the surface of the abandoned quarry to its approximate original elevations so that the property can be better utilized in the future. The Notice of Intent to Remediate was published in *Ellwood City Ledger* on November 29, 2022. Application received: November 23, 2022.

#### REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

**Registration(s) Received 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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

**WMGR163SW001. Range Resources Appalachia, LLC**, 3000 Town Center Boulevard, Canonsburg, PA 15317, Mt. Pleasant Township, **Washington County**. An application for registration under residual waste General Permit WMGR163 for processing and transfer of oil and gas liquid waste at temporary facilities that operate for no more than 180 consecutive days at any one time, and subsequent beneficial use of oil and gas liquid waste to develop or hydraulically fracture an oil or gas well at the Yonker George Well Site Reuse Water Storage Facility located at 94 Baker Road, McDonald, PA 15057. Application received: November 16, 2022. Deemed Administratively Complete: December 2, 2022.



Questions concerning the application should be directed to the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at 800-654-5984.

#### MUNICIPAL WASTE GENERAL PERMITS

**Application(s) Received 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 a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Northeast Region: Waste Management Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.*

**WMGM017-NE001. Four Springs Farms LLC,** 2774 Silver Creek Road, Kutztown, PA 19530, Weisenberg Township, **Lehigh County.** A renewal application for continued coverage under general permit number WMGM017 for the processing and beneficial use of compost of manure, yard waste, source separated food scraps from food markets, grocery stores, food banks, food distribution centers, school cafeterias and institutions, source-separated newspaper, and source-separated corrugated paper (cardboard) as soil substitute, soil conditioner, fertilizer, mulch or soil amendment. Application received: September 12, 2022. Supplemental information: September 29, 2022. Deemed administratively complete: September 29, 2022.

Comments or questions concerning the application should be directed to Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Application(s) Received 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 Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.**

*Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Anthony L. Rathfon, Program Manager.*

**WMGR038SC011, TyreFlow Lancaster, LLC,** 1905 Horseshoe Road, Lancaster, PA 17602, East Lampeter

Township, **Lancaster County.** This application is for coverage under WMGR038 which authorizes the processing, reuse, and beneficial use of waste tires including whole tires, tire chips, baled tires, tire shreds, and crumb rubber. The processing includes collection, sorting, storage, recapping, cleaning, shredding, chipping, grinding, crumbing, cutting and baling of waste tires. The beneficial use of whole waste tires, tire chips, baled tires, tire shreds, and crumb rubber is limited to recapping, as fuel in boilers or other combustion units, in civil engineering practices, and as an ingredient in or as a commercial product. Application received: November 16, 2022. Deemed administratively complete: November 29, 2022.

Comments or questions concerning the application should be directed to John L. Oren, P.E., Permits Chief, 717.705.4907, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Application(s) Received 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.**

*New Applications Received*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Kalyani Environmental Solutions,** 1201 Bernard Drive, Baltimore, MD 21223. **License No. PA-AH 0928.** Accepted: September 6, 2022.

*Renewal Applications Received*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Envirite of Pennsylvania, Inc. dba EQ Pennsylvania,** 730 Vogelsong Road, York, PA 17404. **License No. PA-AH 0549.** Accepted: November 17, 2022.

**Altom Transport, Inc.,** 1646 Summer Street, Hammond, IN 46320. **License No. PA-AH 0693.** Accepted: November 1, 2022.

**Hazleton Oil & Environmental, Inc.,** 300 Tamaqua Street, Hazleton, PA 18201. **License No. PA-AH 0713.** Accepted: November 10, 2022.

**Cemco-Custom Environmental Management Co., Inc.,** P.O. Box 212, Hainesport, NJ 08036-0212. **License No. PA-AH 0776.** Accepted: November 22, 2022.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Application(s) 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 License.**

*Renewal Applications Received*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Clym Environmental Services, LLC**, 1539 Tilco Drive, Frederick, MD 21704. **License No. PA-HC 0253.** Accepted: November 10, 2022.

**AIR QUALITY****PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

The Department of Environmental Protection (DEP) 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 DEP, 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 DEP received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, DEP'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 DEP Regional Office. Appointments for scheduling a review must be made by calling the appropriate DEP Regional Office. The address and telephone number of the Regional Office is listed before the application notices.

Individuals 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 DEP'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.

Any individual wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if DEP, 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 DEP determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate DEP 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 Operat-

ing 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

**PLAN APPROVALS**


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**Application(s) Received for Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B That May Have Special Public Interest. These Plan Approval Applications are in Review and No Decision on Disposition Has Been Reached.**

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Raymond Kempa, Environmental Group Manager.*

**54-00006A: Rausch Creek Generation, LLC** 978 Gap Street, Valley View, PA 17983-9749, Frailey Township, **Schuylkill County**. Application received: November 22, 2022. For the installation of SNCR to control emissions from their CFB Boiler in order to comply with RACT III daily limits.

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**Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) 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.**

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*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Dave Balog, New Source Review Chief, 814-332-6328.*

*CORRECTION—previously published on November 19, 2022*

**24-00195A: Diversified Production LLC**, 125 Industrial Road, Waynesburg, PA 15370, Jay Township, **Elk County**. Application received: May 31, 2022.

The Department of Environmental Protection intends to issue a plan approval to Diversified Production LLC to provide authorization for the construction and initial operation of additional sources at their existing Longhorn Pad C facility. This facility is located on Swede Farm Road, Weedville, PA 15868; coordinates Latitude 41°, 17', 43.2"; Longitude -78°, 27', 10.85".

This project would add equipment for a new process which is outside the scope of their current GP-5A. The existing GP-5A covered sources will remain authorized under that general permit. Operation of the proposed equipment would focus on electrical generation and cryptocurrency data mining operations and not unconven-

tional natural gas well site operations or remote pigging. The proposed sources would be in addition to Diversified's existing equipment. No changes to GP-5A authorized equipment are proposed.

This project would install four Waukesha engines (each rated at 1,900 bhp), one Waukesha engine (rated at 1,680 bhp), and one small generator set rated 1.8 kw. Potential emissions from all proposed sources are estimated to be (tpy): 8.87 VOC, 13.44 NO<sub>x</sub>, 26.88 CO PM<sub>10</sub> 5.92, and 8.47 HAPs.

This will be a natural minor facility upon completion of the project. 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 [24-00195A: Diversified Production LLC] 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, 814-332-6819.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

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

**30-00259A: Cameron International Corporation**, 1614 E Roy Furman Hwy, Carmichaels, PA 15320, Cumberland Township, **Greene County**. Application received: December 28, 2021.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 30-00259A to Cameron International Corporation, for the construction of two (2) surface coating booths, for the facility located in Cumberland Township, Greene County. The Plan Ap-

proval will subsequently be incorporated into the facility State Only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 30-00259A is for the construction for two (2) surface coating booths. Based on the information provided by the applicant and DEP's own analysis, the subject sources will have the potential to emit approximately 20.0 tons per year of volatile organic compounds (VOC), 10.0 tons per year of HAPs and 0.04 ton per year of PM.

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

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made by calling the Department at 412-442-4284.

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 Southwest 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). Submittal 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 30-00259A) 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 Mark Gorog, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222, 412-442-4000.

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.

**65-00993: Cintas Corporation**, 320 Western Drive, Mount Pleasant, PA 15666, Mount Pleasant, PA 15666, Hempfield Township, **Westmoreland County**. Application received: November 18, 2022.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, that the Pennsylvania Department of Environmental Protection (Department) intends to issue Synthetic Minor State Only Operating

Permit 65-00993 for operation of the industrial laundering facility located in Hempfield Township, Westmoreland County.

Potential emissions are 7.0 tons of nitrogen oxides (NO<sub>x</sub>), 6.0 tons of carbon monoxide (CO), 10.0 tons of volatile organic compounds (VOC), 2.0 tons of hazardous air pollutants (HAP), and 21.0 tons of particulate matter (PM) per year. This authorization is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code § 127.1. The Department has determined that the proposed project satisfies the Department's BAT requirements. The facility is subject to State regulations including 25 Pa. Code §§ 121.7, 123.1, 123.2, 123.31, 123.41 and 123.43. The operating permit has been conditioned to ensure compliance with all applicable rules including emission restrictions, operational restrictions, monitoring, recordkeeping, reporting, and work practice requirements. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145.

The State Only Operating Permit Application, the Department's Air Quality Review Memorandum, and the proposed permit for this project are available for review by any interested party during normal business hours at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the permit 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 Permit for this project, a person may contact the Department's Southwest Regional Office File Review Coordinator at 412.442.4000 or through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

A person may oppose the proposed permit by filing a written protest with the Department through Edward Painter, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; [epainter@pa.gov](mailto:epainter@pa.gov); or fax 412.442.4194. 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 permit (65-00993) and a concise statement of the objections to the permit 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. Written comments or requests for a public hearing should be directed to Mark R. Gorog, P.E., Regional Program Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to [mgorog@pa.gov](mailto:mgorog@pa.gov). All comments must be received prior to the close of business 30 days after the date of this publication.

#### OPERATING PERMITS

**Notice of Intent to Issue Title V Operating Permit(s) 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, 484-250-5900.*

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

**3161 (ORIS Number), Constellation Energy Generation, LLC/Eddystone Generating Station**, 1 Industrial Highway, Eddystone, PA 19022, Eddystone Borough, Delaware County. Application received: June 23, 2022. The acid rain permit establishes SO<sub>x</sub> allowances for Units # 3 and # 4. The renewal does not adopt any new regulations and does not reflect any change in air pollutant emissions from the facility. All monitoring, recordkeeping, and reporting shall be in conformance with 25 Pa. Code § 127.531.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at [RA-EPSEROAQPUBCOM@pa.gov](mailto:RA-EPSEROAQPUBCOM@pa.gov).

**Notice of Intent to Issue Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.*

*Contact: Edward Wiener, Chief, Source Registration, 215-685-9426.*

**OP17-000024, Southeastern Pennsylvania Transportation Authority (SEPTA)—Roberts Complex**, 4301 Wissahickon Avenue, City of Philadelphia, PA 19140, City of Philadelphia, Philadelphia County. Application received: April 17, 2017. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal of the Synthetic Minor Operating Permit (SMOP) for the Southeastern Pennsylvania Transportation Authority (SEPTA)—Roberts Complex (341-342 Roberts Avenue, Philadelphia, PA 19140; 4301 Wissahickon Avenue, Philadelphia, PA 19129; 440 Clarissa Street, Philadelphia, PA 19140), for the operation of a regional public transportation authority facility. The facility's air emission sources are two (2) combined heat and power (CHP) units each with SCR and OC firing natural gas each rated 6,113 HP, eighteen (18) external combustion units each rated less than 10 MMBtu/hr, including four (4) boilers firing No. 2 oil, two (2) boilers firing natural gas and No. 2 oil, four (4) boilers firing natural gas, one (1) pressure washer firing natural gas, six (6) space heaters firing natural gas, and one (1) spray booth burner firing natural gas, one (1) emergency generators firing diesel rated 10.150 MMBtu/hr, one (1) sand blasting operation and one (1) air compressor for sand blasting operations firing diesel rated 79 HP, one (1) gasoline dispensing facility with one (1) 10,000 gallons storage tank, five (5) parts washers/degreasers (cold cleaning machines), one (1) spray booth for mobile equipment repair and refinishing, one (1) windshield washer fluid tank, and various insignificant sources. As part of the SMOP renewal, the facility-wide natural gas and No. 2 oil usage limits for boilers, space heaters, spray booth burner, and pressure washer are modified from the limits in the AMS Plan Approval No. IP17-000009 dated 11/29/2017 and extended under IP22-000384 dated 10/3/2022 to ensure compliance with the Synthetic Minor emission limits for the facility. Additionally, as part of the SMOP renewal, the process to determine the urea injection rate is updated from the

requirement to establish the minimum and maximum urea injection rate for the SCR in AMS Plan Approval No. IP17-000009 dated 11/29/2017 and extended under IP22-000384 dated 10/3/2022 to the requirement to establish an SCR urea flow to engine load map for each CHP unit that can be used to determine the urea injection rate for the SCR at various engine loads during normal operation to achieve compliance with the NO<sub>x</sub> emissions limit and ammonia slip emission limit. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426. Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

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

**04-00468, S.H. Bell Company**, 644 Alpha Drive, Pittsburgh, PA 15238, Ohioville Borough, **Beaver County**. Application received: August 8, 2022.

S.H. Bell Company/East Liverpool Terminal (Pennsylvania Side) in accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a renewal synthetic minor State Only Operating Permit for a nonferrous material storage and processing facility located in Ohioville Borough, Beaver County.

The S.H. Bell Company's Stateline Terminal includes air contamination sources and air cleaning devices in both Pennsylvania and Ohio. This permit applies to equipment located at this facility in Pennsylvania, including a crusher/screener, a fines screener, two screen boxes, an emergency generator, a diesel engine, and miscellaneous emissions from material handling operation, roadways, and storage piles.

The fines screening operation is limited to 1,226,400 tons of total fines screening in any 12-consecutive month period (12-cmp), 50,000 tons/12-cmp of chromium containing materials, and 744,426 tons/12-cmp of manganese containing materials. The miscellaneous material handling operation is limited to 6,613,400 tons/12-cmp of total material handling, 2,830,579 tons/12-cmp of chromium containing materials, and 2,214,011 tons/12-cmp of manganese containing materials. The emergency generator is limited to 500 hours of operation per 12-cmp. Emissions are limited to 1.0 ton/12-cmp of NO<sub>x</sub>, 6.0 tons/12-cmp of CO, 2.0 tons/12-cmp of SO<sub>x</sub>, 0.5/12-cmp of VOCs, 30.0 tons/12-cmp of PM<sub>10</sub>, and 10.0 tons/12-cmp total HAPs. The facility is also limited to 6.0 tons/12-cmp of ferrochromium MHAPs, 3.5 tons/12-cmp of ferromanganese MHAPs, 4.5 tons/12-cmp of chromium PM<sub>10</sub>, and 3.5 tons/12-cmp of manganese PM<sub>10</sub>.

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.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the 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. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00468) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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 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 Department is not required to hold a conference or hearing. 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. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

## 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 (DEP). 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 DEP 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 DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

#### *Coal Applications*

*Effluent Limits*—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 1

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l

pH must always be greater than 6.0; less than 9.0.  
Alkalinity must always be greater than acidity.

*California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 32841312. NPDES No. PA0037087. Indiana Investments, Inc. c/o Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Armstrong Township, **Indiana County**. To revise the permit and related NPDES permit to add a dewatering borehole, treatment ponds to control the mine pool elevation, and one (1) new NPDES outfall, affecting 8.6 proposed acres. Receiving stream: Walker Run, classified for the following use: CWF. Application received: September 30, 2022. Accepted: November 22, 2022.

**Mining Permit No. 17220701. NPDES No. PA0236616. RES Coal, LLC**, 51 Airport Road, Clearfield, PA 16830, Bradford and Boggs Townships, **Clearfield County**. An application for a permit to operate a new coal refuse facility and a related NPDES permit, affecting the proposed 137.9 coal refuse disposal acres and 92.1 coal refuse disposal support acres. Receiving stream(s): Clearfield Creek, classified for the following use: WWF and Long Run, classified for the following use: CWF. Application received: September 26, 2022. Accepted: November 23, 2022.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.*

*Contact: Melanie Ford-Wigfield, 814.472.1900, ra-epcambria@pa.gov.*

**Mining Permit No. 11150101. NPDES No. PA0279391. RES Coal, LLC**, 51 Airport Road, Clearfield, PA 16830, Reade Township, **Cambria County**. Permit transfer from E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722, for the continued operation and restoration of a bituminous surface-auger mine affecting 65.7 acres. Receiving streams: unnamed tributaries to/and Fallentimber Run classified for the following uses: CWF. Application received: November 21, 2022.

**Mining Permit No. 56120106. NPDES No. PA0268984. PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, Quemahoning Township, **Somerset County**. Renewal to the NPDES permit of a bituminous surface mine affecting 150.4 acres. Receiving streams: unnamed tributary to Stonycreek and Stonycreek River classified for the following uses: CWF & WWF. Application received: November 21, 2022.

**Mining Permit No. 32170101. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, Burrell Township, **Indiana County**. Renewal for reclamation activities only on a bituminous surface mine affecting 157 acres. Receiving streams: unnamed tributaries to Toms Run and Roaring Run classified for the following use: CWF. Application received: November 21, 2022.

**Mining Permit No. 32110104. NPDES No. PA0263303. Simkol Corporation**, 550 Beagle Road, Rockwood, PA 15557, Young Township, **Indiana County**. Revision to add 14.7 acres to the existing 40.5-acre permit area. The addition includes 5.4 acres of coal removal and 9.3 acres for support and reclamation activities. Total SMP acres go from 40.5 to 55.2 acres. Receiving streams: Nesbit Run and unnamed tributary to Whiskey Run, classified for the following use: CWF. Application received: November 21, 2022.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.*

**Mining Permit No. 33110103. NPDES No. PA0289110. Original Fuels, Inc.,** P.O. Box 343, Punxsutawney, PA 15767, Perry Township, **Jefferson County**. Renewal of an existing bituminous surface mine and NPDES permit. Application received: December 1, 2022.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17110105. NPDES No. PA0257630. RES Coal LLC,** 51 Airport Road, Clearfield, PA 16830, Girard Township, **Clearfield County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 233.9 acres. Receiving stream(s): UNTs to Bald Hill and Bald Hill Run classified for the following use(s): CWF, MF. Application received: November 29, 2022. Accepted: November 30, 2022.

**Mining Permit No. 17120103. Swisher Contracting, Inc.,** P.O. Box 1223, Clearfield, PA 16830, Bradford Township, **Clearfield County**. Permit renewal for application for a bituminous surface coal mine and associated NPDES permit affecting 199.9 acres. The renewal is for reclamation only. Receiving stream(s): Fork Run to Roaring Run classified for the following use(s): CWF, MF. Application received: December 5, 2022. Accepted: December 6, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 54851336. Rausch Creek Coal Preparation Good Spring, LLC,** 978 Gap Street, Valley View, PA 17983, Frailey and Porter Townships, **Schuylkill County**. Renewal of an anthracite underground mine and coal preparation plant operation affecting 14.1 acres. Receiving stream: Good Spring Creek, classified for the following uses: CWF, MF. Application received: November 14, 2022.

**Mining Permit No. GP12 Permit No. GP12-54851336. Rausch Creek Coal Mining Good Spring, LLC,** 978 Gap Street, Valley View, PA 17983, Frailey and Porter Townships, **Schuylkill County**. Renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Underground Mining Permit No. 54851336. Application received: November 14, 2022.

**Mining Permit No. 54950104. Keystone Anthracite, Inc.,** 259 North Second Street, Girardville, PA 17935, West Mahanoy Township, Shenandoah and Gilberton Boroughs, **Schuylkill County**. Transfer from City of Philadelphia, Girard Estate and correction to update the permit acres from 397.3 to 638.7 and include coal refuse reprocessing and preparation plant operation in West Mahanoy Township, Shenandoah and Gilberton Boroughs, Schuylkill County. Receiving streams: Shenandoah and Mahanoy Creeks, classified for the following uses: CWF, MF. Application received: November 7, 2022.

**Mining Permit No. GP12 No. GP12-54950104. Keystone Anthracite, Inc.,** 259 North Second Street, Girardville, PA 17935, West Mahanoy Township, Shenandoah Borough and Gilberton Borough, **Schuylkill County**. Application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54950104. Application received: November 7, 2022.

#### *Noncoal Applications*

*Effluent Limits*—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

*Table 2*

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity.			
pH must always be greater than 6.0; less than 9.0.			

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.*

**Mining Permit No. 10170301. NPDES No. PA0280569. Glenn O. Hawbaker, Inc.,** 1652 Waddle Road, Suite 203, State College, PA 16803, Parker Township, **Butler County**. Renewal of NPDES permit. Application received: December 5, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 7774SM1. NPDES Permit No. PA0044555. New Enterprise Stone & Lime Co., Inc.,** 3912 Brumbaugh Road, New Enterprise, PA 16664, Oley Township, **Berks County**. Renew NPDES Permit on a quarry operation affecting 675.0 acres. Receiving stream: unnamed tributary to Limekiln Creek, classified for the following use: WWF. Application received: November 22, 2022.

**Mining Permit No. 58920301. NPDES Permit No. PA0595845. H & K Group, Inc.,** P.O. Box 196, Skippack, PA 19474, New Milford Township, **Susquehanna County**. Renew NPDES Permit on a quarry operation affecting 131.8 acres. Receiving stream: Beaver Creek, classified for the following use: HQ-CWF. Application received: December 1, 2022.

**Mining Permit No. 22880302. Pennsy Supply, Inc.,** 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, Lower Swatara Township, **Dauphin County**. Correction to a quarry to mine to 100 feet MSL affecting 136.02 acres. Receiving stream: Swatara Creek, classified for the following use: WWF. Application received: December 2, 2022.

**MINING ACTIVITY NPDES DRAFT PERMITS**

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (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 (DEP) 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 DEP 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.

*Noncoal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.*

*Contact: Melanie Ford-Wigfield, 814.472.1900, ra-epcambria@pa.gov.*

**NPDES No. PA059949. Mining Permit No. 29990301. Big Cove Quarry, LLC,** 13101 Fountain Head Road, Hagerstown, MD 21742, Ayr Township, **Fulton County**. Renewal of an NPDES permit affecting 77.6 acres. Receiving stream: Esther Run classified for the following use: CWF. Application received: September 9, 2022.

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

The following treated wastewater outfalls discharge to Unnamed tributary to/and Esther Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i> [*]
001	Existing	SWO	Precipitation Induced
002	Existing	SWO	Precipitation Induced

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Outfalls 001 and 002 (Dry Weather Discharges)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter (unit)</i>				
Total Suspended Solids (ml/L)	XXX	35.0	70.0	90.0



*Outfalls 001 and 002 (Dry Weather Discharges)*  
*Parameter (unit)*

	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0	XXX	XXX	9.0
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report

*Outfalls 001 and 002 (10-yr/24-hr Precip. Event)*  
*Parameter (unit)*

	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	XXX	XXX	7.0
Total Settleable Solids (ml/L)	XXX	XXX	XXX	0.5
pH (S.U.)	6.0	XXX	XXX	9.0

*Outfalls 001 and 002 (>10-yr/24-hr Precip. Event)*  
*Parameter (unit)*

	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0	XXX	XXX	9.0

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**NPDES Permit No. PA0225452. Mining Permit No. 5077SM1. H & K Group, Inc.,** P.O. Box 196, Skippack, PA 19474, Lehman Township, **Pike County.** Application received: February 11, 2022.

Renew NPDES Permit affecting 142.99 acres. Receiving streams: Pikes Creek and unnamed tributary to Hunlock Creek, classified for the following uses: HQ-CWF, MF.

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

The following treated wastewater outfalls discharge to: Pikes Creek and unnamed tributary to Hunlock Creek.

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate: MGD</i>
001	Existing	SWO	2.611
002	Existing	SWO	0.414
003	Existing	SWO	0.039

The following limits apply to dry weather discharges from the following stormwater outfalls: 001—003

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaC <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L)			Monitor and Report	
Total Aluminum (mg/L)		0.75	0.75	0.75

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (ml/L)				0.5
Oil and Grease (mg/L)			Monitor and Report	
Total Aluminum (mg/L)		0.75	0.75	0.75

<sup>1</sup> This Parameter is applicable at all times

**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 (DEP). 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. Individuals 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 DEP may schedule 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 a.m. and 4:00 p.m. on each working day at the office noted above the application.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

### **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)).**

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

*Contact: RA-EPWW-NERO@pa.gov.*

**E5202221-003. One-Sky, LLC**, 2 Executive Drive, Suite 500, Fort Lee, NJ 07024, Westfall Township, **Pike County**. U.S. Army Corps of Engineers Philadelphia District. Application received: November 29, 2021.

To construct and maintain the following water obstructions and encroachments associated with the installation of a private driveway and residence: 1. A driveway crossing of Cummins Creek (HQ-CWF, MF) consisting of 37-foot long, 22-foot span, 6.5-foot rise open bottom corrugated metal arch culvert with a stacked stone headwall, and upstream and downstream wingwalls. 2. A driveway crossing of a UNT to the Delaware River (Rosetown Creek) (HQ-CWF, MF) consisting of a 38-foot long, 77" x 52" corrugated metal pipe (CMP) culvert with a stacked stone headwall, upstream and downstream wingwalls with 1-foot of streambed embedment. The new culvert crossing will replace a previously installed 24" CMP culvert. The project is located at the end of Heaters Hill Road (Port Jervis, PA Quadrangle Latitude: 41° 21' 59"; Longitude: -74° 45' 20") in Westfall Township, Pike County.

**E3502222-011. The City of Scranton**, 340 North Washington Avenue, Scranton, PA 18503, City of Scranton, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 15, 2022.

To construct and maintain a stream restoration project in a 1,500-foot reach of Leggett's Creek Greenway (TSF, MF) with work consisting of—Stream bank protection; installation of boulders, joint plantings, rip rap, branch plantings, live stakes—In stream fish habitat; installation of random boulder placement, saw tooth deflectors, and rock cross vanes—Gravel bar removal to reestablish thalweg away from the banks; includes reuse of removed materials within project—Constructed wetland at bankfull—Regenerative storm water management including the rain gardens and step pools to slow and treat storm water runoff—Constructed wetland to handle storm water—Pedestrian bridge above 100-year floodplain,

crossing in a location with existing stone walls—Riparian buffer enhancements to remove knotweed and establish habitat with plantings. Latitude: 41° 26' 33"; Longitude: -75° 39' 20".

**E3502222-009. County of Lackawanna Transit System**, 800 North South Road, Scranton, PA 18504, City of Scranton, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 11, 2022.

To construct and maintain the following water obstructions and encroachments associated with the COLTS Transit Facility project. 1. To place fill along the right bank of a UNT to Keyser Creek (CWF, MF) in the floodway and to construct and maintain a retaining wall that's approximately 280 feet long by 7 feet high for the purpose of building a commercial facility. 2. To place fill along the right bank of a UNT to Keyser Creek (CWF, MF) in the floodway for the purpose of constructing roadway access. 3. To remove and fill an existing apron outfall UNT to Keyser Creek (CWF, MF). 4. To construct and maintain 2 outfall structures in a UNT to Keyser Creek (CWF, MF). The first outfall consists of an 18-inch HDPE pipe with a concrete headwall and rip rap apron. The second outfall consists of an 18-inch HDPE pipe with a concrete headwall and rip rap apron. 5. To construct and maintain an outfall structure in Keyser Creek (CWF, MF) consisting of an 18-inch HDPE pipe with a concrete headwall and rip rap apron. The project is located at 800 North South Road. Latitude: 41° 25' 38"; Longitude: -75° 41' 16".

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: RA-EPWW-NWRO@pa.gov.*

**E1006122-011. PADOT Engineering District 10-0**, 2550 Oakland Avenue, Indiana, PA 15701, Callery Borough and Adams Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: November 17, 2022.

To remove the existing structure and to construct and maintain a 62'-3" long precast concrete box culvert having a span of 12'-0" and an underclearance of 11'-0" along SR 3015, Section 255 (Mars-Evans City Road) over UNT Breakneck Creek in Callery Borough and Adams Township, Butler County, and to regrade 448 linear feet of streambank along with riparian buffer plantings for the purpose of pollution reduction, resulting in a project total of 453 linear feet of permanent stream impacts and 710 linear feet of temporary stream impacts. No wetland impacts are proposed. Latitude: 40.7416°, Longitude: -80.0320°.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Sage Saum, Clerical Assistant 2, 717-705-4992.*

**E3603222-010. Suburban Lancaster Sewer Authority**, 28 Penn Square, P.O. Box 1889, Lancaster, PA 17608-1889, Lancaster Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 23, 2022.

To stabilize and maintain an existing outfall structure impacting 29.0-lineal feet (568.0-square feet) of a UNT to

the Conestoga River (WWF, MF) as well as 5,037.0-square feet of the associated floodway and to remove an existing gravel bar impacting 84.0-lineal feet (5,460.0-square feet) of the Conestoga River (WWF, MF). The project is located at 1220 New Danville Pike, Lancaster, PA 17603 (Latitude: (40.0168), Longitude: (-76.3036)). There will be no wetland impacts associated with the project.

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E4601222-023. Southeastern Pennsylvania Transportation Authority (SEPTA)**, 1234 Market Street, Philadelphia, PA 19107, City of Philadelphia, **Philadel-**

**phia County.** U.S. Army Corps of Engineers Philadelphia District. Application received: November 21, 2022.

SEPTA is proposing the following-listed water obstruction and encroachment activities associated with the SEPTA Slope Stabilization Project—Site 3, which includes stabilizing the existing bank (800 ft x 43.5 feet) of the Schuylkill River (WWF, MF) by installing mattress revetment to stabilize the embankment, with permanent floodway impact of 0.80 acre. The work was completed under Emergency Permit EP4622030 issued June 6, 2022. The site is located between the Norristown and Conshohocken Line Stations (Philadelphia, PA USGS Map) in Plymouth Township, Montgomery County. Latitude: 40.09667°, Longitude: -75.32194°.

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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 of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (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: 814-332-6078. 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. 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. 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. Individuals 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. 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. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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 Action(s) on NPDES and WQM Permit Application(s) 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>
PAD060068	Chapter 102 Individual NPDES Permit	Issued	Lyons Solar, LLC 1414 Raleigh Road Suite 210 Chapel Hill, NC 27517-8834	Richmond Township Berks County	SCRO
PAD140086	Chapter 102 Individual NPDES Permit	Issued	HRI, Inc. 1750 W College Avenue State College, PA 16801-2719	Marion Township Centre County	NCRO
PAD250004	Chapter 102 Individual NPDES Permit	Issued	Scotts Development Co. 2225 Downs Drive Erie, PA 16509-4793	Erie City Erie County	NWRO
PAD300018	Chapter 102 Individual NPDES Permit	Issued	Peoples Natural Gas Co., LLC 195 Donohoe Road Greensburg, PA 15601-6986	Center Township Morris Township Greene County	SWRO
PAD510197	Chapter 102 Individual NPDES Permit	Issued	2157 Lehigh Development, LLC 3705 Falls Circle Philadelphia, PA 19129-1782	Philadelphia City Philadelphia County	SERO
PAD520026	Chapter 102 Individual NPDES Permit	Issued	One Sky 2 Executive Drive Lowr Fort Lee, NJ 07024-3336	Westfall Township Pike County	NERO
PAD520040	Chapter 102 Individual NPDES Permit	Issued	JLM Real Estate, LLC 950 E Main Street P.O. Box 472 Schuylkill Haven, PA 17972-9720	Dingman Township Pike County	NERO
PA0276545	Industrial Stormwater Individual NPDES Permit	Issued	Ungerer & Co. 110 N Commerce Way Bethlehem, PA 18017-8932	Hanover Township Northampton County	NERO
PA0291684	Industrial Stormwater Individual NPDES Permit	Issued	Amazon Com Service, LLC P.O. Box 80842 Attn: NA Environmental Department Seattle, WA 98108-0842	Jackson Township York County	SCRO
0113802	Joint DEP/PFBC Pesticides Permit	Issued	Ely Paul 180 Opossum Hill Road Bendersville, PA 17306	Menallen Township Adams County	SCRO
0113810	Joint DEP/PFBC Pesticides Permit	Issued	Mark Evelyn E 341 Wolf Road East Berlin, PA 17316-9401	Reading Township Adams County	SCRO

## 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>
2113812	Joint DEP/PFBC Pesticides Permit	Issued	Messiah Village 100 Mt Allen Drive Mechanicsburg, PA 17055	Upper Allen Township Cumberland County	SCRO
2213819	Joint DEP/PFBC Pesticides Permit	Issued	Lakewood Hills Apartments 821 Sequoia Drive Harrisburg, PA 17109-5152	Lower Paxton Township Dauphin County	SCRO
2813816	Joint DEP/PFBC Pesticides Permit	Issued	Daniels Bill 307 Cold Spring Road Fayetteville, PA 17254	Greene Township Franklin County	SCRO
2813818	Joint DEP/PFBC Pesticides Permit	Issued	Rine Charles 3421 Coseytown Road Greencastle, PA 17225-9629	Antrim Township Franklin County	SCRO
2813821	Joint DEP/PFBC Pesticides Permit	Issued	Greencastle Sportsmens Association P.O. Box 632 Scotland, PA 17254-0632	Antrim Township Franklin County	SCRO
3613820	Joint DEP/PFBC Pesticides Permit	Issued	Mill Pond HOA Lancaster County 375 Millpond Drive Lititz, PA 17543-9326	Manheim Township Lancaster County	SCRO
3613836	Joint DEP/PFBC Pesticides Permit	Issued	Milton Grove Sportsmans Club 22 Heather Circle Elizabethtown, PA 17022-1416	Mount Joy Township Lancaster County	SCRO
6713810	Joint DEP/PFBC Pesticides Permit	Issued	Pahagaco Lake Association P.O. Box 171 Spring Grove, PA 17362-0171	Jackson Township York County	SCRO
PAI130047	MS4 Individual NPDES Permit	Issued	Middletown Township Bucks County 3 Municipal Way Langhorne, PA 19047-3424	Middletown Township Bucks County	SERO
3504401	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 2699 Stafford Avenue Scranton, PA 18505-3608	Scranton City Lackawanna County	NERO
PA0051292	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Morrisville Municipal Authority Bucks County 35 Union Street Morrisville, PA 19067	Morrisville Borough Bucks County	SERO
PA0070301	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	WHN Management, LLC 2846 Main Street Box 12A Morgantown, PA 19543-9486	Moore Township Northampton County	NERO
PA0115100	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Tioga MHC, LLC 35 Calais Road Randolph, NJ 07869-3531	Lawrence Township Tioga County	NCRO
PA0027952	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Applegreen PA Welcome Center, LLC 208 Harrison Road Glen Rock, NJ 07452	South Londonderry Township Lebanon County	SCRO
6103201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Barkeyville Municipal Authority Venango County 1610 Barkeyville Road Grove City, PA 16127-7904	Barkeyville Borough Venango County	NWRO

<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>
3808403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Applegreen PA Welcome Center, LLC 208 Harrison Road Glen Rock, NJ 07452	South Londonderry Township Lebanon County	SCRO
4806407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	WHN Management, LLC 2846 Main Street Box 12A Morgantown, PA 19543-9486	Moore Township Northampton County	NERO
4815403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	WHN Management, LLC 2846 Main Street Box 12A Morgantown, PA 19543-9486	Moore Township Northampton County	NERO
5220403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Aqua PA Wastewater, Inc. 1 Aqua Way White Haven, PA 18661-1115	North Union Township Schuylkill County	NERO
5992404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Tioga MHC, LLC 35 Calais Road Randolph, NJ 07869-3531	Lawrence Township Tioga County	NCRO
6300404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Midway Sewer Authority Washington County P.O. Box 600 Midway, PA 15060-0600	Robinson Township Washington County	SWRO
NOEXNC176	No Exposure Certification	Issued	Sekisui Kydex, LLC 6685 Lowe Street Bloomsburg, PA 17815-8613	South Centre Township Columbia County	NCRO
NOEXSC296	No Exposure Certification	Issued	United Corrstack d/b/a DS Smith 720 Laurel Street Reading, PA 19602-2718	Reading City Berks County	SCRO
NOEXSE299	No Exposure Certification	Issued	Sigmapharm Lab, LLC 3375 Progress Drive Bensalem, PA 19020	Bensalem Township Bucks County	SERO
PAG036109	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fed Express 3620 Hacks Cross Road Bldg B Fl 3 Memphis, TN 38125-8800	Aliquippa City Beaver County	SWRO
PAG036110	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fed Express 3620 Hacks Cross Road Bldg B Floor 2 Memphis, TN 38125	Pittsburgh City Allegheny County	SWRO
PAR203614	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	MI Windows & Doors, LLC 1001 54th Avenue NE Tacoma, WA 98424	Gratz Borough Dauphin County	SCRO
PAR223516	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Culpeper of Leola, LLC P.O. Box 1148 Culpeper, VA 22701-6148	Upper Leacock Township Lancaster County	SCRO

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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>
PAR323512	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	AHF, LLC 1067 Dillerville Road Lancaster, PA 17603-2613	Lancaster City Lancaster County	SCRO
PAR803697	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fedex Corp 3620 Hacks Cross Road Building B 3rd Floor Memphis, TN 38125-8800	Swatara Township Dauphin County	SCRO
PAG123705	PAG-12 NPDES General Permit for CAFOs	Issued	Gress Cory L 792 Lick Hollow Road Harrisonville, PA 17228-9348	Licking Creek Township Fulton County	SCRO
PAG133580	PAG-13 NPDES General Permit for MS4s	Waived	Oley Township Berks County P.O. Box 19 Oley, PA 19547-0019	Oley Township Berks County	SCRO
PAG133600	PAG-13 NPDES General Permit for MS4s	Waived	Elizabeth Township Lancaster County 423 Southview Drive Lititz, PA 17543-9789	Elizabeth Township Lancaster County	SCRO
PAG133691	PAG-13 NPDES General Permit for MS4s	Waived	Franklintown Borough York County 116 South Baltimore Street Franklintown, PA 17323	Franklintown Borough York County	SCRO
PAG133723	PAG-13 NPDES General Permit for MS4s	Waived	Letterkenny Township Franklin County 4924 Orrstown Road Orrstown, PA 17244	Letterkenny Township Franklin County	SCRO
PAG133734	PAG-13 NPDES General Permit for MS4s	Waived	Shoemakersville Borough Berks County 846 Main Street Shoemakersville, PA 19555-1623	Shoemakersville Borough Berks County	SCRO
PAG133758	PAG-13 NPDES General Permit for MS4s	Waived	Perry Township Berks County 680 Moselem Springs Road Shoemakersville, PA 19555	Perry Township Berks County	SCRO
PAG136206	PAG-13 NPDES General Permit for MS4s	Waived	Amwell Township Washington County 885 Amity Ridge Road Amity, PA 15311-1326	Amwell Township Washington County	SWRO
PAG138321	PAG-13 NPDES General Permit for MS4s	Issued	Erie City Erie County 626 State Street Room 400 Erie, PA 16501-1149	Erie City Erie County	NWRO
PA0065374	Pesticides Individual NPDES Permit	Issued	PA American Water Co. 56 Reservoir Road Paw Dallas, PA 18612	Spring Brook Township Lackawanna County	NERO
1522405	Pump Stations Individual WQM Permit	Issued	Utilities Inc. of PA 570 Hallet Road East Stroudsburg, PA 18301-7274	West Bradford Township Chester County	SERO
2119402	Pump Stations Individual WQM Permit	Issued	Carlisle Borough Cumberland County 54 N Middlesex Road Carlisle, PA 17013-1627	Middlesex Township Cumberland County	SCRO
6320406	Pump Stations Individual WQM Permit	Issued	Mon Valley Sewer Authority 20 S Washington Street Donora, PA 15033-1394	Carroll Township Washington County	SWRO

<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>
0622406	Sewer Extensions Individual WQM Permit	Issued	Berks Montgomery Municipal Authority 136 Municipal Drive Gilbertsville, PA 19525-9463	Colebrookdale Township Berks County	SCRO
1022414	Sewer Extensions Individual WQM Permit	Issued	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001-3256	Butler Township Butler County	NWRO
PA0255033	Single Residence STP Individual NPDES Permit	Issued	Josephine T Duman Estate 117 Linwood Avenue Patton, PA 16668-1717	Barr Township Cambria County	SWRO
PA0271390	Single Residence STP Individual NPDES Permit	Issued	Simmons Thelma 76 Church Road Greenville, PA 16125-9221	West Salem Township Mercer County	NWRO
PA0288721	Single Residence STP Individual NPDES Permit	Issued	Benson Rita 16491 Route 957 Bear Lake, PA 16402-3733	Freehold Township Warren County	NWRO
PA0291153	Single Residence STP Individual NPDES Permit	Issued	Otto Kevin J 11103 Dyer Road Union City, PA 16438-8743	Greene Township Erie County	NWRO
PA0291234	Single Residence STP Individual NPDES Permit	Issued	Graham Elaine 11914 Davey Hill Road Tidioute, PA 16351-6818	Deerfield Township Warren County	NWRO
PA0291315	Single Residence STP Individual NPDES Permit	Issued	Houben Larry P.O. Box 23 Rixford, PA 16745-0023	Otto Township McKean County	NWRO
0203405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Beradi Stephanie 921 Northeast Drive Irwin, PA 15642-1978	Lincoln Borough Allegheny County	SWRO
1116402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Josephine T Duman Estate 117 Linwood Avenue Patton, PA 16668-1717	Barr Township Cambria County	SWRO
2522429	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Otto Kevin J 11103 Dyer Road Union City, PA 16438-8743	Greene Township Erie County	NWRO
4222406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Houben Larry P.O. Box 23 Rixford, PA 16745-0023	Otto Township McKean County	NWRO
4318404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Simmons Thelma 76 Church Road Greenville, PA 16125-9221	West Salem Township Mercer County	NWRO
6220406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Benson Rita 16491 Route 957 Bear Lake, PA 16402-3733	Freehold Township Warren County	NWRO



**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>
6222409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Graham Elaine 11914 Davey Hill Road Tidioute, PA 16351-6818	Deerfield Township Warren County	NWRO
PA0222488	Small Flow Treatment Facility Individual NPDES Permit	Issued	G&L Wolfe, Inc. 120 Winfield Road Sarver, PA 16055-8507	Jefferson Township Butler County	NWRO
WQG02672201	WQG-02 WQM General Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Fairview Township York County	SCRO

**II. Final Action(s) 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>
PAC400257	PAG-02 General Permit	Issued	570 Storage, LLC Joseph Yesvetz 1430 Red Dale Road Orwigsburg, PA 17961	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC400044	PAG-02 General Permit	Issued	Mericle 800 Baltimore, LLC Stephen Maakestad 100 Baltimore Drive Wilkes-Barre, PA 18702	Plains Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC400054	PAG-02 General Permit	Issued	Mericle 2 Great Valley, LLC Stephen Maakestad 100 Baltimore Drive Wilkes-Barre, PA 18702	Hanover Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC400248	PAG-02 General Permit	Issued	Orloski's Car Wash and Lube Shop Gerald Orloski 295 Mundy Street Wilkes-Barre, PA 18702	Kingston Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC400055	PAG-02 General Permit	Issued	DMB Land Co. Matthew Bower 1206 Salem Blvd. Berwick, PA 18603	Salem Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov

<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>
PAC480028	PAG-02 General Permit	Issued	Laurena, LLC 4440 Pond View Court Bethlehem, PA 18020	Lower Saucon Township Northampton County	Northampton County Conservation District 14 Gracedale Avenue Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC400235	PAG-02 General Permit	Issued	Luecup Ventures Hazleton, LLC Jeff Randolph 20 Cedar Woods Lane Fairfield, CT 06825	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC350141	PAG-02 General Permit	Issued	Mid Valley School District 52 Underwood Road Throop, PA 18512-1196	Throop Borough Lackawanna County	Lackawanna County Conservation District 1027 South Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC400256	PAG-02 General Permit	Issued	IBEW Local Union 1319 OSHE John Romanowski 225 Division Street Kingston, PA 18704	Pringle Borough Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400039	PAG-02 General Permit	Issued	UGI Utilities, Inc. Tom Cope One UGI Center Wilkes-Barre, PA 18711-0600	Plymouth Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC360773	PAG-02 General Permit	Issued	Daniel Zook 2571B Siegrist Road Ronks, PA 17572	Leacock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5
PAC360283A-1	PAG-02 General Permit	Issued	Esbenshade Farms 220 Eby Chiques Road Mount Joy, PA 17552	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5
PAC360343A-1	PAG-02 General Permit	Issued	School District of Lancaster 251 South Prince Street Lancaster, PA 17603	Lancaster Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5

## 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>
PAC670089A-1	PAG-02 General Permit	Issued	JA Myers Building and Development 160 Ram Drive Hanover, PA 17331	West Manheim Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670077	PAG-02 General Permit	Issued	Crescent, LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Shrewsbury Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670588	PAG-02 General Permit	Issued	Douglas and Melissa Ruppert 865 Locust Point Road York, PA 17406	Newberry Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670591	PAG-02 General Permit	Issued	Equity Development Partners 5060 Ritter Road Suite A3 Mechanicsburg, PA 17050	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670438A-1	PAG-02 General Permit	Issued	West Shore School District P.O. Box 803 New Cumberland, PA 17070	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC400259	PAG-02 General Permit	Issued	Exeter Borough Joseph Pizano 1101 Wyoming Avenue Exeter, PA 18643	Exeter Borough Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC180023	PAG-02 General Permit	Issued	Cory and Holly Beaver 589 Little Sugar Run Rd Beech Creek, PA 16822	Beech Creek Township Clinton County	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751-8978 570-726-3798
PAC410080	PAG-02 General Permit	Issued	William C. Brown 230 Slow Worn Rd Muncy, PA 17756	Wolf Township Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754-9209 570-433-3003

<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>
PAC590051	PAG-02 General Permit	Issued	Tioga County Commissioners 118 Main St Wellsboro, PA 16901	Wellsboro Borough Tioga County	Tioga County Conservation District 1867 Shumway Hill Road Wellsboro, PA 16901 570-724-1801
PAC600094	PAG-02 General Permit	Issued	Andrew J Keister 260 Ziegler Rd Lewisburg, PA 17837	Kelly Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837 570-524-3860
PAC480154	PAG-02 General Permit	Issued	Hangdog LV, LLC 649 S. 10th Street Allentown, PA 18103	Williams Township Northampton County	Northampton County Conservation District 14 Gracedale Avenue Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC400121 A-1	PAG-02 General Permit	Issued	620 Oak Ridge, LLC Stephen Maakestad 100 Baltimore Drive Wilkes-Barre, PA 18702	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC100283	PAG-02 General Permit	Issued	Justin Angert 599 Bruton Drive Gibsonia, PA 15044	Penn Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC010155A-1	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Franklin Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636

**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. 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Clear Spring Farm 740 Marion Drive Womelsdorf, PA 19567	Berks County	228.2	335.98	Poultry/ Layers	NA	Approved
Jurgielewicz-Mount Breeze 8069 Spring Road Bernville, PA 19506	Berks County	209.1	335.92	Ducks	NA	Approved
Jurgielewicz-Home Farm 189 Cheese Lane Hamburg, PA 19526	Berks County	291.9	498.18	Ducks	NA	Approved

**ACT 167 STORMWATER MANAGEMENT PLAN**

The Department of Environmental Protection (DEP) received the following Stormwater Management Plan(s) that was prepared to comply with the Stormwater Management Act (Act 167 of 1978, 32 P.S. §§ 680.1—680.17). As required by Act 167 of 1978, DEP provided a copy of the Plan to the Department of Community and Economic Development (DCED) for review. Following consultation with DCED, DEP has taken action on the Plan. To review the Plan and associated file, interested parties may contact the DEP office listed as follows to schedule a file review.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board’s address is: Environmental Hearing Board, Rachel Carson State Office Building, Second Floor, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457. Appeals must be filed with the Board within 30-days of receipt of notice of this action unless the appropriate statute provides a different time. A Notice of Appeal form and the Board’s rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board’s rules are also available in braille and on audiotape from the Secretary to the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

If you want to challenge this action, your appeal must be filed with and received by the board within 30-days of this notice.

<i>County Planning Commission</i>	<i>Approved or Denied</i>	<i>Plan Coverage</i>	<i>DEP Office</i>
Monroe County Conservation District 8050 Running Valley Road Stroudsburg, PA 18347	Approved	Brodhead-McMichaels Creek	NERO 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511 RA-EPWW-NERO@pa.gov
Monroe County Conservation District 8050 Running Valley Road Stroudsburg, PA 18347	Approved	Tobyhanna Creek	NERO 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-5211 RA-EPWW-NERO@pa.gov

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second

Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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).

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Darin Horst, Environmental Engineer, 717-705-4708.*

**Operation Permit No. 3620539 MA**, Public Water Supply.

Applicant	<b>City of Lancaster</b>
Address	120 North Duke Street P.O. Box 1599 Lancaster, PA 17608
Municipality	West Hempfield Township
County	<b>Lancaster County</b>
Application Received	November 9, 2022
Permit Issued	November 14, 2022
Description	Partial Operation Permit: Veolia Zeeweed 500d membrane module replacement for all 8 trains.

**Operation Permit No. 3619521**, Public Water Supply.

Applicant	<b>New Holland Borough Authority</b>
Address	436 East Main Street New Holland, PA 17557
Municipality	New Holland Borough
County	<b>Lancaster County</b>
Consulting Engineer	Becker Engineering, LLC 525 Greenfield Road Suite 201 Lancaster, PA 17601
Application Received	November 9, 2022
Permit Issued	November 14, 2022
Description	Operation of Well No. 5 with treatment including softening, VOC removal, disinfection, 4-log treatment of viruses, zinc orthophosphate addition for general corrosion control, and a pumping station.

**Operation Permit No. 0621503**, Public Water Supply.

Applicant	<b>Giorgio Foods, Inc.</b>
Address	P.O. Box 96 Temple, PA 19560

Municipality	Maidencreek Township
County	<b>Berks County</b>
Consulting Engineer	Spotts, Stevens, and McCoy 1047 North Park Road Reading, PA 19610
Application Received	November 17, 2022
Permit Issued	November 18, 2022
Description	Partial Operation Permit: Use of finished water storage tanks T-107 and T-108 and use of the modified softener and disinfection facilities.

**Operation Permit No. 0621509**, Public Water Supply.

Applicant	<b>Giorgi Mushroom Co.</b>
Address	P.O. Box 96 Temple, PA 19560
Municipality	Maidencreek Township
County	<b>Berks County</b>
Consulting Engineer	Liberty Environmental, Inc. 505 Penn Street Suite 400 Reading, PA 19601
Application Received	November 10, 2022
Permit Issued	November 18, 2022
Description	Operation of nitrate removal treatment, softening, greensand filtration, cartridge filtration, and ultraviolet disinfection.

**Construction Permit No. 3622520**, Public Water Supply.

Applicant	<b>Charles Farms, Inc.</b>
Address	2927 Charlestown Road Lancaster, PA 17603
Municipality	Pequea Township
County	<b>Lancaster County</b>
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received	May 31, 2022
Permit Issued	November 18, 2022
Description	Replacement of the treatment system with a new water softener, nitrate treatment, soda ash addition, cartridge filtration, and ultraviolet disinfection.

**Construction Permit No. 3622514**, Major Amendment, Public Water Supply.

Applicant	<b>Perdue AgriBusiness, LLC</b>
Address	6906 Zion Church Road P.O. Box 1537 Salisbury, MD 21804
Municipality	Conoy Township
County	<b>Lancaster County</b>

Consulting Engineer Steckbeck Engineering & Surveying, Inc.  
279 North Zinns Mill Suite A  
Lebanon, PA 17042

Application Received March 22, 2022

Permit Issued November 18, 2022

Description Well AP-2 and treatment including softening for hardness removal, reverse osmosis for TDS and radium removal, sodium hypochlorite disinfection, and general corrosion control.

**Operation Permit No. 3622534 MA**, Public Water Supply.

Applicant **Borough of Denver**

Address 501 Main Street  
Denver, PA 17517

Municipality Denver Borough

County **Lancaster County**

Consulting Engineer Hanover Engineering Associates, Inc.  
20C Snyder Lane  
Ephrata, PA 17522

Application Received November 10, 2022

Permit Issued December 1, 2022

Description Combined filter effluent turbidity monitoring and shutdowns.

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh Rivers, Clerical Assistant 2, 484-250-5887.*

**Construction Permit No. 1522514**, Major Amendment, Public Water Supply.

Applicant **Highland Court**

Address 3982 West Lincoln Highway  
Parksberg, PA 19356-1776

Municipality Highland Township

County **Chester County**

Consulting Engineer James R. Holley & Associates, Inc.  
18 South George Street  
Suite 300  
York, PA 17401

Application Received June 24, 2022

Permit Issued August 29, 2022

Description Corrosion control facilities, flow switch for caustic soda feed pump, replace chlorine and caustic pumps.

**Construction Permit No. 1522504**, Public Water Supply.

Applicant **Octorara Area School District**

Address 228 Highland Road  
Suite 1  
Atglen, PA 19310-1603

Municipality West Fallowfield Township

County **Chester County**

Consulting Engineer Entech Engineering, Inc.  
201 Penn Street  
Reading, PA 19603

Application Received April 7, 2022

Permit Issued October 25, 2022

Description Corrosion control chemical addition treatment for lead and copper mitigation.

**Construction Permit No. 4622521**, Major Amendment, Public Water Supply.

Applicant **Butler Valley Golf Port**

Address 3243 Gehman Road  
Upper Hanover, PA 19504

Municipality Upper Hanover Township

County **Montgomery County**

Consulting Engineer J.S. Madaras Consulting, LLC  
250 Indian Lane  
Boyertown, PA 19512

Application Received August 17, 2022

Permit Issued August 31, 2022

Description Proposed nitrate reduction.

**Construction Permit No. 1522505**, Major Amendment, Public Water Supply.

Applicant **Old Paths Baptist Church**

Address 682 Gap Newport Pike  
Atglen, PA 19310-1603

Municipality West Sadsbury Township

County **Chester County**

Consulting Engineer CSC Technology, Inc.  
170 Netherwood Drive  
West Brandywine, PA 19320

Application Received April 21, 2022

Permit Issued October 21, 2022

Description New church built, new water system and contaminant treatment.

**Construction Permit No. 0922520**, Public Water Supply.

Applicant **Top Star Express # 18**

Address 515 Dublin Pike  
Perkasie, PA 18944

Municipality Bedminster Township

County **Bucks County**

Consulting Engineer Synergy Environmental, Inc.  
155 Railroad Plaza  
First Floor  
Royersford, PA 19468, PA 19468

Application Received August 11, 2022

Permit Issued August 29, 2022

Description Adding a water softener and a nitrogen treatment to the existing water system.

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**Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

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*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Thomas Filip, Environmental Engineer, 717-705-4708.*

**Operation Permit 3822504 MA.** PWSID No. **7380035.** **Fredericksburg Sewer & Water Authority**, 113 East Main Street, Fredericksburg, PA 17026, Bethel Township, **Lebanon County**. Application received: November 30, 2022. Permit Issued: December 1, 2022. Repainting of and modifications to the existing East Tank.

**Operation Permit 0122512 MA.** PWSID No. **7010035.** **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055, Straban Township, **Adams County**. Application received: October 3, 2022. Permit Issued: November 29, 2022. Lake Heritage water system—Replacement of an existing chlorine analyzer with a new continuous amperometric chlorine analyzer.

**Operation Permit 2222520 MA.** PWSID No. **7220038.** **Borough of Middletown**, 60 West Emaus Street, Middletown, PA 17057, Middletown Borough, **Dauphin County**. Application received: October 6, 2022. Permit Issued: November 29, 2022. Replacement of the chlorine analyzer at Well No. 6.

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Operation Permit 6722515 MA.** PWSID No. **7670082.** **New Freedom Borough Water Authority**, 49 East High Street, New Freedom, PA 17349, New Freedom Borough, Shrewsbury Township, **York County**. Application received: September 29, 2022. Permit Issued: November 30, 2022. Replace online chlorine analyzers at Entry Points 101, 103, 104, and 107.

**Emergency Permit 5022506 E.** PWSID No. **7500019.** **Duncannon Borough**, 428 North High Street, Duncannon Borough, PA 17020, Duncannon Borough, **Perry County**. Application received: December 1, 2022. Permit Issued: December 1, 2022. Limited duration emergency operation permit for bulk water hauling.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.*

**Operation Permit 6507505.** PWSID No. **5650032.** **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, Bell Township, **Westmoreland County**. Application received: November 18, 2022. Permit Issued: November 22, 2022. Upgrades at the George R. Sweeny Water Treatment Plant including an anhydrous ammonia feed system, scales for weighing chlorine cylinders, anthracite and granular activated carbon filter media, and a mixer in equalization basin No. 1.

**Operation Permit 2615505-A1.** PWSID No. **5260036.** **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672, Dunbar Township, **Fayette County**. Application received: November 18, 2022. Permit Issued: November 22, 2022. Revised Special Conditions for fluoride and chloramine feed systems, two chlorine gas storage rooms (gas cylinders, scale, and injection mechanisms), and an interconnect vault to serve Pennsylvania American Water Company at the Indian Creek Water Treatment Plant.

**Operation Permit 0422504.** PWSID No. **5040861.** **Ray Nixon, d/b/a—RTEN One Stop Shopper**, 232 2nd Street, Darlington, PA 16115, Darlington Borough, **Beaver County**. Application received: November 7, 2022. Permit Issued: November 10, 2022. Bladder/pressure tank, iron and manganese filtration system and piping modifications for the One Stop Shopper water system.

**Operation Permit 1122510.** PWSID No. **4110001.** **Teakettle Run Water Authority**, P.O. Box 202, Nicktown, PA 15762, Barr Township, **Cambria County**. Application received: November 8, 2022. Permit Issued: December 2, 2022. Replacement of a colorimeter online chlorine analyzer (Hach CL17) with an amperometric online chlorine analyzer (Halogen MP5) at Entry Point 101.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

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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 of Environmental Protection (DEP) 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, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department has received the following plans and reports.



*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**DCNR 587 (02-003) Well Pad**, Primary Facility ID # **862295**, 189 Long Ridge Lane, Morris Run, PA 16939, Ward Township, **Tioga County**. WSP USA Inc., 2000 Lenox Drive, 3rd Fl, Lawrenceville, NJ 08648, on behalf of Repsol Oil & Gas USA, LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Jads 25HC on the Jads Pad**, Primary Facility ID # **862407**, 1800 Grandpop Trail, Monroeton, PA 18832, Monroe Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the 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.*

**Range Unit 52 Seamans Well Pad**, Primary Facility ID # **857792**, 780 White Road, New Milford, PA 18834, Harford Township, **Susquehanna County**. Folsom Engineering, 4361 State Route 87, Mehoopany, PA 18629, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18629, submitted a Final Report concerning remediation of soil contaminated with brine. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.*

**6473 & 6475 Heatherfield Way**, Primary Facility ID # **862658**, 6473 & 6475 Heatherfield Way, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Mr. Antonino Vetrano and Ms. Vickie Harle, 6473 and 6475 Heatherfield Way, Harrisburg, PA 17112, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**Zacharczuk Property**, Primary Facility ID # **860837**, Skippack Pike (Tax Parcel: 67-00-03286-00-4), Worcester Township, PA 19446, Worcester Township, **Montgomery County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Mike Downs, Toll Mid-Atlantic LP Company,

Inc., 1140 Virginia Drive, Fort Washington, PA 19034, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil contaminated with arsenic. The Risk Assessment/Remedial Investigation/Final Report is intended to document remediation of the site to meet the site-specific standards.

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

**Keystone Trade Center—Lot 26**, Primary Facility ID # **847825**, South Port Road, Fairless Hills, PA 19067, Falls Township, **Bucks County**. Jeffrey A. Smith, PG, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103, on behalf of Andy Mace, NP Falls Township Industrial, LLC, 4825 NW 41st Street, Suite 500, Riverside, MO 64150, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil contaminated with iron, lead and vanadium. The Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

**Neve Site**, Primary Facility ID # **836860**, 101 Washington Street, Conshohocken, PA 19428, Conshohocken Borough, **Montgomery County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Chris Sencindiver, High Street Conshohocken I, LLC, 300 Conshohocken State Road, Conshohocken, PA 19428, submitted a Risk Assessment/Final Report concerning remediation of soil and groundwater contaminated with PAHs. The Risk Assessment/Final Report is intended to document remediation of the site to meet the site-specific standards.

**Berwyn Shopping Center, 500 Lancaster Avenue (Route 30)**, Primary Facility ID # **777168**, 500 Lancaster Avenue (Route 30), Berwyn, PA 19312, Easttown Township, **Chester County**. Aaron Epstein, PG, Partner Engineering and Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355, on behalf of Theresa Susco, Berwyn Center, LP, 725 Conshohocken State Road, Bala Cynwyd, PA 19004, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with PCE and vinyl chloride. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Superior Beverage Company**, Primary Facility ID # **616998**, 701 Wheatland Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Jeffery A. Warmkessel, PG, Center Point Tank Services, Inc., 536 East Benjamin Franklin Highway, Douglasville, PA 19518, on behalf of Thomas Mirabile, Jr., Superior Value Beverage Center/Superior Beverage Company, 701 Wheatland Street, Phoenixville, PA 19460, submitted a Final Report concerning remediation of groundwater contaminated with benzene and naphthalene. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Mojo Compressor Station**, Primary Facility ID # **862141**, 1415 Amity Ridge Road, Washington, PA 15311, Amwell Township, **Washington County**. SE Technolo-

gies, LLC, 500 Mosites Way, Pittsburgh, PA 15205, on behalf of Equitrans Midstream, 2200 Energy Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with ethylene glycol. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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#### 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).

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Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) 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 non-residential 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 DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following plans and reports.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: A. Lee Nageotte, Licensed Professional Geologist, 814-332-6127.*

**The Electric Materials Company**, Primary Facility ID # **625626**, 50 South Washington Street, North East, PA 16428, North East Borough, **Erie County**. Moody and Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of United Stars, Inc., 1546 Henry Avenue, Beloit, WI 53511, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with Tetrachloroethene, Trichloroethene, cis-1,2-Dichloroethene, trans-1,2-Dichloroethene, Vinyl Chloride, Chloroethane, 1,1-Dichloroethene, and Chloroform. The Report demonstrated attainment of the site-specific standards. Approved: December 1, 2022.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Olympus Energy Metis Well Pad**, Primary Facility ID # **861481**, 1260 Harrison City Export Road, Jeannette, PA 15644, Penn Township, **Westmoreland County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Olympus Energy, LLC, 501 Technology Drive, Suite 1200, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, arsenic, barium, boron, chromium, copper, iron, lithium, lead, manganese, selenium, strontium, vanadium, zinc, benzene, tert-butylbenzene, sec-butylbenzene, cyclohexane, ethylbenzene, isopropylbenzene (Cumene), naphthalene, toluene, xylenes, trimethylbenzene, 1,2,4-trimethylbenzene, 1,3,5-acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, 2-methylnaphthalene, phenanthrene, pyrene, phenol, and chloride. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: December 2, 2022.

### HAZARDOUS WASTE TRANSPORTER LICENSE

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**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.**

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#### *New Transporter License Issued*

*Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.*

*Contact: Jonathan Adams.*

**Kalyani Environmental Solutions**, 1201 Bernard Drive, Baltimore, MD 21223. **License No. PA-AH 0928**. Application received: September 6, 2022. Effective November 7, 2022.

*Transporter License Reissued*

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

**Envirite of Pennsylvania, Inc., d/b/a EQ Pennsylvania**, 730 Vogelsong Road, York, PA 17404. **License No. PA-AH 0549**. Application received: November 17, 2022. Effective November 28, 2022.

**Altom Transport, Inc.**, 1646 Summer Street, Hammond, IN 46320. **License No. PA-AH 0693**. Application received: November 1, 2022. Effective November 1, 2022.

**Hazleton Oil & Environmental, Inc.**, 300 Tamaqua Street, Hazleton, PA 18201. **License No. PA-AH 0713**. Application received: November 10, 2022. Effective November 10, 2022.

**Cemco-Custom Environmental Management Co., Inc.**, P.O. Box 212, Hainesport, NJ 08036-0212. **License No. PA-AH 0776**. Application received: November 22, 2022. Effective November 23, 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.**

*Transporter License Reissued*

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

**Clym Environmental Services, LLC**, 1539 Tilco Drive, Frederick, MD 21704. **License No. PA-HC 0253**. Received on November 10, 2022. Effective November 10, 2022.

**AIR QUALITY**

**Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) 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.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**AG5A-59-00007A: NFG Midstream Covington, LLC**, 6363 Main Street, Williamsville, NY 14221, Middlebury Township, **Tioga County**. For the construction and operation of one 840 bhp Waukesha F3524GSI, 4SRB, compressor engine, equipped with a 3-way catalyst; one 0.02 MMBtu/hr catalytic heater; one 16,800 gallon wastewater storage tank; and for the continued operation of two 30 MMSCFD TEG dehydrators, each equipped with a 0.5 MMBtu/hr reboiler; two catalytic heaters; one

295 gallon TEG storage tank; various pneumatic devices; gas venting; blowdowns; fugitive emissions and pigging operations. All combustion sources are natural gas fired. These sources will be constructed and operated pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the Kinnan 845 Well Pad. Application received: October 26, 2022. Issued: November 23, 2022.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

**GP1-22-03090A: Hershey Company**, 19 East Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. For two existing natural gas-fired boilers, each 18.6 MMBtu/hr, under GP1, at the Hershey Company 19 East Offices. The General Permit authorization was renewed. Application received: November 18, 2022. Issued: December 2, 2022.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

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

**GP5-30-00812 (AG5-30-00029A): DTM Appalachia Gathering, LLC**, 650 Ridge Road, Waynesburg, PA 15370, Jefferson Township, **Greene County**. DTM Appalachia Gathering, LLC, on November 30, 2022, received authorization under GP-5 for installation and operation of: five (5) 3,750 bhp NG fired compressor engines with oxidation catalysts, one (1) 304 bhp NG fired emergency generator equipped with non-selective catalytic reduction, One (1) 4,200 gallon produced water tank, one (1) 4,200 gallon waste oil tank, five (5) 500 gallon lube oil tanks, liquids loading, fugitives, miscellaneous gas venting, and pigging at its AGS Booster Station Compressor Station located in Jefferson Township, Greene County. Application received: September 13, 2022. Issued: November 29, 2022.

**Actions(s) Taken on Plan Approval(s) 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.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**08-00010Q: Global Tungsten & Powders Corp**, 1 Hawes Street, Towanda, PA 18848, Towanda Borough, **Bradford County**. For the construction and operation of a DUCON cyclone, Size 70, Type VME, Model 810/150 to be installed in place of an existing cyclone of the same make and model associated with Spray Dryer No. 1 at the Towanda Facility. Application received: April 7, 2022. Issued: October 13, 2022. Issued: October 13, 2022.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

**06-03188A: Earthcare LLC**, 3311 East Powell Avenue, Evansville, IN 47714, Bethel Township, **Berks County**.

For the installation and operation of a facility to dry and gasify biomass to produce a syngas and Ecochar. The facility will dry and gasify biomass, including poultry manure/litter, spent hens, and municipal wastewater treatment plant (WWTP) biosolids, to produce a syngas, which will be used in the process, and Ecochar, a material used as a soil amendment. The facility will employ two gasification lines that will each be controlled by a cyclone, wet venturi scrubber, a packed bed scrubber and a common biofilter. Application received: February 18, 2022. Issued: November 29, 2022.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**46-0299A: Innovation 411 Fee Owner, LLC**, 411 Swedeland Road, King of Prussia, PA 19046, Upper Merion Township, **Montgomery County**. A plan approval for the installation of two (2) new 2,000-kW EPA Tier-2 certified diesel-fired electric generator engines. The electric generators will be used for standby/emergency purposes only and will support tenant operations. Application received: July 19, 2022. Issued: December 1, 2022.

**Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**47-00014D: United States Gypsum Company**, 86 PPL Road, Danville, PA 17821, Derry Township, **Montour County**. Was issued a plan approval extension to allow additional time to incorporate the plan approval into Operating Permit and to permit continued operation of the board kiln dryer (Source ID P114) for their gypsum board manufacturing plant. The plan approval has been extended for an additional 180 days. Application received: November 22, 2022. Issued: December 30, 2022.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

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

**37-00337C: Hickory Run Energy LLC**, 4900 Edinburg Road, New Castle, PA 16102, North Beaver Township, **Lawrence County**. The Department has issued a plan approval extension to allow for additional time for DEP to review the facility's initial stack test report. This is a Title V facility. Application received: October 4, 2022. Expiration date: May 31, 2023.

**10-00417B: Penn United Technologies, Incorporated**, 300 North Pike Road, Sarver, PA 16055-9737, Buffalo Township, **Butler County**. The Department has issued a plan approval extension to allow more time for the proposed construction of 10 Reel-to-Reel Electroplating Lines with scrubber, a Passivation Line with scrubber, 2 Cold Cleaning Degreasers, a natural gas fired Emergency Generator, a Prototype Electroplating Line, a Paint Spray Booth, and 3 natural gas fired Low Pressure Steam Boilers. This is a relocation from 795 N. Pike Road,

Cabot, PA (10-00333) to 300 N. Pike Road, Sarver, PA. This is a State Only facility. Application received: October 4, 2022. Expiration date: May 31, 2024.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

**36-05142C: Mars Wrigley Confectionery US, LLC**, 295 South Brown Street, Elizabethtown, PA 17022, Elizabethtown Borough, **Lancaster County**. For the construction of a new cocoa bean receiving, cleaning, and storage operation at the chocolate manufacturing plant. The plan approval was extended. Application received: October 28, 2022. Issued: December 2, 2022.

**06-05037H: McConway & Torley, LLC**, 230 Railroad Street, Kutztown, PA 19530, Kutztown Borough, **Berks County**. For the reactivation of certain facility operations that had been previously idled at the Kutztown Steel Foundry. The operations include Source ID # 118A—Spinner Hanger Blast Unit, controlled by dust collector; Source ID # 108—No. 2 Tumble Blast Unit, controlled by dust collector; and Source ID # 106A—Air-Arc Turntable, controlled by dust collector. The plan approval was extended. Application received: November 22, 2022. Issued: December 2, 2022.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**09-0210B: Waste Management of Fairless, LLC**, 1000 New Ford Mill Road, Morrisville, PA 19067, Falls Township, **Bucks County**. This action is for the extension of plan approval 09-0210B for the installation and operation of three (3) ultra-low emissions flares for combustion of landfill gas produced by GROWS, GROWS North, and Fairless landfills. Application received: October 31, 2022. Issued: December 6, 2022.

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

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**41-00005: Lycoming Engines**, 652 Oliver Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Was issued a revised Title V Operating Permit for their Oliver Street Plant to reflect approval to install and operate an airless/air-assisted surface coating system in the existing OFB-1000-8 Spray Booth ES-9. The revised Title V Operating Permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions. Application received: May 25, 2022. Issued: September 29, 2022.

**41-00016: Plastic Development Company**, P.O. Box 4007, Williamsport, PA 17701, Woodward Township, **Lycoming County**. The facility was issued a renewal Title V Operating Permit. The Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: April 25, 2022. Renewed: December 6, 2022.

**49-00014: Jeraco Enterprises, Inc.**, 135 Sodom Road, Milton, PA 17847, Milton Borough, **Northumberland County**. The facility was issued a renewal Title V Operating Permit. The Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: July 15, 2022. Renewed: December 6, 2022.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

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

**32-00266: Evergreen Landfill, Inc.**, 119 North Luciusboro Road, Blairsville, PA 15731, Center Township and Brush Township, **Indiana County**. The Department issued a renewal Title V Operating Permit for the municipal waste landfill facility. Evergreen Landfill, Incorporated owns and operates the municipal solid waste landfill. The facility encompasses 191 acres. Evergreen estimates the maximum waste disposal rate at the landfill to be 1,500 tons per day (1,000 tons per day average) and the design capacity is established at 7.3 million tons of municipal solid waste. The facility is a Title V facility due to the EPA promulgating a rule requiring regulation of municipal solid waste landfills under Title V of the Clean Air Act. The actual emissions of CO, Oxides of Nitrogen (NO<sub>x</sub>), particulate matter less than 10 microns (PM<sub>10</sub>), Sulfur Dioxide Compounds (SO<sub>x</sub>), Volatile Organic Compounds (VOC) and Carbon Dioxides (CO<sub>2</sub>) reported for 2021 are 1.55 TPY, 0.26 TPY, 2.75 TPY, 1.06 TPY, 3.1 TPY, and 19,219.6 TPY, respectively. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G, the applicable requirements of 40 CFR 62 OOO and Part 63 Subpart AAAA and ZZZZ. Application received: June 25, 2021. Renewal issued: November 30, 2022.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.*

**44-05001: Standard Steel LLC**, 500 North Walnut Street, Burnham, PA 17009-1644, Burnham Borough, **York County**. For the steel manufacturing facility. The Title V permit was renewed. Application received: May 6, 2022. Issued: December 1, 2022.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

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

**TV-65-00016: Latrobe Specialty Metals A Carpenter Co.**, 2626 Ligonier St, Latrobe, PA 15650, Latrobe Borough, **Westmoreland County**. On November 30, 2022, the Department issued a significant Operating Permit modification of Title V Operating Permit # TV-65-00016 for the permittee's stainless and alloy steel manufacturing facility located in the city of Latrobe, Westmoreland County. Air emission sources at this facility include an electric arc furnace, an argon oxygen decarburization vessel, numerous heat-treating furnaces, vacuum induction melting processes, various rolling, grinding, welding, and sawing operations, scarfing and descaling machines, combustion units, miscellaneous heating units, a precision forging machine, several small emergency generators, and slag handling activities.

The changes being made to the Title V Operating Permit include the following:

- Revising the Compliance Assurance Monitoring (CAM) Plan for control device C16, Alpine Voest Baghouse, by changing the pressure drop indicator range from 3 to 7 inches water column to 2 to 7 inches water column during normal operations and 0.5 to 7 inches of water column during non-normal operations.

- Revising the CAM Plan for control device C03, PECOR Baghouse, by changing the pressure drop indicator range from 3 to 7 inches water column to 2 to 7 inches water column during normal operations and 0.5 to 7 inches of water column during non-normal operations.

- Removing the tonnage production limits from Source 202, VAR Furnaces, VIM/VAR.

- Changing the non-emergency operating hours restriction for Source 143, Cummins Emergency Generator, from 24 hours to 100 hours in accordance with the applicable requirements of 40 CFR Part 63, Subpart ZZZZ.

- Changing the permit contact person information.

These changes are being made in accordance with the significant Operating Permit modification provisions of 25 Pa. Code § 127.541. Emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice conditions in the final modified Title V Operating Permit have been derived from the applicable requirements of 40 CFR Parts 60, 61, 63 and 70, and 25 Pa. Code, Article III, Chapters 121–145. Application received: September 2, 2022. Deemed administratively complete: October 24, 2022.

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**Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**19-00003: PA State System of Higher Education**, 400 E. 2nd St., Bloomsburg, PA 17815, City of Bloomsburg, **Columbia County**. Was issued a renewal State Only Operating Permit for the Bloomsburg Campus located in the Town of Bloomsburg, Columbia County. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: May 24, 2022. Issued: November 28, 2022.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

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

**25-00930: Donjon Shipbuilding & Repair LLC**, 220 East Bayfront Parkway, Erie, PA 16507, City of Erie, **Erie County**. The Department issued the renewal of the State Only Operating Permit for the ship painting facility. The sources at the facility include a natural gas fueled pre-heat cabinet, abrasive blast operations, a paint booth, and ship painting operations. The facility is a Synthetic Minor. The potential emissions from the facility are as

follows: VOCs, 49.5 tpy; any single HAP 9.5 tpy; and all combined HAPs 24.5 tpy. Actual reported emissions for calendar year 2021 were as follow: 6.23 tons PM<sub>10</sub>; 3.96 tons VOC; 1.23 tons Total HAPs. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: November 19, 2021. Renewal issued: November 29, 2022.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**09-00229: Brenner Aerostructures**, 450-3 Winks Lane, Bensalem, PA 19020, Bensalem Township, **Bucks County**. For renewal of a non-Title V, Natural Minor Operating Permit. The facility is a manufacturer of aerospace components primarily serving the commercial aerospace industry. Application received: February 24, 2022. Issued: November 28, 2022.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

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

**63-00987: MarkWest Liberty Midstream & Resources, LLC**, 265 Old National Pike, West Alexander, PA 15376, Donegal Township, **Washington County**. The Department issued an initial synthetic minor State-Only Operating Permit for the continued operation of the MarkWest Carpenter natural gas compressor station located in Donegal 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, 40 CFR Part 60 Subpart OOOO, 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. Application received: August 23, 2021. Issued: November 30, 2022.

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**Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

**36-05025: Texas Eastern Transmission LP**, 915 N. Eldridge Parkway, Suite 1100, Houston, TX 77079-2703, East Donegal Township, **Lancaster County**. For the Marietta natural gas compressor station. The Title V permit was administratively amended in order to incorporate the provisions of Plan Approval No. 36-05025A, including an update of NSPS Subpart OOOOa requirements. Application received: July 26, 2022. Issued: November 30, 2022.

## ACTIONS ON COAL AND NONCOAL APPLICATIONS

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**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 National Pollutant Discharge Elimination System (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). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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### Coal Permits

*California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 30841319. Keystone Land Resources, Inc.**, 46226 National Road, St. Clairsville, OH 43950, Wayne Township, **Greene County**. To transfer the permit from Murray American Energy, Inc. Application received: November 17, 2020. Renewed: November 1, 2022.

### Noncoal Permits

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.*

**Mining Permit No. 37960301. Hanson Aggregates Pennsylvania, LLC**, 7660 Imperial Way, Allentown, PA 18195, North Beaver Township, Mahoning Township, **Lawrence County**. Revision to an existing bituminous surface mine to add incidental coal extraction. Application received: September 20, 2022. Issued: December 5, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 58212803. GP104 Permit No. PAM121. 4D's Ventures, Inc.**, 7295 Kingsley Road, Kingsley, PA 18826, Harmony Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: unnamed tributary to Cascade Creek. Application received: May 21, 2021. Correction issued: December 1, 2022. Expiration date: March 27, 2026.

**Mining Permit No. 58222506. John C. and James C. White**, 2005 Airport Road, Clifford Township, PA 18421, Clifford Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry

operation 10.0 acres. Receiving stream: East Branch Tunkhannock Creek. Application received: October 26, 2021. Permit issued: December 1, 2022.

**Mining Permit No. 5822506. GP104 No. PAM112008. John C. and James C. White,** 2005 Airport Road, Clifford Township, PA 18421, Clifford Township, **Susquehanna County.** Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: unnamed tributary to Cascade Creek. Application received: October 26, 2021. Coverage issued: December 1, 2022. Expiration date: March 27, 2026.

**Mining Permit No. 58212516. CBH Investments, LLC,** 800 Williams Road, Montrose, PA 18801, New Milford Township, **Susquehanna County.** Commencement, operation and restoration of a GP105 quarry operation affecting 10.0 acres. Receiving stream: unnamed tributary to Butler Creek. Application received: December 6, 2021. Permit issued: December 1, 2022.

**Mining Permit No. 58212516. GP104 Permit No. PAM121062. CBH Investments, LLC,** 800 Williams Road, Montrose, PA 18801, New Milford Township, **Susquehanna County.** Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: unnamed tributary to Butler Creek. Application received: December 6, 2021. Coverage issued: December 1, 2022. Expiration date: March 27, 2026.

**Mining Permit No. 58150811. GP104 Permit No. PAM122031. Robert Linden,** 999 English Flats Road, Hallstead, PA 18822, Brooklyn Township, **Susquehanna County.** Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: unnamed tributary to Hop Bottom Creek. Application received: June 3, 2022. Coverage issued: December 1, 2022. Expiration date: March 27, 2026.

**Mining Permit No. 5276SM5. NPDES Permit No. PA0595217. Eureka Stone Quarry, Inc.,** P.O. Box 249, Chalfont, PA 18914, Dingman Township, **Pike County.** Renew NPDES Permit for discharge of treated mine drainage from a quarry operation. Receiving stream: unnamed tributary to Sawkill Creek. Application received: February 23, 2022. Renewal issued: December 6, 2022.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.**

##### *Blasting Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Permit No. 35114111. Maurer & Scott Sales, Inc.,** 122 Wilburton Road, Coopersburg, PA 18036, Dunmore and Taylor Boroughs, **Lackawanna County.** Blasting for the Keystone Sanitary Landfill. Application received: November 15, 2022. Permit issued: December 1, 2022. Expiration date: November 14, 2027.

**Permit No. 36224146. Keystone Blasting Service,** 15 Hopeland Road, Lititz, PA 17543, Upper Leacock Township, **Lancaster County.** Construction blasting for Ben Stoltzfus manure pit. Application received: November 28, 2022. Permit issued: December 1, 2022. Expiration date: April 30, 2023.

**Permit No. 46224109. M3 Explo, LLC,** P.O. Box 615, Bowmansville, PA 17507, Ambler Borough, **Montgomery County.** Construction blasting for Limekiln Phase 2A. Application received: November 23, 2022. Permit issued: December 1, 2022. Expiration date: November 23, 2023.

**Permit No. 09224106. Rock Work, Inc.,** 1257 Dekalb Pike, Blue Bell, PA 19422, Plumstead Township, **Bucks County.** Construction blasting for Holly Ridge. Application received: November 28, 2022. Permit issued: December 5, 2022. Expiration date: December 1, 2023.

**Permit No. 40224114. Maine Drilling & Blasting, Inc.,** P.O. Box 1140, Gardiner, ME 04345, Jenkins Township, **Luzerne County.** Construction blasting for Centerpoint East 2B Lot 33. Application received: November 23, 2022. Permit issued: December 5, 2022. Expiration date: November 23, 2023.

**Permit No. 40224115. Maine Drilling & Blasting, Inc.,** P.O. Box 1140, Gardiner, ME 04345, Jenkins Township, **Luzerne County.** Construction blasting for Centerpoint South. Application received: December 29, 2022. Permit issued: December 5, 2022. Expiration date: November 23, 2023.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) 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, DEP 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.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

#### Action(s) Taken on Application(s) 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.

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Andrew Ross, Project Manager, 570-327-3565.*

**E1404222-003. Monument Water Authority**, 2332 Monument Orviston Road, Beech Creek, PA 16822, Liberty Township, **Centre County**. U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to construct an expansion of an existing water treatment facility within the floodway of Beech Creek (CWF). The project proposes no direct watercourse impacts, and .01 acre of permanent direct floodplain impacts. There will be no wetland impacts. Latitude: 41.112718°, Longitude: -77.704411°. Application received: October 6, 2022. Approved: December 1, 2022.

**E1404222-002. Ferguson Township**, 3147 Research Drive, State College, PA 16801, Ferguson Township, **Centre County**. U.S. Army Corps of Engineers Baltimore District.

The applicant is authorized to stabilize a rapidly eroding ephemeral stream, a UNT to Big Hollow (CWF, MF) stabilize the active erosion, protect the existing utilities, and improve habitat. The project proposes 0.39 acre of permanent direct watercourse impacts, and 1.81 acres of permanent direct floodplain impacts. There will be no wetland impacts. Latitude: 40.797950°, Longitude: -77.903326°. Application received: July 25, 2022. Approved: December 2, 2022.

*Contact: Kipp Starks, Aquatic Biologist 2, 814-342-8110.*

**E1704222-002. Irvona Municipal Authority**, 230 Hemlock Street, Irvona, PA 16656, Irvona Borough, Beccaria Township, **Clearfield County**. U.S. Army Corps of Engineers Baltimore District.

Replacement of 10,315 linear feet of existing transite waterline as well as add new service connections, appurtenances, and a connection to two new public water supply wells. Both open-cut and horizontal directional drill installation will be utilized to complete the work. The project will permanently impact 0.020 acre of palustrine emergent wetlands, 0.009 acre of watercourse (CWF, MF), and 0.065 acre of floodplain. Temporary impacts include 0.031 acre of palustrine emergent wetlands, 0.016 acre of watercourse and 0.261 acre of floodplain. No threatened or endangered species are

known to exist within the project area. Latitude: 40° 45' 21.6", Longitude: -78° 33' 11.3". Application received: August 15, 2022. Approved: November 30, 2022.

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

*Contact: RA-EPWW-NERO@pa.gov.*

**E3902222-002. City of Allentown**, 3000 Parkway Boulevard, Allentown, PA 18104, City of Allentown, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the MLK Trail Extension Project: 1) A fill within the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of a 10-foot wide, 5,435-LF, at-grade asphalt trail and an at-grade asphalt parking lot. 2) A fill within the floodplain of Little Lehigh Creek (HQ-CWF, MF) consisting of a 10-foot wide, 753-LF, at-grade asphalt trail. 3) A fill within the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of a 2,500 ft<sup>2</sup> stormwater infiltration basin. 4) An outfall fill within the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of an 8-inch diameter HDPE pipe and a 5-foot long, 6.5-foot wide R-3 riprap apron. 5) A fill within the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of a 2,500 ft<sup>2</sup> stormwater infiltration basin. 6) An outfall fill within the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of an 8-inch diameter HDPE pipe and a 5-foot long, 6.5-foot wide R-3 riprap apron. This project will result in a net cut of 50 ft<sup>3</sup> of cut within the floodway and floodplain. The project is bounded by Lehigh Parkway East to the south and by South 10th Street to the north (Allentown East, PA Quadrangle Latitude: 40° 35' 34"; Longitude: -75° 28' 51") in the City of Allentown, Lehigh County. Application received: February 8, 2022.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Sage Saum, Clerical Assistant 2, 717-705-4992.*

*CORRECTION—previously published on December 3, 2022*

**E3603222-008. West Cocalico Township Authority**, 156B West Main Street, P.O. Box 95, Reinholds, PA 17569-0095, West Cocalico Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

To demolish and remove an existing wastewater treatment plant impacting 17,246.0 square feet of the 100-year FEMA mapped floodplain of the Little Cocalico Creek (TSF, MF) (Latitude: (40.2638), Longitude: (-76.1197)). The proposed floodplain impacts do not include any impacts to wetlands. Application received: July 12, 2022. Issued: November 16, 2022.

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

*Contact: Dana Drake, Program Manager.*

**E6505122-005. PennDOT District 12-0**, 825 Gallatin Avenue Ext, Uniontown, PA 15401, Allegheny Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: remove the existing, 23.82' wide, 14.67' (top of arch) high, 67.65' long, Concrete Arch Bridge, and to construct and main-



tain a replacement, 24' wide, 11' high, 130.75' long Precast Concrete Rigid Frame Bridge, with upstream and downstream wingwalls, and cast-in-place concrete footings and concrete scour protection, having a permanent impact of 206 LF, and a temporary impact of 360 LF, to Pine Run (WWF). Place and maintain fill in approximately 25 LF of an Unnamed Tributary to Pine Run (WWF) and to remove an approximate 25 LF section of an approximately 110 LF existing 24" diameter RCP, and relocate, construct, and maintain this stream flow within an

102.2 LF pipe extension to the remaining portion of the aforementioned 24" RCP. Construct and maintain 14.4' x 15.8' T-Box outlet at the terminus of the aforementioned pipe extension, having a permanent impact of 15.8 LF, and a temporary impact of 41 LF, to Pine Run (WWF). For the purpose of replacing the structure carrying S.R. 356 over Pine Run (WWF). The project will have 221.8 LF of permanent impact, and 401 LF of temporary impact, to Pine Run, and 51.8 LF of permanent impact, to Unnamed Tributary to Pine Run. The project site is located near the intersection of SR 356 and Melwood Road, Latitude: 40° 35' 50.88", Longitude: -79° 36' 27.3". Application received: April 4, 2022. Issued: December 2, 2022.

**E6305122-007. PennDOT District 12-0**, 825 North Gallatin Avenue Ext, Uniontown, PA 15401, West Finley Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: 1. Remove an existing, single span reinforced concrete slab bridge over an unnamed tributary (UNT) to Middle Wheeling Creek (WWF) that has a hydraulic opening of 50 sq ft and out-to-out length of 16.55' and construct and maintain a replacement, precast box culvert with precast wingwall end sections with a hydraulic opening of 60 sq ft and out-to-out length of 37', and grouted rock cut-off walls over the UNT to Middle Wheeling Creek, 2. Place and maintain fill in 173 LF of Middle Wheeling Creek (WWF) and construct and maintain 156 LF of relocated channel constructed with natural stream bed material, live stake riparian plantings, and livestock fencing, 3. Place and maintain fill, including R-6 rock, as part of a roadway embankment within the floodway along 183 LF of the left bank of Middle Wheeling Creek, 4. Remove the existing 18-inch dia. CMP stormwater outfall structure and construct and maintain a stormwater outfall in the same location consisting of 24" dia. HDPE pipe spilling onto the R-6 roadway embankment in the Middle Wheeling Creek floodway previously described, 5. Remove the existing 18-inch dia. CMP owned by West Finley Township and construct and maintain a stormwater outfall in the same location consisting of 24" dia. HDPE pipe spilling onto the R-6 roadway embankment in the Middle Wheeling Creek floodway previously described, For the purposes of replacing a dilapidated structure carrying SR 3021 over a UNT to Middle Wheeling Creek. Cumulatively, since some impacts overlap, the project will have a permanent impact of 423 LF and a temporary impact of 356 LF on Middle Wheeling Creek and the UNT to Middle Wheeling Creek. Mitigation will be achieved through restoration of temporary impacts and the relocation of Middle Wheeling Creek into a 156 LF channel constructed with natural streambed materials, live stake riparian plantings, and livestock fencing. The project site is located on McGuffey Road (SR 3021) near the intersection of Walnut Valley Road. Latitude: 40° 04' 2.14", Longitude: -80° 28' 50.56". Application received: June 3, 2022. Issued: December 2, 2022.

**E0205221-014. Ross Township**, 1000 Ross Municipal Drive, Pittsburgh, PA 15237, Ross Township, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: 1. Construct, operate and maintain 438 linear feet of gabion basket retaining wall along the right (118 LF) and left (320 LF) descending banks of Nelson Run (WWF). 2. At another location remove the existing 33 linear foot culvert, conveying Nelson Run under Nelson Run Road, and construct and maintain a replacement, 64 linear foot 79" x 117" concrete arch culvert. 3. At another location construct operate and maintain a 80 LF concrete retaining wall along the right descending bank of Nelson Run. 4. At another location remove the existing 49 linear feet of 54-inch diameter pipe that conveys a UNT to Nelson Run (WWF) under Nelson Run Road, and construct and maintain a replacement, 39 linear foot 77" x 121" concrete elliptical pipe connecting to 7 linear feet of manhole, which is then connected to another 6' of 54-inch diameter pipe. For the purpose of providing stream bank stability along Nelson Run Road. Permanent impacts include 696 linear feet of watercourse impacts, and 1.53 acres of floodway impacts. Temporary impacts include 707 linear feet of watercourse impacts and 1.89 acres of floodway impacts. The project site is located at multiple locations along Nelson Run Road near its intersection with McKnight Road. Latitude: 40° 30' 26", Longitude: -80° 00' 20". Application received: July 8, 2021. Issued: December 2, 2022.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.*

*Contact: 717-772-5959.*

**EA1515222-001. First Pennsylvania Resource, LLC**, 317 East Carson Street, Suite 242, Pittsburgh, PA 15219, East Nottingham Township, **Chester County**. U.S. Army Corps of Engineers Baltimore District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to remove approximately 16,830 cubic yards of legacy sediment and other historic fills from the floodplain along an unnamed tributary to West Branch Big Elk Creek (HQ-TSF, MF) for the purpose of restoring natural aquatic resources including approximately 5.2 acres of integrated wetland, stream, and floodplain areas; to realign approximately 3,159 linear feet of Cocalico Creek and an unnamed tributary for the purpose of restoring watercourses; to place rock stream and valley grade control structures; to place rock slope protection: to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct rock construction entrances, temporary stream crossings, and other erosion controls during restoration activities. Additional features of the overall restoration plan include an agricultural ford crossing Latitude: 39.789722°, Longitude: -75.956944°. Application received: July 19, 2022. Approved: November 1, 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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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 District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.*

*Contact: RA-EPEASTERNOGPRG@pa.gov.*

**ESCGP # 3 ESG295322005-00**

Applicant Name **JKLM Energy, LLC**  
 Contact Person Joseph Harrick  
 Address 2200 Georgetowne Drive, Suite 500  
 City, State, Zip Sewickley, PA 15143  
 Township(s) Hector Township  
 County **Potter County**  
 Receiving Stream(s) and Classification(s) Genesee Forks  
 (22220) (HQ-CWF), Dry Run (22257) (HQ-CWF)  
 Application received: September 8, 2022  
 Issued: November 29, 2022

**ESCGP # 3 ESG295722002-00**

Applicant Name **EQT ARO, LLC**  
 Contact Person Todd Klaner  
 Address 2462 Lycoming Creek Road  
 City, State, Zip Williamsport, PA 17701  
 Township(s) Plunketts Creek Township and Hillsgrove  
 Township  
 County **Lycoming County and Sullivan County**  
 Receiving Stream(s) and Classification(s) Plunketts Creek  
 (EV)  
 Application received: June 20, 2022  
 Issued: December 2, 2022

**ESCGP # 3 ESG295822023-00**

Applicant Name **Coterra Energy, Inc.**  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275-1121  
 Township(s) Lathrop Township  
 County **Susquehanna County**  
 Receiving Stream(s) and Classification(s) Field Brook  
 (CWF, MF), UNT to Field Brook (CWF, MF)  
 Application received: September 23, 2022  
 Issued: December 6, 2022

**CORRECTIVE ACTION UNDER  
 ACT 32, 1989  
 PREAMBLE 2**

**The Following Plan(s) and Report(s) 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 supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**MP Gas**, Storage Tank Facility ID # **46-45682**, 125 Gravel Pike, Collegeville, PA 19426, Perkiomen Township, **Montgomery County**. Aquaterra Technologies, Inc., 901 S. Bolmar St., Suite A, West Chester, PA 19382, on behalf of Mahesva Properties LLC, 125 Gravel Pike, Collegeville, PA 19426 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential and nonresidential Statewide health and site-specific standards.

**Havertown Auto**, Storage Tank Facility ID # **23-43603**, 515 South Franklin Street, Havertown, PA 19083, Haverford Township, **Delaware County**. Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Mr. Robert Mulhern, 917 General Drive, West Chester, PA 19380 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Ganocy's Exxon**, Storage Tank Facility ID # **30-27061**, State Route 88 South & Kovach Road, Greensboro, PA 15338, Greensboro Borough, **Greene County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Jacobs Petroleum Products, Inc., 424 South Washington Road, Waynesburg, PA 15370 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

**Fueland # 203**, Storage Tank Facility ID # **02-13744**, 103 Mile Lock Lane, Brackenridge, PA 15014, Brackenridge Borough, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Superior Petroleum Company, 8199 McKnight Road, Pittsburgh, PA 15237 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

#### Action(s) Taken 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.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Diana's Corner Store**, Storage Tank Facility ID # **13-50526**, 23 West Lizard Creek Road, Lehighton, PA 18235, East Penn Township, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Lehighton Patel Kwik Stop LLC, 23 West Lizard Creek Road, Lehighton, PA 18325 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on December 5, 2022.

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**Sunoco 0014 3305**, Storage Tank Facility ID # **09-30216**, 3419 Street Rd., Bensalem, PA 19020, Bensalem Township, **Bucks County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, 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. The report residential and nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on November 28, 2022.

**SEPTA Frankford Bus Garage**, Storage Tank Facility ID # **51-07480**, 5235 Penn St., Philadelphia, PA 19124, City of Philadelphia, **Philadelphia County**. Michael Baker International, 1818 Market Street, Suite 3110, Philadelphia, PA 19103, on behalf of SEPTA, 1234 Market Street, 6th Floor, Philadelphia, PA 19107 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The plan residential was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on December 2, 2022.

**SEPTA Comly Garage**, Storage Tank Facility ID # **51-07488**, Penn St. and Comly St., Philadelphia, PA 19149, City of Philadelphia, **Philadelphia County**. Michael Baker International, Inc., 1818 Market Street, Suite 3100, Philadelphia, PA 19103, on behalf of SEPTA, 1234 Market Street, 6th Floor, Philadelphia, PA 19107 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on November 28, 2022.

**Aldan Sunoco**, Storage Tank Facility ID # **23-30691**, 424 E. Providence Rd., Aldan, PA 19018, Aldan Borough, **Delaware County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with

unleaded gasoline. The plan nonresidential was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on December 1, 2022.

**Morton Gas**, Storage Tank Facility ID # **23-30744**, 753 Kedron Ave., Morton, PA 19070, Ridley Township, **Delaware County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on December 6, 2022.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Former Wise's Amoco**, Storage Tank Facility ID # **63-09660**, 99 East Maiden Street, Washington, PA 15301, City of Washington, **Washington County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15314 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the site-specific standards and was approved by DEP on November 30, 2022.

**Lacue's Sunoco**, Storage Tank Facility ID # **11-17390**, 333 Magee Avenue, Patton, PA 16668, Patton Borough, **Cambria County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Lacues Sunoco, Inc., 333 Magee Avenue, Patton, PA 16668 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on November 30, 2022.

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## SPECIAL NOTICES

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### WATER PROGRAMS

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

The following permit application has been received by the Department. Persons objecting to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Regional Permit Coordination Office as noted before 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. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates.

More information regarding the permit applications related to this proposed project may be available online ([dep.pa.gov/pipelines](http://dep.pa.gov/pipelines)) or in the Department's Regional Permit Coordination Office. The Department's Regional Permit Coordination Office can be contacted at 717-772-5987 or [RA-EPREGIONALPERMIT@pa.gov](mailto:RA-EPREGIONALPERMIT@pa.gov).

Comments on the applications can be emailed or sent via postal mail to the Department of Environmental Protection, Regional Permit Coordination Office, Rachel Carson Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, [RA-EPREGIONALPERMIT@pa.gov](mailto:RA-EPREGIONALPERMIT@pa.gov).

Persons with a disability that require an auxiliary aid, service or other accommodation should contact the specified Department office. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

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#### 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).

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*Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101; Email: [RA-EPREGIONALPERMIT@pa.gov](mailto:RA-EPREGIONALPERMIT@pa.gov).*

**E3083222-002. Columbia Gas Transmission, LLC**, 1700 MacCorkle Avenue SE, Charleston, WV 25314, Gilmore Township, **Greene County**, U.S. Army Corps of Engineers, Pittsburgh District.

The applicant is proposing to repair, stabilize, and maintain one slip along their existing natural gas pipeline right-of-way associated with the Line 1570 Phase 1 Slip Repair Project. Work involves the installation of subsurface drains to collect water, rock armoring along a stream reach to address channel erosion, and restoration of the slip area through excavation, moisture conditioning, and regrading.

The proposed project impacts include a total of 117 feet of temporary stream impacts and 186 feet of permanent stream impacts to a UNT to Hennan Run (WWF); 0.66 acre of temporary floodway impacts; 0.46 acre of permanent floodway impacts; 0.08 acre of temporary impacts to a PEM wetland; and 0.47 acre of permanent impacts to PEM and PFO wetlands, of which 0.35 acre is permanent fill.

To compensate for the proposed permanent project impacts, the Applicant is proposing 0.54 credit of wetland mitigation and 186 credits of stream mitigation at the Laurel Hill Creek Mitigation Bank from First Pennsylvania Resource, LLC.

The project is located off SR 3008 (Latitude: 39.733350°; Longitude: -80.333836°) in Gilmore Township, **Greene County**.

#### WASTE, AIR, RADIATION AND REMEDIATION

Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

*Central Office: Radiation Protection Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Contact: Austyn Shank, 717-783-3594.*

In the month of November 2022, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon related activities in

Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons

certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Roger Burens Jr.	630 Freedom Business Ctr 3rd Floor King of Prussia, PA 17406-1331	Mitigation Individual
RHIS, Inc.	100 Old Kennett Road Wilmington, DE 19807-1726	Mitigation Firm
Brian Harashinski	8 Fairfield Drive Wilkes-Barre, PA 18702-7311	Testing Individual
Paul Swiontek	34 Union Street Inkerman, PA 18640	Testing Individual
Phil Thornberry	P.O. Box 392 Carmel, IN 46082	Laboratory Individual
Residential Warranty Services, Inc.	P.O. Box 392 Carmel, IN 46082	Laboratory Firm
Tyler Long	379 Aston Mountain Road Spring Brook Twp, PA 18444-6275	Testing Individual
Nathan Braden	307 Pandora Road Derry, PA 15627-1035	Testing Individual
Jeffrey Arms Jr.	2342 Miller Road Chester Springs, PA 19425-2713	Testing Individual
Tyler Long	379 Aston Mountain Road Spring Brook Twp., PA 18444-6275	Testing Individual
Melissa Brickner	274 Airport Drive Moncks Corner, SC 29461-2664	Testing Individual
Aaron Cunningham	117 Piper Lane West Chester, PA 19382-5394	Testing Individual
Brian Bacchus	125 Twin Oak Drive Wexford, PA 15090-8629	Mitigation Individual
Michael Biechler	2466 Roundtop Road Middletown, PA 17057-3701	Testing Individual
Brian Poplarchick	1000 Dunham Drive Suite B Dunmore, PA 18512	Testing Individual
Mark Jaworski	75 Putorti Lane Canonsburg, PA 15317-1472	Testing Individual
Allied Inspection Services, Inc.	P.O. Box 651 Macungie, PA 18062-0651	Testing Firm
Matthew Ruggieri	15 Mildred Street Crafton, PA 15205-2809	Testing Individual
Kyle Pattison	441 Butler Street Springdale, PA 15144-1303	Testing Individual

[Pa.B. Doc. No. 22-1934. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where

each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications.

Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### *Final TGD: Substantive Revision*

**DEP ID:** 394-2128-002. **Title:** Public Water Supply Manual Part IV—Noncommunity System Design Standards. **Description:** This TGD provides detailed design and construction standards for noncommunity water systems (NCWS), and information on the procedures to be followed to obtain NCWS approvals. The August 2018 general update to the Department's regulations at 25 Pa. Code Chapter 109 (relating to safe drinking water), published at 48 Pa.B. 4974 (August 18, 2018), changed the NCWS approval processes. The updates in this revision of the Public Water Supply Manual Part IV—Noncommunity System Design Standards are to reflect those 2018 regulatory updates, provide clarification of existing design standards and provide a detailed plan for NCWS approvals that streamlines the approval process while still being protective of public health. Notice of these revisions as draft was published at 50 Pa.B. 1758 (March 21, 2020). There were no public comments received on the draft revisions during the 30-day public comment period. Compared with the draft revised TGD, minor clarifying and formatting edits have been made in the final TGD. Prior to these substantive revisions, this TGD had not been substantively revised since 1998, although minor revisions were made in 1999, 2000 and 2001. Due to the reorganization of the Department, the document number for this TGD is now 394-2128-002, instead of the prior document number of 383-2128-108.

**Contact:** Questions regarding this TGD can be directed to Michael Hess at michess@pa.gov or (717) 772-5830.

**Effective Date:** December 17, 2022

RAMEZ ZIADEH, P.E.,  
Acting Secretary

[Pa.B. Doc. No. 22-1935. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Board and Committee Meeting Schedules for 2023

The following is a list of 2023 advisory board and committee meetings associated with the Department of Environmental Protection (Department). Meetings will have an in-person as well as a remote participation option. These schedules and an agenda for each meeting, including meeting materials and details about in-person and remote participation options, will be available on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) through the Public Participation tab. Prior to each meeting, the Department encourages individuals to visit the web site to confirm meeting date, time, location and remote participation options.

Persons in need of accommodations, as provided for in the Americans with Disabilities Act of 1990, should contact the individual listed for each board or committee, 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.

#### *Aggregate Advisory Board*

The Aggregate Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

March 1, 2023  
May 3, 2023  
August 2, 2023  
November 1, 2023

**Contact:** Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA 17101 at [dsnowden@pa.gov](mailto:dsnowden@pa.gov) or (717) 783-8846.

#### *Agricultural Advisory Board*

The Agricultural Advisory Board will meet at 9 a.m. in the Susquehanna Conference Room, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, unless otherwise noted. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

March 15, 2023  
June 22, 2023  
August 23, 2023—Room 309, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110 (joint meeting with the State Conservation Commission and the Nutrient Management Advisory Board)

October 19, 2023  
December 13, 2023

**Contact:** Jay Braund, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at [jbraund@pa.gov](mailto:jbraund@pa.gov) or (717) 772-5636.

#### *Air Quality Technical Advisory Committee*

The Air Quality Technical Advisory Committee will meet at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

March 9, 2023  
April 6, 2023  
June 1, 2023  
August 17, 2023  
October 12, 2023  
December 14, 2023

**Contact:** Joseph Martini, Bureau of Air Quality, 400 Market Street, Harrisburg, PA 17101 at [martjos@pa.gov](mailto:martjos@pa.gov) or (717) 772-5619.

#### *Board of Coal Mine Safety*

The Board of Coal Mine Safety will meet at 10 a.m. in Conference Rooms A and B, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

March 16, 2023  
June 8, 2023  
September 6, 2023  
December 7, 2023

*Contact:* Peggy Scheloske, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672 at mscheloske@pa.gov or (724) 404-3143.

#### *Citizens Advisory Council*

The Citizens Advisory Council (CAC) will meet at 12:30 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

January 10, 2023  
 February 14, 2023  
 March 15, 2023\* (Wednesday)  
 April 11, 2023  
 May 9, 2023  
 June 13, 2023  
 July 11, 2023  
 September 12, 2023  
 October 10, 2023  
 November 14, 2023—a portion of this meeting will be held with the Environmental Justice Advisory Board

*Contact:* Keith Salador, Citizens Advisory Council, P.O. Box 8459, Harrisburg, PA 17105-8459 at ksalador@pa.gov or (717) 787-8171.

#### *Cleanup Standards Scientific Advisory Board*

The Cleanup Standards Scientific Advisory Board will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

January 23, 2023  
 May 31, 2023  
 November 9, 2023

*Contact:* Mike Maddigan, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101 at mmaddigan@pa.gov or (717) 772-3609.

#### *Climate Change Advisory Committee*

The Climate Change Advisory Committee will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

February 21, 2023  
 April 25, 2023  
 June 27, 2023  
 August 22, 2023  
 October 24, 2023  
 December 19, 2023

*Contact:* Lindsay Byron, Energy Programs Office, 400 Market Street, Harrisburg, PA 17101 at lbyron@pa.gov or (717) 772-8951.

#### *Coal and Clay Mine Subsidence Insurance Fund Board*

The Coal and Clay Mine Subsidence Insurance Fund Board will meet at 1 p.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meeting in person or by remote participation. The meeting date is as follows:

January 12, 2023

*Contact:* James Charowsky, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA 17101 at jcharowsky@pa.gov or (717) 787-7007.

#### *Coastal Zone Advisory Committee*

The Coastal Zone Advisory Committee will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, unless otherwise noted. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

January 18, 2023  
 June 14, 2023—12th Floor Conference Room

*Contact:* Joe Sieber, Compacts and Commissions Office, 400 Market Street, P.O. Box 8465, Harrisburg, PA 17105-8465 at josieber@pa.gov or (717) 787-4726.

#### *Environmental Justice Advisory Board*

The Environmental Justice Advisory Board will meet at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, unless otherwise noted. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

February 14, 2023  
 May 16, 2023  
 August 15, 2023—location to be determined, meeting will begin at 1 p.m.  
 November 14, 2023—a portion of this meeting will be held with the CAC in Room 105, Rachel Carson State Office Building

*Contact:* Justin Dula, Office of Environmental Justice, 2 East Main Street, Norristown, PA 19401 at jdula@pa.gov or (484) 250-5820.

#### *Environmental Quality Board*

The Environmental Quality Board will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Meetings will only be held when there is a sufficient number of agenda items for consideration. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

February 14, 2023  
 March 15, 2023\* (Wednesday)  
 April 11, 2023  
 May 9, 2023  
 June 13, 2023  
 July 11, 2023  
 August 8, 2023  
 September 12, 2023  
 October 10, 2023  
 November 14, 2023  
 December 12, 2023

*Contact:* Laura Griffin, Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477 at laurgriffi@pa.gov or (717) 772-3277.

#### *Laboratory Accreditation Advisory Committee*

The Laboratory Accreditation Advisory Committee will meet at 9 a.m. at the Department of Environmental Protection, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17110. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

May 23, 2023  
 November 14, 2023

*Contact:* Annmarie Beach, Bureau of Laboratories, 2575 Interstate Drive, Harrisburg, PA 17110 at anbeach@pa.gov or (717) 346-7200.

#### *Low-Level Radioactive Waste Advisory Committee*

The Low-Level Radioactive Waste Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meeting in person or by remote participation. The meeting date is as follows:

September 29, 2023

*Contact:* Molly Adams, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA 17101 at moadams@pa.gov or (717) 787-2480.

#### *Mine Families First Response and Communications Advisory Council*

The Mine Families First Response and Communications Advisory Council has not yet scheduled meetings for 2023. Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

*Contact:* Peggy Scheloske, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672 at mscheloske@pa.gov or (724) 404-3143.

#### *Mining and Reclamation Advisory Board*

The Mining and Reclamation Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, unless otherwise noted. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

January 12, 2023—16th Floor Delaware Room  
April 13, 2023  
July 20, 2023  
October 11-12, 2023

*Contact:* Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA 17101 at dsnowden@pa.gov or (717) 783-8846.

#### *Oil and Gas Technical Advisory Board*

The Oil and Gas Technical Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

March 13, 2023  
June 6, 2023  
September 5, 2023  
December 5, 2023

*Contact:* Todd M. Wallace, Office of Oil and Gas Management, 400 Market Street, Harrisburg, PA 17101 at twallace@pa.gov or (717) 783-6395.

#### *Pennsylvania Energy Development Authority*

The Pennsylvania Energy Development Authority has not yet scheduled meetings for 2023. Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

*Contact:* Geoff Bristow, Energy Programs Office, 230 Chestnut Street, Meadville, PA 16335 at gbristow@pa.gov or (814) 332-6681.

#### *Public Water System Technical Assistance Center Board*

The Public Water System Technical Assistance Center Board will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

February 17, 2023  
April 18, 2023  
July 13, 2023  
October 26, 2023

*Contact:* Dawn Hissner, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101 at dhissner@pa.gov or (717) 772-2189.

#### *Radiation Protection Advisory Committee*

The Radiation Protection Advisory Committee has not yet scheduled meetings for 2023. Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

*Contact:* John Chipppo, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA 17101 at jchippo@pa.gov or (717) 783-9730.

#### *Recycling Fund Advisory Committee*

The Recycling Fund Advisory Committee will meet jointly with the Solid Waste Advisory Committee at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meeting in person or by remote participation. The meeting date is as follows:

October 19, 2023

*Contact:* Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17101 at lahenry@pa.gov or (717) 783-2388.

#### *Sewage Advisory Committee*

The Sewage Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

March 29, 2023  
September 13, 2023

*Contact:* Janice Vollero, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at jvollero@pa.gov or (717) 772-5157.

#### *Small Business Compliance Advisory Committee*

The Small Business Compliance Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

April 12, 2023  
August 23, 2023  
October 25, 2023

*Contact:* Lucas Hershey, Bureau of Air Quality, 400 Market Street, Harrisburg, PA 17101 at luchershey@pa.gov or (717) 787-7019.

#### *Solid Waste Advisory Committee*

The Solid Waste Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building,



400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

March 30, 2023  
June 22, 2023  
October 19, 2023—(joint meeting with the Recycling Fund Advisory Committee)

*Contact:* Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17101 at lahenry@pa.gov or (717) 783-2388.

*State Board for Certification of Sewage Enforcement Officers*

The State Board for Certification of Sewage Enforcement Officers will meet at 10 a.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

February 22, 2023  
May 17, 2023  
September 6, 2023  
November 1, 2023

*Contact:* Chloe Wilson, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at ra-seotrng@pa.gov or (717) 772-2186.

*State Board for Certification of Water and Wastewater Systems Operators*

The State Board for Certification of Water and Wastewater Systems Operators will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

February 8, 2023  
April 5, 2023  
June 14, 2023  
August 9, 2023  
October 11, 2023  
December 6, 2023

*Contact:* Laura Chambers, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101 at lchambers@pa.gov or (717) 772-5158.

**State Water Plan—Regional Water Resource Committees**

*Delaware Regional Water Resource Committee*

The Delaware Regional Water Resource Committee will meet at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

April 11, 2023  
October 10, 2023

*Contact:* James Horton, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

*Great Lakes Regional Water Resource Committee*

The Great Lakes Regional Water Resource Committee will meet at 9 a.m. in the 16th Floor Delaware Room,

Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

April 26, 2023  
October 25, 2023

*Contact:* James Horton, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

*Lower Susquehanna Regional Water Resource Committee*

The Lower Susquehanna Regional Water Resource Committee will meet at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

April 12, 2023  
October 11, 2023

*Contact:* James Horton, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

*Ohio Regional Water Resource Committee*

The Ohio Regional Water Resource Committee will meet at 1 p.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

April 25, 2023  
October 24, 2023

*Contact:* James Horton, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

*Potomac Regional Water Resource Committee*

The Potomac Regional Water Resource Committee will meet at 1 p.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

April 13, 2023  
October 12, 2023

*Contact:* James Horton, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

*Upper/Middle Susquehanna Regional Water Resource Committee*

The Upper/Middle Susquehanna Regional Water Resource Committee will meet at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

April 27, 2023  
October 26, 2023

*Contact:* James Horton, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

*Statewide Water Resources Committee*

The Statewide Water Resources Committee will meet at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA

17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

- April 19, 2023
- October 18, 2023

*Contact:* James Horton, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at jahorton@pa.gov or (717) 772-1100.

*Storage Tank Advisory Committee*

The Storage Tank Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

- March 21, 2023
- June 7, 2023
- September 6, 2023
- December 13, 2023

*Contact:* Kris A. Shiffer, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101 at kshiffer@pa.gov or (717) 772-5809.

*Technical Advisory Committee on Diesel-Powered Equipment*

The Technical Advisory Committee on Diesel-Powered Equipment will meet at 10 a.m. in the Westmoreland Room, New Stanton Office, 131 Broadview Road, New Stanton, PA 15672. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

- April 12, 2023
- July 12, 2023
- October 11, 2023

*Contact:* Peggy Scheloske, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672 at mscheloske@pa.gov or (724) 404-3143.

*Water Resources Advisory Committee*

The Water Resources Advisory Committee will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, unless otherwise noted. Individuals may attend the meetings in person or by remote participation. The meeting dates are as follows:

- March 16, 2023—12th Floor Conference Room
- May 18, 2023
- July 20, 2023—12th Floor Conference room
- September 21, 2023
- November 16, 2023

*Contact:* Jay Braund, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at jbraund@pa.gov or (717) 772-5636.

RAMEZ ZIADEH, P.E.,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1936. Filed for public inspection December 16, 2022, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Extension of National Pollutant Discharge Elimination System General Permit for Operation of Concentrated Animal Feeding Operations (PAG-12)**

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current National Pollutant Discharge Elimination System General Permit for Operation of Concentrated Animal Feeding Operations (PAG-12).

The existing PAG-12 General Permit in effect at this time will expire on March 31, 2023. Persons that are operating under the PAG-12 General Permit may continue to operate until March 31, 2024. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-12 General Permit. During the period of administrative extension, no new coverage under the PAG-12 General Permit may be authorized by the Department.

To access the General Permit and related documents, visit the Department’s eLibrary web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/) (select “Permit and Authorization Packages,” then “Clean Water,” then “PAG-12 NPDES General Permit for Operation of Concentrated Animal Feeding Operations 3800-PM-BCW0032”).

Questions regarding the PAG-12 General Permit can be directed to Kate Bresaw at kbresaw@pa.gov or (717) 772-5650 or Sean Furjanic, PE, at sefurjanic@pa.gov or (717) 787-2137.

RAMEZ ZIADEH, P.E.,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1937. Filed for public inspection December 16, 2022, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Ambulatory Surgical Facilities; Requests for Exceptions**

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
East Freedom Surgical Associates, LLC	28 Pa. Code § 569.35(7) (relating to general safety precautions)
Montgomery Surgery Center, LLC	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)

<i>Facility Name</i>	<i>Regulation and relating to</i>
Planned Parenthood Keystone—Lancaster	28 Pa. Code § 29.33(6) (relating to requirements for abortion)
Saint Vincent Endoscopy Center	28 Pa. Code § 553.1 (relating to principle)
Saint Vincent Surgery Center of Erie	28 Pa. Code § 553.1
Surgery Center at Penn Medicine University City	28 Pa. Code § 553.31(a) and (b)
UPMC Leader Surgery Center, LLC	28 Pa. Code § 553.1
	28 Pa. Code § 555.1 (relating to principle)
	28 Pa. Code § 555.3(a)—(f) (relating to requirements for membership and privileges)
	28 Pa. Code § 555.4(a)—(c) (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners)
	28 Pa. Code § 557.2(a) (relating to plan)
	28 Pa. Code § 557.3(a) (relating to Quality Assurance and Improvement Program)
	28 Pa. Code § 563.1 (relating to principle)
	28 Pa. Code § 563.2(a) and (b) (relating to organization and staffing)
	28 Pa. Code § 569.35(7)

The following ASF has filed a request for exception under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to *Guidelines for Design and Construction of Hospitals and of Outpatient Facilities*, as published by the Facility Guidelines Institute (*FGI Guidelines*). The following list includes the citation to the section of the *FGI Guidelines* for which the hospital is seeking an exception and the year of publication.

<i>Facility Name</i>	<i>Guidelines Section and relating to</i>	<i>Yr<sup>1</sup></i>
Western Pa Surgery Center—Beaver County Branch	A2.1-3.2.3.2 space requirements	18-O

<sup>1</sup> 2018 Year *FGI Regulations* were split into 2 books; *Hospitals*, and *Outpatient Facilities* as indicated by “-O.”

These previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1938. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied.

The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from November 1, 2022, through November 30, 2022. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

#### Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Doylestown Surgery Center, LLC	§ 551.21(d)(1) (relating to criteria for ambulatory surgery)	11/10/2022	Granted Probationary w/Conditions
Geisinger Healthplex State College Outpatient Surgery and Endoscopy	§ 571.1 (relating to minimum standards) A2.1-3.2.3.2 space requirements	11/14/2022	Granted
Indiana Ambulatory Surgical Associates, Inc.	§ 555.1 (relating to principle)	11/09/2022	Granted w/Conditions
	§ 555.2 (relating to medical staff membership)	11/09/2022	Granted w/Conditions
	§ 555.3(a)—(f) (relating to requirements for membership and privileges)	11/09/2022	Granted w/Conditions
	§ 555.4(a)—(c) (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners)	11/09/2022	Granted w/Conditions
King of Prussia Surgery Center, LLC	§ 555.32(a) (relating to administration of anesthesia)	11/09/2022	Granted w/Conditions
Wills Eye Surgery Center of the Northeast	§ 569.35(7) (relating to general safety precautions)	11/09/2022	Granted w/Conditions

#### Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Doylestown Hospital	§ 153.1(a) (relating to minimum standards) 2.1-2.4.3.9(1)(b) special design elements	11/09/2022	Granted
Geisinger-Community Medical Center	§ 107.5(b)(1)—(5) (relating to membership appointment and reappointment)	11/07/2022	Granted w/Conditions
	§ 107.26(a) and (b)(1)—(8) (relating to additional committees)	11/07/2022	Granted w/Conditions
	§ 153.1(a) ASHRAE 6.6—humidifiers	11/07/2022	Granted
Geisinger-Lewistown Hospital	§ 153.1(a) 2.8-8.2.1.2(1)(a) and (b) class 1 units	11/14/2022	Granted Temporary
The Milton S. Hershey Medical Center	§ 153.1(a) 2.1-2.2.6.3(2) room features	11/07/2022	Granted Temporary
	§ 153.1(a) 2.2-2.2.2.6 patient toilet room	11/07/2022	Granted Temporary
	§ 153.1(a) 2.2-2.3.4.1(1)(b) general	11/07/2022	Granted Temporary
	§ 153.1(a) Part 3 ASHRAE 7.2.2(b) protective environment (PE) rooms	11/07/2022	Granted Temporary
Penn Highlands Elk	§ 109.2(b) (relating to director of nursing services)	11/14/2022	Granted w/Conditions
Penn Highlands Tyrone	§ 153.1(a) 2.1-3.2.1.2(2)(a)(i) single-patient examination/observation room	11/14/2022	Granted
	§ 153.1(a) 2.1-3.8.7.1 location	11/14/2022	Granted w/Conditions

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 153.1(a) 2.1-8.3.6 electrical receptacles	11/14/2022	Granted
	§ 153.1(a) 2.1-8.4.3.2(2) hand-washing station sinks	11/14/2022	Granted
Pottstown Hospital	§ 153.1(a) 2.5-3.4.2.2(1) ECT treatment room	11/14/2022	Granted
UPMC Hamot	§ 153.1(a) 2.1-2.2.6.3(2) room features	11/07/2022	Granted

### Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
The Belvedere Center, Genesis Healthcare	§ 201.22(e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB))	11/07/2022	Granted
Chandler Hall	§ 201.22(e)	11/07/2022	Granted
Complete Care at Lehigh, LLC	§ 201.22(e) and (j)	11/07/2022	Granted
Ephrata Manor	§ 201.22(e) and (j)	11/07/2022	Granted
Parkhouse Rehabilitation and Nursing Center	§ 201.22(e)	11/07/2022	Granted
Promedica Skilled Nursing and Rehabilitation	§ 201.22(j)	11/07/2022	Granted
Promedica Skilled Nursing and Rehabilitation (King of Prussia)	§ 201.22(j)	11/07/2022	Granted
Promedica Skilled Nursing and Rehabilitation (Pottstown)	§ 201.22(j)	11/07/2022	Granted
Promedica Skilled Nursing and Rehabilitation (West Reading)	§ 201.22(j)	11/07/2022	Granted
Sarah A. Todd Memorial Home	§ 201.22(j)	11/07/2022	Granted
Transitions Healthcare Gettysburg	§ 201.22(d), (e) and (j)	11/07/2022	Granted
Tulip Special Care, LLC	§ 205.10(a) (relating to doors)	11/07/2022	Granted
Willowbrooke Court at Southampton Estates	§ 201.22(j)	11/07/2022	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1939. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Home Health Agencies; Requests for Exception

The following home health agencies are seeking exceptions to 28 Pa. Code § 611.51(a)(1) (relating to hiring or rostering of direct care workers):

Dedicated Nursing Associates of PA  
7401 Westbranch Highway  
Lewisburg, PA 17837  
LIC # 15113601

Family Home Health  
d/b/a Quality Home Care Staffing  
300 Oxford Drive  
Monroeville, PA 15146  
LIC # 54533601

Help at Home  
400 Horsham Road, Suite 130  
Horsham, PA 19044  
LIC # 15193601

Maxim Healthcare Services  
748 Springdale Drive, Suite 120  
Exton, PA 19341  
LIC # 17163601

Maxim Healthcare Services  
672 South River Street, Suite 102  
Plains, PA 18705  
LIC # 17253601

My Home Care  
109 Monroe Street, Suite 20  
Selinsgrove, PA 17870  
LIC # 25083601

Penn Cares  
550 Cleveland Avenue, Suite 209  
Chambersburg, PA 17201  
LIC # 14003601

Penn Cares  
127 West Market Street  
York, PA 17401  
LIC # 13823601

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379, fax (717) 787-3188, ra-communityprogramlicensure@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1940. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
The Lancaster General Hospital	28 Pa. Code § 119.11 (relating to principle)
Penn State Health Saint Joseph	28 Pa. Code § 107.64 (relating to administration of drugs)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr<sup>1</sup></i>
Conemaugh Meyersdale Medical Center	2.2-2.2.2.1(2) capacity	18
Meadville Medical Center	2.9-1.4.1.2 endoscope processing room(s)	18-O
	2.9-3.2.2.1 space requirements	18-O
	2.9-3.2.2.2(1) space requirements	18-O
Penn Highlands Dubois	2.1-3.4.3 pre-procedure patient care room or area	18
	2.1-3.4.5 phase II recovery room(s) or area	18
Penn Highlands Huntingdon	2.1-7.2.2.3(3)(a) doors and door hardware	18-O
Saint Luke's Hospital—Upper Bucks Campus	2.1-8.5.1.4 staff assistance stations	18
	2.5-8.5.1 call systems	18
Warren General Hospital	2.2-3.3.3.2(2)(b) space requirements	18
Wellspan York Hospital	2.1-2.2.5.1 location	18
	2.1-2.2.5.3 renovation	18
	2.1-8.3.6.2 receptacles in patient care areas	18
	2.1-8.4.4 medical gas and vacuum systems	18
	2.2-2.5.2.2(2)(a) and (b) space requirements	18
	2.2-2.5.2.2(3) space requirements	18
	2.2-2.5.4.2(1) and (2) airborne infection isolation (AII) room	18

<sup>1</sup> 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

<sup>2</sup> 2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1941. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Birchwood Healthcare and Rehabilitation Center  
395 East Middle Road  
Nanticoke, PA 18634  
FAC ID # 026402

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(j):

Thornwald Home  
442 Walnut Bottom Road  
Harrisburg, PA 17013  
FAC ID # 082802

Quality Life Services—Westmont  
787 Goucher Street  
Johnstown, PA 15905  
FAC ID # 680102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

ProMedica Skilled Nursing and Rehabilitation (Bethel Park)  
60 Highland Road  
Bethel Park, PA 15102  
FAC ID # 138802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.26(a) (relating to laundry):

Northampton County Home—Gracedale  
2 Gracedale Avenue  
Nazareth, PA 18064  
FAC ID # 072802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Rouse-Warren County Home  
701 Rouse Avenue  
Youngsville, PA 16371  
FAC ID # 181702

These requests are on file with the Department of Health (Department). Persons may receive a copy of a

request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1942. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); WIC Advisory

The WIC Advisory will meet on December 20, 2022, from 1:30 p.m. to 2:30 p.m. The purpose of this meeting is for the members of the WIC Advisory to discuss the drafted bylaws and share future suggestions and next steps for the WIC Advisory. The Department of Health (Department) will send out the meeting agenda no later than December 16, 2022, at 12 p.m. by e-mail. Individuals interested in receiving a copy of the agenda may send an e-mail to ra-dhwicadvisory@pa.gov requesting to be added to the distribution list.

Individuals can join at [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NGQ4YjAyYzItYzRlYy00YTQ0LWFiMDMtOWQwODNiOWY3ZWVm%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%220cfa0410-062c-44ce-8c0c-5e4c0a12ecd9%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NGQ4YjAyYzItYzRlYy00YTQ0LWFiMDMtOWQwODNiOWY3ZWVm%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%220cfa0410-062c-44ce-8c0c-5e4c0a12ecd9%22%7d).

*Note:* The previous link to access the meeting does not include a period. The link ends at 22%7d with no period. If copying and pasting the link, do not copy any period at the end if there is one.

Individuals can also join by calling (267) 332-8737. The conference ID number is 418 352 128#.

The meeting will be recorded so if individuals choose to attend, they are consenting to being recorded. Individuals should not attend the meeting if they do not wish to be recorded.

Questions about the WIC Advisory may be submitted by e-mail to the Department at ra-dhwicadvisory@pa.gov.

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact the Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Pennsylvania WIC program is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider.

*USDA Nondiscrimination Statement:*

In accordance with Federal civil rights law and the USDA civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (for example, Braille, large print, audiotope, American Sign Language), should contact the responsible State or local agency that administers the program or the USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact the USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992 or by writing a letter addressed to the USDA. The letter must contain the complainant's name, address, telephone number and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to the USDA by mail to the United States Department of Agriculture, Office

of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, fax (833) 256-1665, (202) 690-7442, Program.Intake@usda.gov.

This institution is an equal opportunity provider.

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1943. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Determination of the Average Wholesale Price of Prescription Drugs by the Department

Under 34 Pa. Code § 127.131(b) (relating to payments for prescription drugs and pharmaceuticals—generally), the Department of Labor and Industry, Bureau of Workers' Compensation, gives notice that it utilizes the *Merative Micromedex Red Book* to determine the average wholesale price of prescription drugs.

JENNIFER BERRIER,  
*Secretary*

[Pa.B. Doc. No. 22-1944. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Maximum Pennsylvania Workers' Compensation Payable

Based upon the Statewide Average Weekly Wage, as determined by the Department of Labor and Industry for the fiscal year ending June 30, 2022, the maximum compensation payable under Article 1, sections 105.1 and 105.2 of the Workers' Compensation Act (77 P.S. §§ 25.1 and 25.2) shall be \$1,273 per week for injuries occurring on and after January 1, 2023. For purposes of calculating the update to payments for medical treatment rendered on and after January 1, 2023, the percentage increase in the Statewide Average Weekly Wage is 5.7%.

JENNIFER BERRIER,  
*Secretary*

[Pa.B. Doc. No. 22-1945. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Range of Fees Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers' Compensation Act

Under 34 Pa. Code § 127.667(b) (relating to compensation policy), the Department of Labor and Industry, Bureau of Workers' Compensation (Bureau) gives notice of the range of fees charged by Utilization Review Organizations (URO) and Peer Review Organizations (PRO) for services performed under the Workers' Compensation Act (act) (77 P.S. §§ 1—1041.4 and 2501—2625) during 2021.



## 2021 Range of Fees Charged by UROs and PROs

<i>URO/PRO</i>	<i>Minimum Fee</i>	<i>Maximum Fee</i>
Alico Services LTD	\$497.28	\$5,112.87
American Review Systems, Inc.	\$556.60	\$7,652.79
CAB Medical Consultants	\$525.00	\$4,959.60
Caduceus Lex Medical Auditing	\$508.55	\$4,986.94
CEC, Inc.	\$839.55	\$8,525.45
Chiro Med Review Co.	\$331.16	\$6,197.21
De Novo Management	\$522.60	\$10,810.80
Disability Management Consultants, LLC	\$2,000.00	\$10,639.39
Disability Review Services, LLC	\$1,606.95	\$8,783.88
DLB Services	\$302.75	\$4,682.22
Hajduk & Assoc. URO/PRO Services	\$790.02	\$8,720.16
Industrial Rehabilitation Associates	\$650.00	\$9,950.00
Keystone Medical Auditing	\$386.40	\$4,008.33
KVS Consulting Services	\$1,107.00	\$10,237.85
Laurel Reviews	\$535.56	\$5,990.24
Margroff Review Services	\$718.57	\$9,493.35
McBride & McBride Associates	\$516.83	\$5,418.06
Physio Solutions, LLC	\$1,727.80	\$9,974.59
Quality Assurance Reviews, Inc.	\$700.00	\$5,837.92
Rachels Reviews	\$451.42	\$4,956.50
T & G Reviews	\$850.00	\$7,700.00
Uniontown MRPC	\$474.71	\$4,616.78
Watson Review Services	\$629.50	\$8,486.10
West Penn IME, Inc.	\$828.21	\$6,984.82

34 Pa. Code § 127.667(b): The Bureau will publish in the *Pennsylvania Bulletin*, on an annual basis, the range of fees charged by each URO and PRO for services performed under the act and this chapter during the preceding year.

JENNIFER BERRIER,  
Secretary

[Pa.B. Doc. No. 22-1946. Filed for public inspection December 16, 2022, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

State Route 3024-07S, Parcel 16, Adams Township, Cambria County. This parcel contains approximately 0.311 acre of unimproved land. The property will be sold in as is condition. The estimated fair market value of the

parcel is \$5,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public agencies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice in the *Pennsylvania Bulletin* to Thomas A. Prestash, PE, District Executive, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

Questions regarding this application or the proposed use may be directed to Robert Lynn, Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648, (814) 317-1674, ROLYNN@PA.GOV.

YASSMIN GRAMIAN,  
Secretary

[Pa.B. Doc. No. 22-1947. Filed for public inspection December 16, 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 Regulatory 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 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>
57-336	Pennsylvania Public Utility Commission Water Conservation Measures 52 Pa.B. 4406 (August 6, 2022)	11/03/22	12/05/22

### **Pennsylvania Public Utility Commission Regulation # 57-336 (IRRC # 3350)**

#### **Proposed Water Audit Methodology Regulation 52 Pa. Code 65.20a—Water Conservation Measures**

**December 5, 2022**

We submit for your consideration the following comments on the proposed rulemaking published in the August 6, 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 Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

#### **1. Compliance with the provisions of the RRA or the regulations of this Commission in promulgating the regulation.**

This proposal establishes water conservation measures for all water public utilities. Specifically, Class A, Class B, and Class C water public utilities and municipal corporations providing jurisdictional water service would be required to report, to the PUC, their Unaccounted-for-water (UFW). Additionally, Class A water public utilities would be required to conduct an annual water loss audit for each discrete water system. The proposal also requires water public utilities to notify and provide customers with educational materials discussing water-saving plumbing fixtures, and efficient water use practices, including informing large nonresidential water customers annually about the availability of the Department of Environmental Protection's large water user audit procedure. This rulemaking will replace and supersede the current Water Conservation Policy Statement at 52 Pa. Code § 65.20.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impacts, reasonableness, and need. To make that determination, the Commission must analyze the text of the proposed rulemaking and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 745.5(a) in the Regulatory Analysis Form (RAF). The explanation of the regulations in the Preamble and the information contained in the RAF are not sufficient to allow this Commission to determine if the regulation is in the public interest.

The Preamble does not explain the need for or provide a reason for the new language in each subsection. Section

65.20a(c)(2)(viii) (relating to Water loss audit for Class A water public utility) requires an explanation for each reported metric value that has both varied greater than 10% in either direction from the previous year's reported value and has not improved over 3 years of reporting. The rationale for the 10% variation threshold that triggers an explanation is not included in the Preamble summary. Similarly, Section 65.20a(d) (relating to Unaccounted-for water) contains a statement that levels above 20% have been considered by the PUC to be excessive. But the summary provided in the Preamble does offer any additional detail as to how that benchmark was derived.

The Commission's regulations in 1 Pa. Code 305.1(b)(1) require an agency to submit a complete RAF when it delivers a proposed rulemaking. The RAF submitted by the PUC with this proposed rulemaking provides answers to all of the questions posed. However, answers to some of the questions do not provide sufficient information for this Commission to determine if the rulemaking is in the public interest. Measures other than the water loss audit for Class A water public utilities such as the alternate methodology to the American Water Works Association (AWWA) software, UFW, leak detection, metering, and mandatory conservation contingency plan, are sparsely addressed in the PUC responses.

In other instances, pertinent information is not included. For example, in response to Question # 19 (relating to a specific estimate of the costs and/or savings to the regulated community), we believe it would be beneficial to know how many Class A, Class B, Class C, and municipal corporations providing jurisdictional water services comply already with each water conservation measure. The PUC's response to Question # 20 (relating to a specific estimate of the costs and/or savings to the local governments associated with compliance) should specifically address municipal water authorities. Stating that most of the regulated community probably already comply with the regulation does not provide sufficient information for this Commission to determine if the rulemaking is in the public interest.

In response to Question # 22a (regarding whether forms are required for the implementation of the regulation), the PUC's response is inconsistent with the language in the proposed Annex, which requires each Class A, Class B and Class C to report its UFW using Schedule 500 of the Annual Financial Reports. In response to Question # 12 (relating to how this regulation compares with those of other states), the PUC does not include a detailed comparison of this proposal to other states' regulations.

In addition to the examples above, we ask the PUC to provide more information in response to the following questions in the RAF:

- Question # 18, related to how the benefits of the regulation outweigh any costs and adverse effects;
- Question # 19, related to a specific estimate of costs and/or savings to the regulated community and how the estimates were derived;
- Question # 22, related to a statement of legal, accounting, or consulting procedures and additional reporting, recordkeeping, or other paperwork which will be required for the implementation of the regulation;
- Question # 22a, related to forms required for the implementation of the regulation; and
- Question # 28, related to whether data is the basis for this regulation.

## **2. Protection of the public health, safety and welfare and the effect on this Commonwealth's natural resources.**

### *Unaccounted-for water*

Under Section 65.20a(d), the PUC proposes that Class A, Class B and Class C water public utilities report unaccounted-for water using Schedule 500 of its Annual Financial Report to the PUC. Levels of unaccounted-for water must be kept within reasonable amounts. Levels above 20% have been considered by the PUC to be excessive. The Preamble states that “[b]y continuing to monitor unaccounted-for water and comparing it to the water loss information, we can evaluate the two measurements. Until we have a benchmark for water loss, the unaccounted-for metric provides continuity in evaluating performance without jeopardizing the reliability of systems.”

A commentator believes it is “wholly inappropriate” for the PUC to continue to employ the UFW approach and disagrees with the rationale put forth by the PUC in the above paragraph. The commentator remarks that the UFW approach under Section 65.20a(d) is “outdated and archaic.” They further assert that the UFW approach “lacks empirical and scientific legitimacy and argues that its use for many years by the PUC has not correlated with measurable and actionable reductions in Non-revenue Water.”

The commentator also contends that the UFW approach is flawed because a single performance indicator cannot reliably represent the varying types of losses and cost impacts that occur in drinking water systems. Moreover, this commentator feels that it is “misleading” to represent data of multiple water systems under a composite metric. According to the commentator, “[t]his flawed approach magnifies the peril of a water company not directing resources to small water systems—and small communities—because its remedial investments in larger systems will tend to skew the %UFW indicator closer to the benchmark. This disadvantages small communities and is not equitable.”

The commentator also points out that the PUC refers to the “uncertainty involved with the use of the unaccounted-for water method” when discussing transparency of the regulatory process. The PUC’s final Opinion and Order on January 27, 2012, in which all Class A water utilities were required to implement the Water Audit Methodology, concluded:

“Based upon this Commission’s tradition of establishing groundbreaking regulatory tools, such as the

DSIC or single tariff pricing, we will order the implementation of this Water Audit methodology which will help achieve a number of public interest benefits, such as increased infrastructure reliability, help preserve water resources, limit water leakage, reduce overall company risk, and enhance customer service. *We believe that this practice is a better tool than the current unaccounted-for-water method and in the public interest.*” (Emphasis added.)

If the PUC retains this UFW approach in the final-form rulemaking, the commentator believes that it will be a “significant step backwards in the management of drinking water supplies in the Commonwealth and will result in growing costs to water suppliers and consumers.”

We ask the PUC to explain how the approach in proposed Section 65.20a(d) (relating to Unaccounted-for water) adequately protects the public health, safety, and welfare and the effect on the Commonwealth’s natural resources. The PUC’s response should discuss the PUC’s rationale for the required reporting and 20% UFW threshold in Section 65.20(d).

## **3. Economic or fiscal impacts.**

A commentator has raised concerns about the costs associated with the production and validation of audits for each discrete system. These costs, according to the commentator, would include: the hiring of additional staff to prepare water loss audits for each system and to locate and repair leaks; hiring consultants to validate audit results for each system and engineer solutions; and, the additional investment in systems renewal projects that were not anticipated prior to the audit.

The commentator also claims that the potential costs associated with additional staff and program implementation would diminish the savings associated with reduced avoidable water loss. For some systems, particularly for small water systems, the commentator concludes that the costs of the infrastructure upgrades would not justify the savings from making those upgrades.

We ask the PUC to work with the regulated community to ascertain the costs required to comply with the rulemaking, especially as it relates to smaller water systems.

## **4. Need for the regulation; Possible conflict with or duplication of statutes or existing regulations.**

Commentators have identified a number of provisions as possibly being duplicative of existing regulations and therefore, question the need for their inclusion in the rulemaking. A commentator states that Sections 65.20a(a) and (k) (relating to General; Penalty) appear to be unnecessary since the PUC has the authority to enforce its regulations and impose penalties if a public utility violates a regulation. 66 Pa.C.S. § 3301(a). This commentator also states that Section 65.20a(g) (relating to Mandatory conservation contingency plan) appears to be repetitive of at least some of 52 Pa. Code § 65.11 (relating to Mandatory conservation measure) provisions and claims that the amendment would allow a water public utility to be prosecuted for violating two regulations for the same behavior. Lastly, the same commentator questions if the metering program required under Section 65.20a(f) (relating to Metering) is the same as the metering required under 52 Pa. Code 65.8 (relating to Meters).

**5. Section 65.20a. Water conservation measures.— Clarity; feasibility and reasonableness of the regulation; Lack of ambiguity; Reasonableness of requirements and implementation procedures; Whether the regulation is supported by acceptable data; and Non-regulatory language.**

*Subsection (b) Definitions.*

*“Discrete system”*

This term does not appear in the body of the regulation. In Section 65.20a(c)(1)(i), the phrase “discrete water system” is used. The PUC should either delete the term from the Definitions section or revise it to be consistent with Section 65.20a(c)(1)(i) by inserting the word “water” between “discrete” and “system.”

*“Large customer”*

This term does not appear in the text of the Annex. However, the term “large nonresidential customer” is used in Section 65.20a(j). “Large customer” should be either deleted if it is not needed or revised to be consistent with Section 65.20(j). A commentator notes that a utility’s tariff may not designate “large usage” as described or suggested by the proposed regulation and recommends that each utility be able to determine how to designate a “large customer.” Another commentator agrees that the definition “needs further refinement.”

*“Apparent loss”*

The proposed definition uses the phrase “actual loss.” Is “actual loss” different than “real loss?” If it is different, “actual loss” should be defined and included in the Definitions section. If it is the same as “real loss,” it should be deleted and replaced with “real loss.”

*“UFW—Unaccounted for water”*

This proposed definition includes a term that is in quotations. It reads “[t]he amount of water that is “lost” when comparing the volume of water that is produced with the volume of water that is sold. . .” (Emphasis added) Section 2.11(b) of the *PA Code and Bulletin Style Manual* states that a definition should be used to avoid vagueness and ambiguity. The use of quotations around the word “lost” alludes to another meaning. The definition should be rewritten without the use of quotations.

This definition also contains substantive provisions. The inclusion of substantive or regulatory language in a definition is inconsistent with Section 2.11(e) of the *PA Code and Bulletin Style Manual*. The three sentences beyond the first should be moved to the body of the regulation. The last sentence which states that another term for UFW is UAW should be deleted and the acronym “UAW” should be added to the term, preceding the words.

*Subsection (c) Water loss audit for a Class A Water public utility.*

This subsection requires Class A water utilities to conduct an annual water loss audit with results reported to the PUC, by April 30th of the following year, for each discrete water system. Under this subsection, the use of the AWWA Free Water Audit Software would satisfy the annual water loss reporting requirements. However, if a water public utility seeks to use an alternative water audit methodology or a version other than the AWWA Free Water Audit Software Version 6.0 (2020), it would need to petition the PUC, prior to use, specifying the metrics and criteria, including the technical and engineering formulas, needed to substantiate how the alternative methodology meets or exceeds the requirements.

Commentators raised a number of issues regarding this subsection. A number of commentators recommended that the definitions for Class A, Class B and Class C water utilities should be included in the regulation. 52 Pa. Code § 65.16 (relating to System of accounts) defines a Class A water public utility as “a public water utility having annual operating revenue of \$750,000 or more. . .” However, 52 Pa. Code § 56.2 (relating to Definitions) defines Class A water utility as “[a] water utility with annual revenues greater than \$1 million.” Commentators recommend the PUC include or incorporate by reference the definitions for Class A, Class B and Class C water utilities in the final version of this rulemaking.

Under Section 65.20a(c)(1)(iv), a Class A water public utility must provide the annual water loss report in a working electronic format. Several commentators suggest that “working” needs to be clarified in the final version of this rulemaking. Commentators emphasize the need for these “live” reports to be publicly available on the PUC’s website. The PUC should revise this section by replacing this vague language with clear, concise and enforceable standards.

Section 65.20a(c)(2) requires an alternate water loss methodology to be able to quantify and address certain metrics and reporting criteria such as performance indicators (consisting of financial calculations and operational efficiency calculations) and a description of priority areas the water public utility intends to address to reduce future water loss. (Sections 65.20a(c)(2)(vii) and (x)). We believe the clarity of rulemaking would be improved if the performance indicators were defined and an explanation of how the “priority areas” are to be determined were part of the final-form regulation. There seems to be a consensus among members of the regulated community that these proposed requirements should be discussed in the context of a stakeholder workgroup. We encourage the PUC to continue its work with the regulated community to define these key provisions when developing the final version of the regulation.

We would also add that the proposal includes two variations of the same term. “Nonrevenue water” is used in Section 65.20a(c)(2)(iv) and “non-revenue water” in the Preamble. The PUC should make certain to use consistently one version throughout the Preamble, RAF and Annex. In addition, this term and its meaning should be included in the Definitions section of the Annex. We believe adding this information to the Definitions section would add clarity to the final rulemaking.

Section 65.20a(c)(2)(ix) states that a water loss methodology must provide an “indication of the statistical confidence” in the validity and accuracy of the values reported for each required metric, including a summation of overall validity and accuracy of the data reported. It is unclear what constitutes statistical confidence and how it’s achieved. This vague language should be replaced with clear direction to the regulated community regarding its meaning and how statistical confidence is achieved or measured.

Sections 65.20a(c)(2)(viii)(A) and (B) requires an explanation for each reported metric value that has both varied greater than 10% in either direction from the previous year’s reported value and has not improved over 3 years. One commentator states that “[p]articularly for small “discrete systems,” such a variation is not uncommon.” The commentator recommends that a variation of 20% be used to trigger the explanation requirement. The commentator also states that it does not support requir-

ing an explanation of each reported metric that has not improved in three years. In many cases, they claim, “explanations of why metrics have not improved in three years would be irrelevant, as many metrics are currently in good standing or are intended to maintain current levels.” Another commentator states that it does not disagree with the example provided but feels that the 10% variation, as proposed, is not unreasonable, and if metrics are truly unimproved due to being in “good standing” then that would be the explanation provided by the water company.

The use of “and” between (A) and (B) creates confusion as to when an explanation must be provided. The use of “and” between the two clauses requires both provisions to be met before an explanation is required i.e., there must be a greater than 10% variance from the prior year and there has not been improvement in that variance over a three year period. Having a greater than 10% variance from the previous year in one reporting period would not trigger the required explanation but it would have to not improve over a three-year period before the explanation requirement is activated. Additionally, since it refers to greater than a 10% variance “in either direction,” if the variance is a drop in the particular metric, how feasible is it that a water public utility can continue showing improvement on that reduction over a three year period. We ask the PUC to explain, in the Preamble to the final rulemaking, its rationale for and the feasibility of these provisions and how it determined that the 10% variation is reasonable.

For those utilities that seek to use an earlier version of the AWWA Software, has the PUC considered publishing on its website, a list of authorized software versions that may be used to satisfy the annual reporting requirements under Section 65.20a(c)(2)?

Section 65.20a(c)(4) states that the PUC may provide instructions regarding the permissible use of later versions of the AWWA software in “reminder communications” regarding public utility reporting. This language is ambiguous. On one hand, the language seems to suggest that the communications would pertain to instructions that may come from the software company about updates to the program. On the other hand, “permissible use” could be interpreted as authorizing later versions of the software that would seem to conflict with the requirements of Section 65.20a(c)(3). We ask the PUC to clarify, in the Preamble to the final-form rulemaking, the intent of this provision and to make certain that it is consistent with Section 65.20a(c)(3) and the intent of the PUC.

#### *Subsection (d) Unaccounted-for-water.*

Under this subsection, each Class A, Class B and Class C water public utility must report its Unaccounted-for water using Schedule 500 of its Annual Financial Report to the PUC. The subsection further reads that “Levels of UFW shall be kept within reasonable amounts. Levels above 20% have been considered by the PUC to be excessive.”

The last two sentences in this subsection contain non-regulatory language. A regulation has the full force and effect of law. These two sentences do not set a clear standard of compliance for a water public utility. The PUC should replace these sentences with clear and enforceable standards.

The PUC should also explain in the Preamble to the final rulemaking how it determined that the 20% UFW threshold is reasonable and whether data was the basis for its determination.

#### *Subsection (e) Leak detection.*

This subsection requires a public water utility to use a system of leak detection on a *regular basis*, with leaks being repaired as *expeditiously and economically as possible*. (Emphasis added) The water public utility must provide documentation of the system to the PUC upon request. We have two issues with this proposed subsection. First, the phrases “regular basis,” and “expeditiously and economically as possible” do not set a clear standard. Second, what does a leak detection system entail and where are the standards for a leak detection system set forth? The phrases “regular basis” and “expeditiously and economically as possible” are not regulatory language and do not set a binding norm that could be predicted by the regulated community. We ask the PUC to clarify these implementation timeframes in the final-form regulation.

#### *Subsection (f) Metering.*

This subsection requires a water public utility to have a metering program in place and provide documentation of the program to the PUC upon request. It further states that a metering program, reflecting a public water utility’s obligations under § 65.8 (relating to metering), must also include metering sources of supply.

A commentator states that the last sentence in the paragraph seems to be an amendment to Section 65.8. This commentator further asserts that the reference to metering of sources of supply should be deleted in this regulation since the rest of the proposal focuses on the loss of water after it has been treated. Metering the source of supply, the commentator argues, is more appropriately addressed by the Delaware River Basin Commission and the Susquehanna River Basin Commission. Other commentators strongly disagree with these assertions and feel that measurement of both source water and water consumed by customers is needed to compile a reliable water audit.

Another commentator remarks that “§ 65.8 appears to pertain to customer meters and therefore may be inadequate for metering of sources of supply.” This commentator recommends that the PUC consider developing metering requirements specifically for sources of supply.

These differing viewpoints expressed by commentators highlight three concerns that we have with this provision. First, the phrase “reflecting a public water utility’s obligations” is vague language. We ask the PUC to remove this phrase from the rulemaking altogether and replace it with a clear and enforceable standard. Second, we concur that the proposal appears to be adding a requirement to an existing regulation that is not part of the proposed rulemaking. We ask the PUC to clarify the intent of and explain the rationale for this provision in the Preamble to the final rulemaking. Lastly, the required elements of a comprehensive metering program are not delineated in the rulemaking. The PUC should describe what a comprehensive metering program entails in the revised final Annex or explain why it is unnecessary to do so.

#### *Subsection (h) Efficiency plumbing fixtures.*

#### *Subsection (i) Education.*

A commentator states that some water public utilities may have already developed the necessary materials under these sections. Therefore, the commentator sug-

gests that the PUC re-phrase these provisions to permit or encourage, rather than require, water public utilities to consult with the PUC's Communications Office and Bureau of Consumer Services about the materials. We ask the PUC to explain, in the Preamble to the final-form regulation, the rationale for the required consult with the PUC on materials that a public water utility may have already developed.

*Subsection (j)*

We recommend that this language be more specific by including the Department of Environmental Protection's website, including the link to the procedure, on a printed message on or with the customer's bill.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 22-1948. Filed for public inspection December 16, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Certified Reinsurer

XL RE Europe SE has applied for an initial designation as a certified reinsurer in this Commonwealth. The application was received on October 13, 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](mailto:mgreiner@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1949. Filed for public inspection December 16, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Domestic Certificate of Authority Filed by Partners Insurance Company, Inc.

Partners Insurance Company, Inc. filed an application with the Insurance Department (Department) on July 12, 2022, for a certificate of authority to operate a stock life and health insurance company under The Insurance Company Law of 1921 (40 P.S. §§ 341—1007.15).

Interested parties are invited to submit written comments to the 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 may be e-mailed to Karen Feather, Company Licensing Division, [kfeather@pa.gov](mailto:kfeather@pa.gov). Questions may be directed to Karen Feather, (717) 214-4113.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1950. Filed for public inspection December 16, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Regis Pabon; License Denial Appeal; Doc. No. AG22-12-002

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Regis Pabon has appealed the denial of an application for an insurance producer's license. 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).

A prehearing telephone conference initiated by this office is scheduled for January 20, 2023, at 1 p.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before January 18, 2023. A hearing will occur on February 8, 2023, at 9:30 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before January 6, 2023. The e-mail address to be used for the Administrative Hearings Office is [ra-hearings@pa.gov](mailto:ra-hearings@pa.gov). Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before January 18, 2023.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, contact Joseph Korman, (717) 787-4429, [jkorman@pa.gov](mailto:jkorman@pa.gov).

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1951. Filed for public inspection December 16, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Pennsylvania Compensation Rating Bureau; United States Longshore and Harbor Workers' Compensation Act; Rate Filing

On December 5, 2022, the Insurance Department received from the Pennsylvania Compensation Rating Bureau (Bureau) a filing for proposed revisions to rates

applicable to workers eligible for benefits under the Longshore and Harbor Workers' Compensation Act (33 U.S.C.A. §§ 901—950).

The filing proposes an overall rate level decrease of 5.07% effective April 1, 2023. (This overall figure represents an average; the effect of this filing on the rates for individual insureds will vary.) The filing is available for review on the Bureau's web site at [www.pcrb.com](http://www.pcrb.com) in the "Filings" section.

Interested parties are invited to submit written comments, suggestions or objections by means of e-mail to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, [gzhou@pa.gov](mailto:gzhou@pa.gov), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1952. Filed for public inspection December 16, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Pennsylvania Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On December 2, 2022, the Insurance Department received from the Pennsylvania Compensation Rating Bureau (Bureau) a filing for a loss cost level change for workers' compensation insurance. The filing was made in accordance with section 705 of the Workers' Compensation Act (77 P.S. § 1035.5).

The filing proposes an April 1, 2023, effective date for both new and renewal business and includes the following revisions:

- An overall 3.33% decrease in collectible loss costs.
- An Employer Assessment Factor of 2.89%, as compared to the currently approved provision of 2.68%.
- Updates to a variety of other rating values to reflect the most recent available experience.

The entire April 1, 2023, loss cost filing is available for review on the Bureau's web site at [www.pcrb.com](http://www.pcrb.com) in the "Filings" section.

Interested parties are invited to submit written comments, suggestions or objections by means of e-mail to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, [gzhou@pa.gov](mailto:gzhou@pa.gov), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1953. Filed for public inspection December 16, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Julliette Torres; License Denial Appeal; Doc. No. AG22-11-019

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Julliette Torres has appealed the denial of an application for an insurance producer's license. 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).

A prehearing telephone conference initiated by this office is scheduled for January 13, 2023, at 2 p.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before January 11, 2023. A date for a hearing will be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before December 30, 2022. The e-mail address to be used for the Administrative Hearings Office is [ra-hearings@pa.gov](mailto:ra-hearings@pa.gov). Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before January 11, 2023.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, contact Joseph Korman, (717) 787-4429, [jkorman@pa.gov](mailto:jkorman@pa.gov).

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1954. Filed for public inspection December 16, 2022, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-22-069, Dated November 1, 2022. Authorizes a collective bargaining agreement between the Commonwealth of Pennsylvania and the Fraternal Order of Police, Conservation Police Officers Lodge # 114 (Fish and Boat Commission), effective July 1, 2021.

#### *Governor's Office*

Management Directive No. 305.07—Interest Penalties for Late Payments, Amended October 26, 2022.

AMY J. MENDELSON,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 22-1955. Filed for public inspection December 16, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Pay Assessment for Fiscal Year 2021-2022

Public Meeting held  
November 10, 2022

*Commissioners Present:* Gladys Brown Dutrieuille, Chairperson; Stephen M. DeFrank, Vice Chairperson; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

*Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Pay Assessment for Fiscal Year 2021-2022; M-2022-3036374*

#### Tentative Order

*By the Commission:*

For each fiscal year, the Commission determines the total assessment for regulatory expenses, which is allocated to, and paid by, public utilities pursuant to the methodology set forth in the Public Utility Code. 66 Pa.C.S. §§ 510(a), (b). The Commission provides notice of the amount lawfully assessed against a utility and requires the utility to pay that amount within thirty (30) days of receipt of the notice. 66 Pa.C.S. § 510(c).<sup>1</sup> The Public Utility Code authorizes the Commission to revoke a utility's Certificate of Public Convenience (CPC) for failure to pay the assessment within the time prescribed. Id.

The Commission undertook a review of its records to determine whether various motor carriers have complied with the assessment payment requirements of the Public Utility Code. The Commission's review revealed that a number of carriers failed to pay their 2021-2022 assessments. Specifically, each carrier listed in Appendix A, attached hereto, has an outstanding assessment balance.

The Fiscal Office of the Commission's Bureau of Administration sent a letter to each carrier listed in Appendix A, notifying them of their outstanding assessment balance and requesting that they pay the past due balance within twenty (20) days of receipt of the letter. The letter warned that failure to comply would result in the Commission taking appropriate action to cancel the carrier's CPC. None of the carriers in Appendix A submitted payment in response to the Bureau of Administration's letter.

Additionally, Commission staff made two attempts to contact each carrier listed in Appendix A at the telephone number the carrier provided to the Commission but were unable to make contact.

Under the circumstances, the Commission tentatively concludes that the motor carriers listed in Appendix A are not in compliance with the assessment payment require-

<sup>1</sup> In order to properly allocate the assessment, the Public Utility Code requires that by March 31 each year, every public utility must file a report detailing its gross intrastate operating revenue for the preceding calendar year. 66 Pa.C.S. § 510(b).

ments of 66 Pa.C.S. § 510(c) and may no longer continue to operate in Pennsylvania as a motor carrier public utility. As a result, it is appropriate and in the public interest to initiate the process to cancel their CPCs; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is tentatively approved as being in the public interest.

2. The Secretary shall serve a copy of this Tentative Order upon all motor carriers listed in Appendix A.

3. The Secretary shall file this Tentative Order at each motor carrier's assigned docket number.

4. The Law Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

5. To the extent that any of the motor carriers listed on Appendix A challenge cancellation of their Certificates of Public Convenience, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

6. Alternatively, to avoid cancellation, carriers listed in Appendix A may pay their outstanding assessment balance within thirty (30) days after publication in the *Pennsylvania Bulletin*. Payment shall be sent to the Pennsylvania Public Utility Commission, Attn: Fiscal Office, P.O. Box 3265, Harrisburg, PA 17105. Checks shall be made payable to "Commonwealth of Pennsylvania."

7. Absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely payment of a carrier's outstanding assessment balance, the Law Bureau shall prepare a Secretarial Letter, for issuance by the Secretary's Bureau, canceling the Certificate of Public Convenience of each motor carrier that fails to respond. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier's vehicle registration(s) consistent with 75 Pa.C.S. § 1375.

8. Upon the Secretary's issuance of the Secretarial Letter per Ordering Paragraph No. 7, the Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

9. The Secretary serve a copy of the Secretarial Letter upon the Commission's Bureaus of Investigation and Enforcement, Technical Utility Services, and Administration, the Pennsylvania Department of Revenue—Bureau of Corporation Taxes, and the Pennsylvania Department of Transportation.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: November 10, 2022

ORDER ENTERED: November 10, 2022

#### Appendix A

#### Carriers With Outstanding Assessment Balances

<i>Utility Code</i>	<i>Carrier Name</i>	<i>Docket No.</i>
630211	JEFFRIES ENTERPRISES, INC.	A-00108879
6310311	ROSEMONT TAXICAB CO, INC.	A-2008-2053668



<i>Utility Code</i>	<i>Carrier Name</i>	<i>Docket No.</i>
632296	EXECUTIVE TRNSPRTN SERVICES, INC.	A-00107390 A-00107390F0002
6416128	EXTRA CARE TRANSPORTATION, LLC	A-2013-2393823
6419312	JACKIE WLEH AND JOHNETTA WLEH	A-2016-2572358
644900	MOTOR TRANSPORTATION CO., INC.	A-00000314
6920148	AMAYA TRANSPORTATION, LLC	A-2017-2618571
706032	GUYKER, ROBERT AND NEAL, MARK	A-00119474
745061	EVANS, ROBERT L., JR., INC.	A-00101325
890967	DUNBAR ARMORED, INC.	A-00106028
8910173	IVAN'S TRUCKING CORPORATION	A-2008-2043862
8911383	T & C TOWING & RECOVERY, LLC	A-2009-2130902
891140	JOHNSON, JOHN A., ET AL.	A-00106826
8911882	RODAN TRANSPORT (USA), LTD	A-2010-2164722
8912922	STEVE BRATTON	A-2010-2208009
8913432	DOBRINSKI BROTHERS, INC.	A-2011-2236892
8918399	DREAM2REALITY, LLC	A-2016-2571662
8918420	RECOVERY PROS, INC.	A-2016-2524483
8918557	BENB TRANSPORT, LLC	A-2016-2530772
8918648	STEVEN L. REX AND STEVEN N. REX	A-2016-2572074
8919246	WHITES AUTO TRANSPORT, LLC	A-2016-2569768
8919386	MOOSTER'S HAULING, LLC	A-2016-2576315 A-2018-3005740
8919888	LOWELL D. HARTZELL CONTRACTOR, INC.	A-2017-2603559
8920147	KRISIAK ENTERPRISES, LLC	A-2017-2618377
8920464	T 'N P TRUCKING, INC.	A-2017-2635921
8920760	NIMBLE HILL TRANSPORT, LLC	A-2018-3000414
8921018	NEPA TRUCKING AND TRANSPORT, LLC	A-2020-3019286
8921094	M&K LOGISTICS, LLC	A-2018-3002814
8921328	JAO UNLIMITED, LLC	A-2018-3004316
8921917	AMERICAN TWIN MOVERS, INC.	A-2019-3008201
8921993	M.AMDITIS TRUCKING, LLC	A-2019-3008679

[Pa.B. Doc. No. 22-1956. Filed for public inspection December 16, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of the Borough of Delaware Water Gap for a Declaratory Order Regarding the Provision of Water Service to 42 Customers Located in Smithfield Township; Doc. No. P-2022-3036755

The Borough of Delaware Water Gap (Borough) has petitioned the Pennsylvania Public Utility Commission (Commission) for a declaratory order under 52 Pa. Code § 5.42 (relating to petitions for declaratory orders) to remove uncertainty involving the Borough's provision of water service to 42 customers located in Smithfield Township (Smithfield). Smithfield is located outside of the Borough's municipal limits but in close proximity to Borough boundaries and a water line running underground along Cherry Valley Road. The Borough seeks a finding from the Commission that providing water service to the Smithfield customers located outside Borough

boundaries does not constitute public utility service under 66 Pa.C.S. § 102 (relating to definitions) and is not subject to the Commission's jurisdiction.

In accordance with 52 Pa. Code §§ 5.61—5.66 (relating to answers), answers and petitions to intervene must be filed and served on or before 20 days after this notice is published in the *Pennsylvania Bulletin*, and replies must be filed and served on or before 40 days after this notice is published in the *Pennsylvania Bulletin*.

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 counsel for the Borough. Electronic filing and service is available by obtaining 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>. The documents filed relative to the Borough's petition are available for inspection and copying at the Commission's Office of the Secretary between 8 a.m. and

4:30 p.m., Monday through Friday. Additionally, the documents may be viewed and downloaded on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov).

*Petitioner:* Borough of Delaware Water Gap

*By and Through Counsel for the Petitioner:* Thomas Wyatt, Esquire (PA ID 89342) and Sydney N. Melillo (PA ID 328031), Obermayer Rebmann Maxwell & Hippel, LLP, Centre Square West, 1500 Market Street, Suite 3400, Philadelphia, PA 19102, (215) 665-3000, Thomas.Wyatt@obermayer.com, Sydney.Melillo@obermayer.com

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1957. Filed for public inspection December 16, 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 January 3, 2023. 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 January 3, 2023. 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-2022-3036823. Cheltenham Home Care Agency, Inc.** (1349 West Cheltenham Avenue, Suite 102, Montgomery County, Elkins Park, PA 19027) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery and Philadelphia, to points in Pennsylvania and return.

**A-2022-3037000. Marshall Wright Company, t/a The Driverz** (1525 Cedar Cliff Drive, Suite 105, Camp Hill, Cumberland County, PA 17011) persons in paratransit service, between points in the Counties of Adams, Cumberland, Dauphin, Franklin, Lancaster and York.

**A-2022-3037104. Emergycare, Inc.** (1926 Peach Street, Erie, Erie County, PA 16502) to transport, as a common carrier, persons in paratransit service, using

both wheelchair accessible and nonwheelchair accessible vehicles, to, from and between medical and medically related facilities in Mercer County to points in Pennsylvania, and return. *Attorney:* Christina M. Mellott, Esq., 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

**A-2022-3037120. Helping Others To Live, Inc.** (3626 North Broad Street, 2nd Floor, Philadelphia, Philadelphia County, PA 19140) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia.

### Application of the following for approval to begin operating as a broker for transportation of household goods in use as described under the application.

**A-2022-3036988. Movers of Pennsylvania, LLC** (5831 Forward Avenue, Suite 1094, Pittsburgh, Allegheny County, PA 15217) for a brokerage license evidencing the Commission's approval of the right and privilege to operate as a broker, to arrange for the transportation of household goods in use between points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1958. Filed for public inspection December 16, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**P-2013-2382739. Buffalo-Lake Erie Wireless Systems Co., LLC, d/b/a Blue Wireless.** The Pennsylvania Public Utility Commission (Commission) approved the petition of Buffalo-Lake Erie Wireless Systems Co., LLC, d/b/a Blue Wireless, to relinquish its designation as an eligible telecommunications carrier in this Commonwealth by order entered September 17, 2020.

Documents relative to this docket are available for inspection by searching under the petitioner's docket number on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1959. Filed for public inspection December 16, 2022, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as common carriers in the City of Philadelphia has 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 January 2, 2023. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is 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-22-12-01. Blackstone Transportation Services, Inc.** (1004 Bingham Street, Philadelphia, PA

19115): An application for a limousine certificate of public convenience to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, 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 Temple, Esq., 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

RICH LAZER,  
*Executive Director*

[Pa.B. Doc. No. 22-1960. Filed for public inspection December 16, 2022, 9:00 a.m.]



# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### [ 231 PA. CODE CH. 1910 ]

#### Proposed Amendment of Pa.R.Civ.P. 1910.16-6(c)

The Domestic Relations Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the Amendment of Pa.R.Civ.P. 1910.16-6(c) governing unreimbursed medical expenses, for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Lynnore K. Seaton, Counsel  
Domestic Relations Procedural Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9531  
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 15, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations  
Procedural Rules Committee*

DAVID S. POLLOCK, Esq.,  
*Chair*

### Annex A

#### TITLE 231. RULES OF CIVIL PROCEDURE

##### PART I. GENERAL

##### CHAPTER 1910. ACTIONS FOR SUPPORT

*(Editor’s Note:* Pa.R.Civ.P. 1910.16-6 as printed in 231 Pa. Code reads “Official Note” rather than “Note.”)

#### **Rule 1910.16-6. Support Guidelines. Basic Support Obligation Adjustments. Additional Expenses Allocation.**

\* \* \* \* \*

(c) *Unreimbursed Medical Expenses.* The trier-of-fact shall allocate the obligee’s or child’s unreimbursed medical expenses. However, the trier-of-fact shall not allocate unreimbursed medical expenses incurred by a party who is not owed a statutory duty of support by the other party. The trier-of-fact may require that the obligor’s expense

share be included in the basic support obligation, paid directly to the health care provider, or paid directly to the obligee.

(1) *Medical Expenses.*

(i) For purposes of this subdivision, medical expenses are annual unreimbursed medical expenses in excess of \$250 per person.

(ii) Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including but not limited to surgical, dental and optical services, **psychiatric and psychological services**, and orthodontia.

(iii) Medical expenses do not include cosmetic, chiropractic, **[ psychiatric, psychological, ]** or other services unless specifically directed in the order of court.

**[ Note: While cosmetic, chiropractic, psychiatric, psychological, or other expenses are not required to be apportioned between the parties, the trier-of-fact may apportion such expenses that it determines to be reasonable and appropriate under the circumstances. ]**

(2) The trier-of-fact may impose an annual limitation when the burden on the obligor would otherwise be excessive.

(3) Annual expenses shall be calculated on a calendar year basis.

(i) In the year in which the initial support order is entered, or in any period in which support is being paid that is less than a full year, the \$250 threshold shall be pro-rated.

(ii) The party seeking allocation for an unreimbursed medical expense shall provide to the other party the expense’s documentation, such as a receipt or an invoice, promptly upon receipt, but not later than March 31st of the year following the calendar year in which the final bill was received by the party seeking allocation.

(iii) For purposes of subsequent enforcement, unreimbursed medical bills need not be submitted to the domestic relations section prior to March 31st.

(iv) The trier-of-fact shall have the discretion to not allocate an expense if documentation is not timely provided to the other party.

(4) If the trier-of-fact determines that out-of-network medical expenses were not obtained due to medical emergency or other compelling factors, the trier-of-fact may decline to assess the expenses against the other party.

**[ Note: If the trier-of-fact determines that the obligee acted reasonably in obtaining services that were not specifically set forth in the order of support, payment for such services may be ordered retroactively. ]**

\* \* \* \* \*

#### **Comment:**

**While cosmetic, chiropractic, or other expenses are not required to be apportioned between the parties, the trier-of-fact may apportion such expenses that it determines to be reasonable and appropriate under the circumstances.**

**If the trier-of-fact determines that the obligee acted reasonably in obtaining services that were not specifically set forth in the order of support, payment for such services may be ordered retroactively.**

**The contested necessity of unreimbursed medical services should be raised as a custody or other matter. The intent of this rule is strictly to apportion costs of these services, not to determine if the services are appropriate for the child or obligee.**

#### **Explanatory Comment—2004**

Subdivision (a), relating to the federal child care tax credit, has been amended to reflect recent amendments to the Internal Revenue Code, 26 U.S.C. § 21. By generally referencing the Tax Code, rather than incorporating current Code provisions in the rule, further amendments will be incorporated into the support calculation.

#### **Explanatory Comment—2005**

Pa.R.C.P. No. 1910.16-6 governs the treatment of additional expenses that warrant an adjustment to the basic support obligation.

Subdivision (a) relates to child care expenses. Subdivision (a) has been amended to require that child care expenses incurred by either party are to be allocated between the parties in proportion to their respective net incomes. Subsection (a)(1), relating to the federal child care tax credit, was amended in 2004 to reflect recent amendments to the Internal Revenue Code. 26 U.S.C. § 21. By referring to the Tax Code in general, rather than incorporating current Code provisions in the rule, any further amendments will be incorporated into the support calculation. Since the tax credit may be taken only against taxes owed, it cannot be used when the eligible parent does not incur sufficient tax liability to fully realize the credit. For this reason, subsection (2) provides that no adjustment to the total child care expenses may be made if the eligible parent does not qualify to receive the credit.

Subdivision (b) addresses health insurance premiums. The cost of the premiums is generally treated as an additional expense to be allocated between the parties in proportion to their net incomes. Subdivision (b)(1) of the rule permits allocation of the entire premium, including the portion of the premium covering the party carrying the insurance, when the insurance benefits the other party and/or the children. Subdivision (b)(2) clarifies that, in calculating the amount of the health care premium to be allocated between the parties, subdivision (b)(1) requires the inclusion of that portion of the health insurance premium covering the party who is paying the premium, so long as there is a statutory duty of support owed to that party, but not the portion of the premium attributable to non-parties and children who are not the subjects of the support order. Subdivision (b)(2) provides for proration of the premium when the health insurance covers other persons who are not subject to the support action or owed a statutory duty of support. Subdivision (b) also permits an alternative method for dealing with the cost of health insurance premiums in certain circumstances. While, in general, the cost of the premiums will be treated as an additional expense to be allocated between the parties in proportion to their net incomes, in cases in which the obligee has no income or minimal income, subsection (4) authorizes the trier-of-fact to reduce the obligor's gross income for support purposes by some or all of the amount of the health insurance premiums. This is to avoid the result under a prior rule

in which the entire cost of health insurance would have been borne by the obligor, with no resulting reduction in the amount of support he or she would otherwise be required to pay under the support guidelines. The goal of this provision is to encourage and facilitate the maintenance of health insurance coverage for dependents by giving the obligor a financial incentive to maintain health insurance coverage.

Subdivision (c) deals with unreimbursed medical expenses. Since the first \$250 of medical expenses per year per child is built into the basic guideline amount in the child support schedule, only medical expenses in excess of \$250 per year per child are subject to allocation under this rule as an additional expense to be added to the basic support obligation. The same is true with respect to spousal support so that the obligee-spouse is expected to assume the first \$250 per year of these expenses and may seek contribution under this rule only for unreimbursed expenses which exceed \$250 per year. The definition of "medical expenses" includes insurance co-payments, deductibles and orthodontia and excludes chiropractic services.

Subdivision (d) governs apportionment of private school tuition, summer camp and other unusual needs not reflected in the basic guideline amounts of support. The rule presumes allocation in proportion to the parties' net incomes consistent with the treatment of the other additional expenses.

Subdivision (e) provides for the apportionment of mortgage expenses. It defines "mortgage" to include the real estate taxes and homeowners' insurance. While real estate taxes and homeowners' insurance must be included if the trier-of-fact applies the provisions of this subdivision, the inclusion of second mortgages, home equity loans and other obligations secured by the marital residence is within the trier-of-fact's discretion based upon the circumstances of the case.

#### **Explanatory Comment—2006**

A new introductory sentence in Pa.R.C.P. No. 1910.16-6 clarifies that additional expenses contemplated in the rule may be allocated between the parties even if the parties' respective incomes do not warrant an award of basic support. Thus, even if application of either formula Pa.R.C.P. No. 1910.16-4 results in a basic support obligation of zero, the trier-of-fact may enter a support order allocating between the parties any or all of the additional expenses addressed in this rule.

The amendment of subdivision (e) recognizes that the obligor may be occupying the marital residence and that, in particular circumstances, justice and fairness may warrant an adjustment in his or her support obligation.

#### **Explanatory Comment—2008**

Federal and state statutes require clarification to subdivision (b) to ensure that all court orders for support address the children's ongoing need for medical care. In those instances where the children's health care needs are paid by the state's medical assistance program, and eligibility for the Children's Health Insurance Program ("CHIP") is denied due to the minimal income of the custodial parent, the obligor remains required to enroll the parties' children in health insurance that is, or may become, available that is reasonable in cost.

Government-sponsored health care plans represent a viable alternative to the often prohibitive cost of health insurance obtainable by a parent. Except for very low income children, every child is eligible for CHIP, for which

the parent with primary physical custody must apply and which is based on that parent's income. A custodial parent may apply for CHIP by telephone or on the Internet. While co-premiums or co-pays increase as the custodial parent's income increases, such costs are generally modest and should be apportioned between the parties. Moreover, health care coverage obtained by the custodial parent generally yields more practical results, as the custodial parent resides in the geographic coverage area, enrollment cards are issued directly to the custodial parent, and claims may be submitted directly by the custodial parent.

#### Explanatory Comment—2010

Subdivision (e), relating to mortgages on the marital residence, has been amended to clarify that the rule cannot be applied after a final order of equitable distribution has been entered. To the extent that *Isralsky v. Isralsky*, 824 A.2d 1178 (Pa. Super. 2003), holds otherwise, it is superseded. At the time of resolution of the parties' economic claims, the former marital residence will either have been awarded to one of the parties or otherwise addressed.

#### Explanatory Comment—2018

The amendments provide for an adjustment to the parties' monthly net incomes prior to determining the percentage each party pays toward the expenses set forth in Pa.R.C.P. No. 1910.16-6. Previously, the Rules of Civil Procedure apportioned the enumerated expenses in Pa.R.C.P. No. 1910.16-6(a)—(d), with the exception of subdivision (c)(5), between the parties based on the parties' respective monthly net incomes as calculated pursuant to Pa.R.C.P. No. 1910.16-2. This apportionment did not consider the amount of support paid by the obligor or received by the obligee.

The amended rule adjusts the parties' monthly net incomes, upward or downward, by the spousal support/APL amount paid or received by that party prior to apportioning the expenses. This methodology is not new to the Rules of Civil Procedure.

In Pa.R.C.P. No. 1910.16-6(c)(5) (rescinded), the parties' monthly net incomes in spousal support/APL-only cases were similarly adjusted prior to the apportionment of unreimbursed medical expenses. Likewise, Pa.R.C.P. No. 1910.16-6(e) considers the parties' monthly net income after the receipt or payment of the support obligation for purposes of determining a mortgage deviation. As the new procedure adopts the methodology in former subdivision (c)(5), that subdivision has been rescinded as delineating the spousal support only circumstance is unnecessary.

Lastly, the amendment consolidates Pa.R.C.P. No. 1910.16-6(b)(1), (2), and (2.1).

**SUPREME COURT OF PENNSYLVANIA  
DOMESTIC RELATIONS PROCEDURAL  
RULES COMMITTEE  
PUBLICATION REPORT**

#### Proposed Amendment of Pa.R.Civ.P. 1910-16-6(c)

The Domestic Relations Procedural Rules Committee (Committee) is seeking comments on a proposed amendment of Pa.R.Civ.P. 1910.16-6(c) that would require the allocation of psychological and psychiatric services as medical expenses between the parties, if those expenses are not reimbursed by a third party. Currently, the allocation of those expenses is discretionary.

The Committee received several requests for the amendment of Pa.R.Civ.P. 1910.16-6(c), which has existed

in some form since the original support guidelines were adopted in 1990. Since that time, the coverage and provision of mental health services has evolved. In 2010, the Mental Health Parity and Addiction Equality Act of 2008 ("MHPAEA") was enacted to require that insurance companies provide equivalent coverage for mental health services, as they do for other medical and surgical benefits, if covered. See 29 U.S.C. § 1185a and 42 U.S.C. § 300gg-26. Similarly, the Patient Protection and Affordable Care Act built on the MHPAEA, requiring all new small group and individual market plans to cover ten essential health benefit categories, including mental health and substance use disorder services, and to cover them at parity with medical and surgical benefits. See 42 U.S.C. § 18022(b)(1)(E).

Moreover, children covered by the Children's Health Insurance Program (CHIP) receive mental health services. See 42 U.S.C. § 1397cc. These services include counseling, therapy, medication management, and substance use disorder treatment. *Id.* Medicaid requires that children enrolled in Medicaid receive a wide range of "medically necessary" services, including mental health services. 42 U.S.C. § 1396d(r)(1)(A)(ii).

The Domestic Relations Code requires either one or both parents to provide "medical support" for children of parties in support matters. See 23 Pa.C.S. § 4326(a). "Medical support" is defined as "[h]ealth care coverage, which includes coverage under a health insurance plan. . ." and "health care coverage" includes "coverage for medical, dental. . . psychological, psychiatric or other health care services. . ." *Id.* at § 4326(l).

The Committee took note of these legislative changes, as well as the parity between medical expenses and mental health expenses in other jurisdictions. A review indicated that at least 15 states, including the neighboring states of Maryland, Ohio and West Virginia, consider mental health expenses the same as other medical expenses. See Md. Code, Family Law Article § 12-204(h)(2); O.R.C. § 3119.05; and W. Va. Code § 48-12-101(7).

Additionally, the Committee observed there appears to be a growing need for mental health services for minors. Statistics from the Center of Disease Control (CDC) indicate that 9.8% of children under the age of 18 are diagnosed with ADHD, 9.4% suffer from anxiety, 4.4% suffer from depression, and 8.9% suffer from behavior problems. See [www.cdc.gov/childrenmentalhealth/data.html](http://www.cdc.gov/childrenmentalhealth/data.html). The CDC's 2019 Youth Behavior Risk Surveillance System found that 17% of all Pennsylvania school-aged children had thoughts of suicide, 12.5% had a plan to end their lives and 8% had an attempt in the past 12 months. See A. Ivey-Stephenson, et al., *Suicidal Ideation and Behaviors Among High School Students*, Morbidity and Mortality Weekly Report Vol. 69(1):47—55 (Aug 21 2020). Research indicates that children exposed to family instability in their personal lives have an increased risk for adjustment problems, including depression and behavior disorders. D. Lee and S. McLanahan, *Family Structure Transitions and Child Development: Instability, Selection, and Population Heterogeneity*, Am. Sociological Rev. 80(4):738—763 (Aug 2015). As a result of the increasing concerns related to mental health issues, the majority of the Committee did not want child support litigation between parties to cause a delay in accessing mental health services.

Accordingly, the proposal would remove references to "psychiatric" and "psychological" expenses from subdivisions (c)(1)(iii) and place those references in subdivision (c)(1)(ii) so those expenses are apportioned without a

specific order of court in a manner similar to medical expenses. It is also proposed that the Notes following subdivision (c)(1)(iii) and subdivision (c)(4) would be revised to reflect this amendment and the content relocated to a Comment.

This proposal was not without concern that a support determination allocating unreimbursed psychiatric and psychological expenses may be tantamount to a determination that such services are appropriate for a child or obligee. Compare Pa.R.Civ.P. 1910.16-6(c)(1)(ii) (“reasonably necessary”) with the accompanying Note (“reasonable and appropriate”). A majority of the Committee believed that any disagreement among the parties about the appropriateness of medical services, including psychiatric and psychological services, is a matter of custody and not support or a proceeding for an obligee, as directed by the court. As a result of these concerns, commentary was added to confirm that the “necessity of unreimbursed medical services should be raised as a custody or other matter. . .” The commentary would emphasize that the intent of this rule is to apportion costs of all of the services, not to determine if they are appropriate for a child or obligee.

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.

[Pa.B. Doc. No. 22-1961. Filed for public inspection December 16, 2022, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

#### [ 237 PA. CODE CH. 5 ]

#### Order Amending Rule 515 of the Pennsylvania Rules of Juvenile Court Procedure; No. 925 Supreme Court Rules Docket

#### Order

*Per Curiam*

And Now, this 1st day of December, 2022, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 52 Pa.B. 11 (January 1, 2022):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Juvenile Court Procedure 515 is amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective on April 1, 2023.

Additions to the rule are shown in bold and are underlined.

Deletions from the rule are shown in bold and brackets.

#### Annex A

### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

#### CHAPTER 5. DISPOSITIONAL HEARING

#### PART B. DISPOSITIONAL HEARING AND AIDS

#### Rule 515. Dispositional Order.

[ A. ] (a) *Generally*. When the court enters a disposition after an adjudication of delinquency pursuant to Rule

409(A)(2), the court shall issue a written order in accordance with 42 Pa.C.S. § 6352, which the court has determined to be consistent with the protection of the public interest and best suited to the child’s treatment, supervision, rehabilitation and welfare, which disposition shall, as appropriate to the individual circumstances of the child’s case, provide balanced attention to the protection of the community, accountability for the offenses committed, and development of the juvenile’s competencies to enable the juvenile to become a responsible and productive member of the community. The order shall include:

(1) the court’s findings pursuant to Rule 512(D), **including any conditions of probation that, if not enumerated in the order, shall be attached to the order;**

(2) a designation whether the case is eligible pursuant to 42 Pa.C.S. § 6307(b)(1.1)(i) for limited public information;

(3) a directive that the juvenile shall submit to fingerprinting and photographing by, or arranged by, the law enforcement agency that submitted the written allegation in all cases in which the juvenile has not previously been fingerprinted or photographed;

(4) the date of the order; and

(5) the signature and printed name of the judge entering the order.

[ B. ] (b) *Financial Obligations*. If the court orders the payment of fines, costs, fees, or restitution, pursuant to 42 Pa.C.S. § 6352(a)(5) and (6), the amounts shall be reasonable and as deemed appropriate as part of a plan of rehabilitation considering the nature of the acts committed and the earning capacity of the juvenile. The dispositional order shall include:

(1) the specific amounts of fines, costs, fees, or restitution to be paid by the juvenile;

(2) to whom each of the financial obligations shall be paid; and

(3) a payment schedule based upon the juvenile’s ability to pay according to the dispositional order.

[ C. ] (c) *Guardian Participation*. The dispositional order shall include any conditions, limitations, restrictions, and obligations imposed upon the guardian.

[ D. ] (d) *Disposition Reporting*. The court shall forward the case disposition to the Juvenile Court Judges’ Commission, as required by the Commission.

#### Comment

See 42 Pa.C.S. § 6352 regarding disposition of a delinquent child.

**Courts shall impose the conditions of probation at the time of disposition. See Pa.R.J.C.P. 512(D)(3). If the imposed conditions of probation are not enumerated in the dispositional order itself, the court shall attach them to the order pursuant to subdivision (a)(1).**

Pursuant to [ paragraph (A)(2) ] **subdivision (a)(2)**, the court is to determine if the case is eligible for limited public information under the requirements of 42 Pa.C.S. § 6307(b)(1.1)(i). See 42 Pa.C.S. § 6307(b)(2). When the case is designated, the clerk of courts is to mark the file clearly. For information that is available to the public in those eligible cases, see Rule 160.



See 23 Pa.C.S. § 5503 and 42 Pa.C.S. §§ 6308, 6309 [ & ], and 6310.

(*Editor's Note:* Pa.R.J.C.P. 515 as printed in 237 Pa. Code reads “and” rather than “&.”)

Pursuant to [ **paragraph (B)** ] **subdivision (b)**, financial obligations may be imposed as a plan of rehabilitation consistent with the goals of balanced and restorative justice: 1) the protection of the community; 2) the imposition of accountability for offenses committed; and 3) the development of competencies to enable the juvenile to become a responsible and productive member of the community. See 42 Pa.C.S. § 6352(a).

In determining the amount of the financial obligation pursuant to [ **paragraph (B)** ] **subdivision (b)**, the judge may include a contribution to a restitution fund. See 42 Pa.C.S. §§ 6352(a)(5)-(6). A juvenile's earning capacity can be determined by examining factors including, but not limited to, the juvenile's physical and intellectual capabilities, maturity, education, work history, availability of suitable employment, and the priority of other uses of earnings, including essential goods and services, dependents, and the pursuit of higher education. The court may also order non-financial obligations consistent with the principles of balanced and restorative justice.

Assuming the court finds the juvenile has a sufficient earning capacity to impose a reasonable financial obligation, the court should determine the juvenile's present ability to pay the financial obligation in accordance with the payment schedule pursuant to [ **paragraph (B)(3)** ] **subdivision (b)(3)**. In determining a payment schedule, the court should include the frequency, amount, and duration of payments. A juvenile with a present ability to satisfy a financial obligation may be placed on an immediate and full payment schedule.

When a disposition is no longer consistent with the goals of balanced and restorative justice, a juvenile's plan of rehabilitation may be changed through a dispositional review hearing and modification of dispositional order, including an adjustment of financial obligations. See Rule 610(A)-(B).

The court shall retain jurisdiction over the juvenile until the juvenile attains 21 years of age, or supervision has been terminated upon completion of the terms of the dispositional order and satisfaction of financial obligations, or otherwise. See 42 Pa.C.S. § 6352(a)(5); see also Rules 630 (Loss of Court Jurisdiction), 631 (Termination of Court Supervision) and 632 (Early Termination of Court Supervision by Motion).

#### [ Official Note

**Rule 515 adopted April 1, 2005, effective October 1, 2005. Amended August 20, 2007, effective December 1, 2007. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. Amended April 29, 2011, effective July 1, 2011. Amended February 13, 2019, effective June 28, 2019. Amended October 22, 2021, effective April 1, 2022.**

#### *Committee Explanatory Reports:*

**Final Report explaining the provisions of Rule 515 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).**

**Final Report explaining the amendments to Rule 515 published with the Court's Order at 37 Pa.B. 4866 (September 8, 2007).**

**Final Report explaining the amendment to Rule 515 published with the Court's Order at 39 Pa.B. 4743 (August 8, 2009).**

**Final Report explaining the amendments to Rule 515 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).**

**Final Report explaining the amendments to Rule 515 published with the Courts Order at 41 Pa.B. 2413 (May 14, 2011).**

**Final Report explaining the amendments to Rule 515 published with the Court's Order at 49 Pa.B. 916 (March 2, 2019).**

**Final Report explaining the amendments to Rule 515 published with the Court's Order at 51 Pa.B. \_\_\_ (\_\_\_, 2021). ]**

(*Editor's Note:* Pa.R.J.C.P. 515 as printed in 237 Pa. Code reads “Final Report explaining the amendments to Rule 515 published with the Courts Order at 51 Pa.B. 6905 (November 6, 2021).”)

### JUVENILE COURT PROCEDURAL RULES COMMITTEE

#### ADOPTION REPORT

#### Amendment of Pa.R.J.C.P. 515

On December 1, 2022, the Supreme Court amended Pennsylvania Rule of Juvenile Court Procedure 515 to require the juvenile court to include any conditions of probation, if not enumerated in the dispositional order, be attached to the order. The Juvenile Court Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, Comment. The statements contained herein are those of the Committee, not the Court.

In the disposition of a delinquent juvenile, the Juvenile Act permits the court to place a juvenile on probation “under conditions and limitations the court prescribes.” 42 Pa.C.S. § 6352(a)(2). The terms and conditions must be stated by the court on the record at the time of disposition. See *id.* § 6252(c); Pa.R.J.C.P. 512(D)(3). The Committee understood that it may not be a consistent statewide practice for the court to impose the conditions of probation at the time of disposition. Instead, some courts appear to delegate the imposition of appropriate conditions to the juvenile probation office after disposition.

The Committee believed the rules should reinforce that the juvenile court judge, and not the probation department, is to impose the conditions of probation at the time of the disposition. Accordingly, the Committee proposed amending the Comment to Pa.R.J.C.P. 515 to advise courts that, if the conditions are not set forth in the order, then the conditions should be attached to the order. This language was intended to accommodate the process whereby the juvenile probation officer hands up written conditions of probation at the time of the dispositional hearing, which may be accepted, in whole or in part, by the judge.

The proposal was published for comment. See 52 Pa.B. 11 (January 1, 2022). No comments were received. Post-publication, the proposed advisement in the commentary was elevated to the rule text of subdivision (a)(1) to require that any conditions of probation be included in the dispositional order and, if not included, then attached to the order.

Aside from stylistic revisions, the following commentary is being removed from the rule:

Official Note: Rule 515 adopted April 1, 2005, effective October 1, 2005. Amended August 20, 2007, effective December 1, 2007. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. Amended April 29, 2011, effective July 1, 2011. Amended February 13, 2019, effective June 28, 2019. Amended October 22, 2021, effective April 1, 2022.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 515 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005). Final Report explaining the amendments to Rule 515 published with the Court's Order at 37 Pa.B. 4866 (September 8, 2007). Final Report explaining the amendment to Rule 515 published with the Court's Order at 39 Pa.B. 4743 (August 8, 2009). Final Report explaining the amendments to Rule 515 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010). Final Report explaining the amendments to Rule 515 published with the Courts Order at 41 Pa.B. 2413 (May 14, 2011). Final Report explaining the amendments to Rule 515 published with the Court's Order at 49 Pa.B. 916 (March 2, 2019). Final Report explaining the amendments to Rule 515 published with the Court's Order at 51 Pa.B. \_\_\_ (\_\_\_, 2021).

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(*Editor's Note:* Pa.R.J.C.P. 515 as printed in 237 Pa. Code reads "Final Report explaining the amendments to Rule 515 published with the Courts Order at 51 Pa.B. 6905 (November 6, 2021).")

This amendment becomes effective April 1, 2023.

[Pa.B. Doc. No. 22-1962. Filed for public inspection December 16, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CLARION COUNTY

#### Adoption of Local Rules of Criminal and Juvenile Court Procedure; 2022 MD 109

##### Order of Court

And Now, this 21st day of November, 2022, *It Is Hereby Ordered And Decreed* as follows:

1. The following Clarion County Local Rules are *Hereby Adopted* pursuant to Pa.R.Crim.P. 576.1, Pa.R.J.C.P. 205, and Pa.R.J.C.P. 1205 effective December 21, 2022.

2. The adopted Local Rules shall be disseminated and published in the following manner:

One (1) certified copy of the adopted Local Rules shall be filed with the Administrative Office of the Pennsylvania Courts;

The adopted Local Rules shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

A copy of the adopted Local Rules shall be published on the Unified Judicial System's website through the Pennsylvania Judiciary's Web Application Portal;

The adopted Local Rules shall be kept continuously available for the public inspection and copying in the Office of the Clerk of Courts of Clarion County, and upon request and payment of reasonable costs of reproduction and mailing, a copy shall be furnished to any requesting person; and

The adopted Local Rules shall be published on the website of the County of Clarion.

*By the Court*

SARA J. SEIDLE-PATTON,  
*President Judge*

#### Local Rule of Criminal Procedure 576.1. Electronic Filing and Service of Legal Papers in Criminal Proceedings.

(A) *Electronic Filing.* The Administrative Office of Pennsylvania Courts and the Eighteenth Judicial District have agreed upon an implementation plan for electronic filing, as that term is defined in Pa.R.Crim.P. 576.1(C), in the Eighteenth Judicial District through the statewide system known as PACFile, effective December 21, 2022. The Clarion County Court of Common Pleas hereby permits the electronic filing of legal papers and the electronic service of such papers under the terms described in this Local Rule. In the context of this rule, "legal papers" which may be filed electronically do not include cases involving Domestic Relations, Protection from Abuse, Orphans' Court, and Mental Health/Intellectual Disability.

(B) *PACFile.* Electronic filing through the PACFile System is voluntary. Any party or attorney who declines to participate, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format ("hard-copy") and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.1. All electronic filings shall be in Portable Document Format (PDF).

(C) *Legal Papers.*

(1) The legal papers which may be filed electronically shall encompass all written motions, written answers, and any notices or documents for which filing is required or permitted, including orders, copies of exhibits, and attachments, except for the following:

- (a) Applications for search warrants;
- (b) Applications for arrest warrants;

(c) Any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;

(d) Exhibits offered into evidence, whether or not admitted, in a court proceedings;

(e) Submissions filed ex parte as authorized by law;

(f) Submissions filed or authorized to be filed under seal;

(g) Oversized documents or documents that cannot be reduced into an 8 1/2 × 11 inch;

(h) Wiretap Act, cell phone, tracker, and Internet petitions; and

(i) Third-party filing of amicus briefs or other third-party filing.

(2) The applicable rules of criminal procedure, general rules of court, and court policies that implement the rules shall continue to apply to all legal papers regardless of the method of filing.

(3) A legal paper filed electronically shall be deemed the original document.

(4) Any legal paper submitted for filing to the Clerk of Courts in a physical paper (or 'hard-copy') format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to .pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1(C) and this rule.

(D) *Signature.*

(1) Scanned signatures will be accepted as originals. An electronically filed document shall be deemed to have been signed by the filer if it bears a facsimile or typographical signature of the filer, e.g. /s/ John Doe.

(2) An electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.Crim.P. 575 that the filing party or attorney has filed the motion in good faith.

(3) Any motion that, pursuant to Rule 575(A)(2)(g) avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed. The original verification shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

(E) *Filing Fees.* Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, court rule or order, or published fee schedule.

(F) *Service.* Upon receipt of the legal paper, the Clerk of Courts shall provide the filing party with an acknowledgement, which includes the date and time the legal paper was received by the electronic filing system. The Clerk of Courts shall also provide the filing party with notice that the legal paper was accepted for filing. If a legal paper is not accepted upon presentation for filing or is refused by the electronic filing system, the Clerk of Courts shall immediately notify the party presenting the legal paper for filing of the date of presentation, the fact that the document was not accepted or was refused for filing by the system, and the reason.

(G) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Courts whether filed electronically or in a paper format.

(H) *Record on Appeal.* Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsection (C)(4), shall become the record on appeal.

**Local Rule of Juvenile Procedure 205. Electronic Filing and Service of Legal Papers in Delinquency Proceedings.**

(A) *Electronic Filing.* The Administrative Office of Pennsylvania Courts and the Eighteenth Judicial District have agreed upon an implementation plan for electronic filing, as that term is defined Pa.R.J.C.P. 205(C), in the Eighteenth Judicial District through the statewide system known as PACFile, effective December 21, 2022. The Clarion County Court of Common Pleas hereby permits the electronic filing of legal papers and the electronic service of such papers under the terms described in this Local Rule in all delinquency proceedings. In the context of this rule, "legal papers" which may be filed electronically do not include cases involving Domestic Relations, Protection from Abuse, Orphans' Court, and Mental Health/Intellectual Disability.

(B) *PACFile.* Electronic filing through the PACFile System is voluntary. Any party or attorney who declines to participate, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format ('hard-copy') and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.J.C.P. 205. All electronic filings shall be in Portable Document Format (PDF).

(C) *Legal Papers.*

(1) The legal papers which may be filed electronically shall encompass all written motions, written answers, and any notices or documents for which filing is required or permitted, including orders, copies of exhibits, and attachments.

(2) The applicable rules of juvenile procedure, general rules of court, and court policies that implement the rules shall continue to apply to all legal papers regardless of the method of filing.

(3) A legal paper filed electronically shall be deemed the original document.

(4) Any legal paper submitted for filing to the Clerk of Courts in a physical paper (or 'hard-copy') format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to .pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.J.C.P. 205(C) and this rule.

(D) *Signature.*

(1) Scanned signatures will be accepted as originals. An electronically filed document shall be deemed to have been signed by the filer if it bears a facsimile or typographical signature of the filer, e.g. /s/ John Doe.

(2) An electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 344(C)(1) that the filing party or attorney has filed the motion in good faith.

(3) Any motion that, pursuant to Rule 344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signa-

ture placed on it, and then be converted into a .pdf before it may be electronically filed. The original verification shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

(E) *Filing Fees.* Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, court rule or order, or published fee schedule.

(F) *Service.* Upon receipt of the legal paper, the Clerk of Courts shall provide the filing party with an acknowledgement, which includes the date and time the legal paper was received by the electronic filing system. The Clerk of Courts shall also provide the filing party with notice that the legal paper was accepted for filing. If a legal paper is not accepted upon presentation for filing or is refused by the electronic filing system, the Clerk of Courts shall immediately notify the party presenting the legal paper for filing of the date of presentation, the fact that the document was not accepted or was refused for filing by the system, and the reason.

(G) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Courts whether filed electronically or in a paper format.

(H) *Record on Appeal.* Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsection (C)(4), shall become the record on appeal.

**Local Rule of Juvenile Procedure 1205. Electronic Filing and Service of Legal Papers in Dependency Proceedings.**

(A) *Electronic Filing.* The Administrative Office of Pennsylvania Courts and the Eighteenth Judicial District have agreed upon an implementation plan for electronic filing, as that term is defined in Pa.R.J.C.P. 1205(C), in the Eighteenth Judicial District through the statewide system known as PACFile, effective December 21, 2022. The Clarion County Court of Common Pleas hereby permits the electronic filing of legal papers and the electronic service of such papers under the terms described in this Local Rule in all dependency proceedings. In the context of this rule, "legal papers" which may be filed electronically do not include cases involving Domestic Relations, Protection from Abuse, Orphans' Court, and Mental Health/Intellectual Disability.

(B) *PACFile.* Electronic filing through the PACFile System is voluntary. Any party or attorney who declines to participate, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format ('hard-copy') and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.J.C.P. 1205. All electronic filings shall be in Portable Document Format (PDF).

(C) *Legal Papers.*

(1) The legal papers which may be filed electronically shall encompass all written motions, written answers, and any notices or documents for which filing is required or permitted, including orders, copies of exhibits, and attachments.

(2) The applicable rules of juvenile procedure, general rules of court, and court policies that implement the rules shall continue to apply to all legal papers regardless of the method of filing.

(3) A legal paper filed electronically shall be deemed the original document.

(4) Any legal paper submitted for filing to the Clerk of Courts in a physical paper (or 'hard-copy') format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to .pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.J.C.P. 1205(C) and this rule.

(D) *Signature.*

(1) Scanned signatures will be accepted as originals. An electronically filed document shall be deemed to have been signed by the filer if it bears a facsimile or typographical signature of the filer, e.g. /s/ John Doe.

(2) An electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 1344(C)(1) that the filing party or attorney has filed the motion in good faith.

(3) Any motion that, pursuant to Pa.R.J.C.P. 1344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed. The original verification shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

(E) *Filing Fees.* Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, court rule or order, or published fee schedule.

(F) *Service.* Upon receipt of the legal paper, the Clerk of Courts shall provide the filing party with an acknowledgement, which includes the date and time the legal paper was received by the electronic filing system. The Clerk of Courts shall also provide the filing party with notice that the legal paper was accepted for filing. If a legal paper is not accepted upon presentation for filing or is refused by the electronic filing system, the Clerk of Courts shall immediately notify the party presenting the legal paper for filing of the date of presentation, the fact that the document was not accepted or was refused for filing by the system, and the reason.

(G) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Courts whether filed electronically or in a paper format.

(H) *Record on Appeal.* Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsection (C)(4), shall become the record on appeal.

[Pa.B. Doc. No. 22-1963. Filed for public inspection December 16, 2022, 9:00 a.m.]

**Title 255—LOCAL COURT RULES****CUMBERLAND COUNTY****Local Rule 107.1; Civil Term; No. 96-1335 Civil****Amended Order**

*And Now*, this 1st day of December 2022, it is hereby Ordered and Decreed, that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Cumberland County Court of Common Pleas amends local rule 107.1:

**Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.****Rule 107.1.**

The District Attorney of Cumberland County having filed a certification pursuant to Pa.R.Crim.P. 107, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging one (1) or more of the following offenses:

(a) The following offenses set forth in Chapter 9 of the Pennsylvania Crimes Code entitled “Inchoate Crimes”:

(i) Corrupt Organizations in violation of 18 Pa.C.S. § 911;

(b) All offenses set forth in Chapter 25 of the Pennsylvania Crimes Code entitled “Criminal Homicide”;

(c) All offenses set forth in Chapter 26 of the Pennsylvania Crimes Code entitled “Crimes Against Unborn Child”;

(d) The following offenses set forth in Chapter 27 of the Pennsylvania Crimes Code entitled “Assault”:

(i) Aggravated Assault in violation of 18 Pa.C.S. § 2702;

(ii) Discharge of Firearm into an Occupied Structure in violation of 18 Pa.C.S. § 2707.1

(iii) Stalking in violation of 18 Pa.C.S. § 2709.1;

(iv) Ethnic Intimidation in violation of 18 Pa.C.S. § 2710;

(v) Neglect of a Care-Dependent Person in violation of 18 Pa.C.S. § 2713;

(vi) Abuse of a Care-Dependent Person in violation of 18 Pa.C.S. § 2713.1;

(vii) Threat to Use Weapons of Mass Destruction in violation of 18 Pa.C.S. § 2715;

(viii) Weapons of Mass Destruction in violation of 18 Pa.C.S. § 2716;

(ix) Strangulation in violation of 18 Pa.C.S. § 2718;

(e) All offenses set forth in Chapter 29 of the Pennsylvania Crimes Code entitled “Kidnapping”;

(f) All offenses set forth in Chapter 30 of the Pennsylvania Crimes Code entitled “Human Trafficking”;

(g) All offenses set forth in Chapter 31 of the Pennsylvania Crimes Code entitled “Sexual Offenses”;

(h) All offenses set forth in Chapter 32 of the Pennsylvania Crimes Code entitled “Abortion”;

(i) The following offenses set forth in Chapter 33 of the Pennsylvania Crimes Code entitled “Arson, Criminal Mischief and Other Property Destruction”:

(i) Arson and Related Offenses in violation of 18 Pa.C.S. § 3301;

(j) The following offenses set forth in Chapter 35 of the Pennsylvania Crimes Code entitled “Burglary and Other Criminal Intrusion”:

(i) Burglary in violation of 18 Pa.C.S. § 3502;

(k) The following offenses set forth in Chapter 37 of the Pennsylvania Crimes Code entitled “Robbery”;

(i) Robbery in violation of 18 Pa.C.S. § 3701;

(ii) Robbery of Motor Vehicle in violation of 18 Pa.C.S. § 3702;

(l) The following offenses set forth in Chapter 41 of the Pennsylvania Crimes Code entitled “Forgery and Fraudulent Practices”:

(i) Fraudulent Destruction, Removal or Concealment of Recordable Instruments in violation of 18 Pa.C.S. § 4103;

(ii) Deceptive or Fraudulent Business Practices in violation of 18 Pa.C.S. § 4107;

(iii) Insurance Fraud in violation of 18 Pa.C.S. § 4117;

(iv) Washing Vehicle Titles in violation of 18 Pa.C.S. § 4118;

(m) All offenses set forth in Chapter 43 of the Pennsylvania Crimes Code entitled “Offenses Against the Family”;

(n) All offenses set forth in Chapter 47 of the Pennsylvania Crimes Code entitled “Bribery and Corrupt Influence”;

(o) All offenses set forth in Chapter 49 of the Pennsylvania Crimes Code entitled “Falsification and Intimidation”;

(p) All offenses set forth in Chapter 51 of the Pennsylvania Crimes Code entitled “Obstructing Governmental Operations”;

(q) The following offenses set forth in Chapter 55 of the Pennsylvania Crimes Code entitled “Riot, Disorderly Conduct and Related Offenses”:

(i) Riot in violation of 18 Pa.C.S. § 5501;

(ii) Abuse of Corpse in violation of 18 Pa.C.S. § 5510;

(iii) Gambling Devices, Gambling, Etc. in violation of 18 Pa.C.S. § 5513;

(iv) Facsimile Weapons of Mass Destruction in violation of 18 Pa.C.S. § 5516;

(r) All misdemeanor and felony offenses set forth in Chapter 55, Subchapter B of the Pennsylvania Crimes Code entitled “Cruelty to Animals”;

(s) All offenses set forth in Chapter 57 of the Pennsylvania Crimes Code entitled “Wiretapping and Electronic Surveillance”;

(t) The following offenses set forth in Chapter 59 of the Pennsylvania Crimes Code entitled “Public Indecency”:

(i) Prostitution and Related Offenses in violation of 18 Pa.C.S. § 5902;

(ii) Obscene and Other Sexual Material and Performances in violation of 18 Pa.C.S. § 5903

(iii) Persons Not to Possess, Use, Manufacture, Control, Sell or Transfer Firearms in violation of 18 Pa.C.S. § 6105;

(iv) Firearms Not to be Carried Without a License in violation of 18 Pa.C.S. § 6106;

(v) Sale or Transfer of Firearms in violation of 18 Pa.C.S. § 6111;

(u) The following offenses set forth in Chapter 63 of the Pennsylvania Crimes Code entitled “Minors:”

(i) Corruption of Minors in violation of 18 Pa.C.S. § 6301;

(ii) Sexual Abuse of Children in violation of 18 Pa.C.S. § 6312;

(iii) Unlawful Contact with Minors in violation of 18 Pa.C.S. § 6318;

(iv) Solicitation of Minors to Traffic Drugs in violation of 18 Pa.C.S. § 6319;

(v) Sexual Exploitation of Children in violation of 18 Pa.C.S. § 6320;

(vi) Transmission of Sexually Explicit Images by Minor in violation of 18 Pa.C.S. § 6321;

(v) The following offenses set forth in Chapter 75 of the Pennsylvania Crimes Code entitled “Other Offenses”:

(i) Invasion of Privacy in violation of 18 Pa.C.S. § 7507.1;

(ii) Operation of Methamphetamine Laboratory in violation of 18 Pa.C.S. § 7508.2;

(w) All offenses set forth in Chapter 76 of the Pennsylvania Crimes Code entitled “Computer Offenses”;

(x) All offenses set forth in Chapter 77 of the Pennsylvania Crimes Code entitled “Vehicle Chop Shot and Illegally Obtained and Altered Property”;

(y) The following offenses set forth in Chapter 63 of the Pennsylvania Domestic Relations Code entitled “Child Protective Services”;

(i) Failure to Report Child Abuse by Mandated Reporter in violation of 23 Pa.C.S. § 6319

(z) The following offenses set forth in Chapter 9 of the Pennsylvania Fish and Boat Code entitled “Enforcement”;

(i) Resisting or Interfering with a Game Officer in violation of 30 Pa.C.S. § 904;

(ii) Homicide by Watercraft while DUI in violation of 30 Pa.C.S. § 5502.1;

(iii) Homicide by Watercraft in violation of 30 Pa.C.S. § 5502.2;

(aa) The following prohibited acts set forth in “The Controlled Substance, Drug Device and Cosmetic Act:”

(i) Acquisition of Controlled Substance by Fraud in violation of 35 P.S. § 780-113(a)(12);

(ii) Delivery by Practitioner in violation of 35 P.S. § 780-113(a)(13);

(iii) Unlawful Delivery or Possession with Intent to Deliver a Controlled Substance in violation of 35 P.S. § 780-113(a)(30);

(iv) Illegal Sale of Non-Controlled Substance in violation of 35 P.S. § 780-113(a)(35);

(v) Designer Drugs in violation of 35 P.S. § 780-113(a)(36);

(bb) All violations of 73 P.S. §§ 517.1—517.19 entitled “Home Improvement Consumer Protection Act”;

(cc) The following offenses under the Pennsylvania Motor Vehicle Code:

(i) Homicide by Vehicle in violation of 75 Pa.C.S. § 3732;

(ii) Aggravated Assault by Vehicle in violation of 75 Pa.C.S. § 3732.1;

(iii) Fleeing or Attempting to Elude Police Officers in violation of 75 Pa.C.S. § 3733;

(iv) Homicide by Vehicle While DUI in violation of 75 Pa.C.S. § 3735;

(v) Aggravated Assault by Vehicle While DUI in violation of 75 Pa.C.S. § 3735.1;

(vi) Accidents Involving Death or Personal Injury (Felony Only) in violation of 75 Pa.C.S. § 3742;

(vii) Accidents Involving Death or Personal Injury While Not Properly Licensed in violation of 75 Pa.C.S. § 3742.1.

The Cumberland County District Court Administrator is Ordered and Directed to do the following:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish these Rules on the Cumberland County Court website at www.ccpa.net.

4. Incorporate the local rule into the set of local rules on www.ccpa.net within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

6. Forward one (1) copy to the *Cumberland Law Journal*.

*By the Court*

EDWARD E. GUIDO,  
*President Judge*

[Pa.B. Doc. No. 22-1964. Filed for public inspection December 16, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

#### Promulgation of Local Rules; No. 1793S1989

#### Order

*And Now*, this 5th day of December 2022, Dauphin County Local Rules of Civil Procedure 1915.3, 1915.3.1, 1915.3.2, 1915.4-2, 1915.4-4, 1915.5, 1915.7, 1915.17, and 1930 are amended as follows and Dauphin County Local Rules of Civil Procedure 1915.8, 1915.15(c), and 1931 are rescinded.

#### Rule 1915.3. Custody Actions.

##### (a) Commencement of Custody Actions

1. A custody action shall be commenced by the filing of an original and one copy of either a Custody Complaint or a Divorce Complaint or Counterclaim that contains a custody count with the Prothonotary in accordance with Pa.R.C.P. 1915.3.

2. In addition to the filing fees assessed for the filing of complaints, an additional administrative fee in the amount of \$150.00 shall be paid to the Prothonotary simultaneously with the filing of the Custody action.

(b) A Custody Action shall include the following attachments:

[ **1. A Seminar Attendance and Custody Conference Scheduling Order in accordance with Local Rule 1915.15(c).**

**2. Prior Court Involvement Statement in accordance with Local Rule 1931. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center)**

**3. ] 1. A Criminal or Abuse History Verification in accordance with Pa.R.C.P. 1915.3-2. This form is available [ at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] at the Dauphin County Website on the Self-Help Center page.**

[ **4. ] 2. Self-Represented Party Entry of Appearance, if not represented by legal counsel, in accordance with Local Rule 1930.8. This form is available [ at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] at the Dauphin County Website on the Self-Help Center page.**

### **3. The Confidential Information Form.**

(c) The Prothonotary shall promptly forward the original Custody Complaint with the attachments listed above to the Court Administrator's Office for assignment to a Custody Conference Officer [ **and scheduling of the Seminar** ].

[ **(d) The Court Administrator's Office will contact a Custody Conference Officer to establish the date, time and location of the Custody Conference which will generally be scheduled after the dates for the parties' attendance at the mandatory four hour educational seminar (Seminar for Families in Change and Conflict) in accordance with Local Rule 1930.**

(e) The Court Administrator's Office will insert the assigned dates, times and location on the Seminar Attendance and Custody Conference Scheduling Order.

(f) The Court Administrator's Office shall file the Order with the Prothonotary and promptly notify the Plaintiff(s) or their legal counsel, if represented, that the Custody action, attachments, Seminar Attendance and Custody Conference Scheduling Order are ready to pick up for service on the other parties in accordance with the applicable rules of civil procedure.

(g) Plaintiff(s) or their legal counsel, if represented, shall promptly file a Certificate of Service with the Prothonotary verifying that they have served the Complaint, attachments and Order on all parties before the date of the scheduled Seminars and Custody Conference.

(h) ] **(d)** If the parties do not reach an agreement at the Custody Conference (see Local Rule 1915.4-2), the Conference Officer may recommend an Interim Order and the case will be assigned to a Family Court Judge [ **for hearing** ].

[ **(i) ] (e)** As a general rule, if a Judge has handled a contested family law case for that family, the matter will be assigned to that Judge.

Rule [ **1915.3.1** ] **1915.15.** Petition for Modification of a Custody Order.

(a) An original and one copy of a Petition for Modification of a Custody Order shall be filed with the Prothonotary together with the administrative fee of \$150.00.

(b) A Petition for Modification of a Custody Order shall include the following attachments:

[ **1. A Seminar Attendance and Custody Conference Scheduling Order in accordance with Local Rule 1915.15(c).**

**2. Prior Court Involvement Statement in accordance with Local Rule 1931. This form is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center).**

**3. ] 1. A Criminal or Abuse History Verification in accordance with Pa.R.C.P. 1915.3-2. This form is available [ at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] at the Dauphin County Website on the Self-Help Center page.**

[ **4. ] 2. Self-Represented Party Entry of Appearance, if not represented by legal counsel, in accordance with Local Rule 1930.8. This form is available [ at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] at the Dauphin County Website on the Self-Help Center page.**

[ **5. ] 3.** A copy of the most recent Custody Order.

### **4. The Confidential Information Form.**

(c) The Prothonotary shall promptly forward the original Petition for Modification of a Custody Order with the attachments listed above to the Court Administrator's Office for assignment to a Custody Conference Officer [ **and scheduling of the Seminar** ].

[ **(d) The Court Administrator's Office shall contact a Custody Conference Officer to establish the date, time and location of the Custody Conference which will generally be scheduled after the dates for the parties' attendance at the mandatory four hour educational seminar (Seminar for Families in Change and Conflict) in accordance with Local Rule 1930. Attendance at the Seminar is not required if the parties have attended the Seminar within the last twelve (12) months unless ordered by the Court.**

(e) The Court Administrator's Office will insert the dates, times and location on the Seminar Attendance and Custody Conference Scheduling Order.

(f) The Court Administrator's Office shall file the Order with the Prothonotary and promptly notify the Petitioner(s) or their legal counsel, if represented, that the Petition for Modification, attachments and Seminar Attendance and Custody Conference Scheduling Order are ready for service on the other parties in accordance with the applicable rules of civil procedure.

(g) The Petitioner or their legal counsel, if represented, shall promptly thereafter file a Certificate of Service verifying that they have served the Petition, attachments and Order on all parties with the Prothonotary before the date of the scheduled Seminars and Custody Conference.

(h) ] **(d)** If the parties do not reach an agreement at the Custody Conference (see Local Rule 1915.4-2), the

Conference Officer may recommend an Interim Order and the case will be assigned to a Family Court Judge [ **for hearing** ].

[ (i) ] **(e)** As a general rule, if a Family Court Judge has handled a contested family law case for that family, the matter will be assigned to that Judge.

Rule [ **1915.3.2** ] **1915.12**. Petition for Contempt of Custody Orders, Custody Agreement or Parenting Plan.

(a) An original and one copy of a Petition for Contempt shall be filed with the Prothonotary together with the administrative fee of \$150.00.

(b) A Petition for Contempt shall include the following:

**1. Seminar Attendance and Custody Conference Scheduling Order in accordance with Local Rule 1915.15(c).**

**2. Prior Court Involvement Statement in accordance with Local Rule 1931. This is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center)**

**3 ] 1.** A Criminal or Abuse History Verification in accordance with Pa.R.C.P. 1915.3-2. This is available [ **at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] at the Dauphin County Website on the Self-Help Center page.**

[ **4. ] 2.** Self-Represented Party Entry of Appearance if not represented by legal counsel in accordance with Local Rule 1930.8. This is available [ **at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] at the Dauphin County Website on the Self-Help Center page.**

[ **5. ] 3.** Copy of the most recent Custody Order. [ **, Custody Agreement or Parenting Plan** ].

**4. The Confidential Information Form.**

(c) The Prothonotary shall promptly forward the original Petition for Contempt with the attachments listed above to the Court Administrator's Office for assignment to a Custody Conference Officer.

[ (d) **The Court Administrator's Office shall contact a Custody Conference Officer to establish the date, time and location of the Custody Conference.**

(e) **The Court Administrator's Office will insert the assigned dates, times and location on the Seminar Attendance and Custody Conference Scheduling Order.**

(f) **The Court Administrator's Office shall file the Order with the Prothonotary and promptly notify the Petitioner or their legal counsel, if represented, that the docketed Petition for Contempt, attachments and Seminar Attendance and Custody Conference Scheduling Order are ready for service on all other parties promptly in accordance with the applicable rules of civil procedure.**

(g) **The Petitioner or their counsel, if represented, shall thereafter promptly file a Certificate of Service verifying that they have served the Petition, attachments and Order on all parties with the Prothonotary before the date of the scheduled Custody Conference.**

(h) ] **(d)** If the parties do not reach an agreement at the Custody Conference (see Local Rule 1915.4-2), **the**

**Conference Officer may recommend an Interim Order and** the case will be assigned to a Family Court Judge [ **for hearing** ].

[ (i) ] **(e)** As a general rule, if a Judge has handled a contested family law case for that family, the matter will be assigned to that Judge.

**Rule 1915.4-2. Custody Conference Officers.**

(a) Custody Conference Officers shall be appointed by the Court to meet with the parties and their legal counsel in a custody action to conciliate the matter, attempt to resolve issues and reach an agreed Parenting Plan/Custody Order and/or if this cannot be accomplished, to define and narrow the issues to be heard by a Judge.

(b) The compensation of Custody Conference Officers shall be set by order of court by the President Judge.

**(c) Custody Conference Officers—Not Witnesses**

1. To facilitate the conference process and encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties, or their witnesses, shall not be admissible as evidence in a Custody Trial before the Court.

2. The Custody Conference Officer shall not be a witness for or against any party in a Custody Trial before the Court or in any other proceeding whatsoever absent Court Order.

**(d) Agreement of Parties at Conciliation Conference.**

(1) If the parties are able to reach an agreement during the Custody Conference, the Custody Conference Officer shall prepare a proposed Parenting Plan and Custody Order memorializing the agreement.

[ **(2) At the conclusion of the Conference, even if the parties have reached an agreement, if any of the parties have not attended the Seminar within the past twelve (12) months, the Custody Conference Officer shall serve them with another Order setting forth the new dates for their attendance and direct that they file their Certificates of Completion of the Seminar with the Prothonotary following which the Court will sign their Parenting Plan/Custody Order.**

(3) **The Custody Conference Officer may also recommend that adults who have a strong role in the parenting of the child(ren) should attend the Seminar.**

(4) ] **(2)** The Proposed Parenting Plan and Order shall be submitted to a Family Court Judge. If a Family Court Judge has previously handled any of the parties' prior contested family law matters, it will be submitted to that Judge.

[ **(5) ] (3)** If approved and signed by the Court, **the Court Administrator's Office shall file** the Parenting Plan/Custody Order [ **shall be filed by the Court Administrator's Office** ] with the Prothonotary and [ **copies shall be mailed** ] **mail copies** to all parties [ **by the Court Administrator's Office** ].

**(e) No Agreement**

1. If the parties are unable to reach an agreement during the Custody Conference, the Custody Conference Officer shall prepare a Conference Summary Report for the Court which shall include the following:



(a) All relevant information gathered by the Custody Conference Officer during the conference.

(b) A summary of the contested issues to be decided by the Court.

**[ (c) Whether or not the parties have filed the required attachments pursuant to Local Rule 1915.3(b) and if not, the dates within which the parties have to comply and attach a recommended order providing the due date for the following:**

- (1) Seminar Attendance Certificates;
- (2) Prior Court Involvement Statement;
- (3) Criminal History and Abuse Verification;
- (4) Proposed Parenting Plan;
- (5) Self-Represented Party Entry of Appearance if not represented by legal counsel.

**(d) ] (c)** List any criminal or abuse history on the parties' Criminal History and Abuse Verification warranting the Court to immediately order an Evaluation pursuant to 23 Pa.C.S.A. § 5329 or § 5330.

**[ (e) ] (d)** Summarize any mental health or drug or alcohol problems raised at the Conference and recommend whether the Court should order an evaluation pursuant to Pa.R.C.P. 1915.8.

**[ (f) Any recommendation that the court order the parties to re-attend the Seminar, even if they have attended the Seminar within twelve (12) months of the Conference.**

**(g) Any recommendation that adults who reside in the household or have a strong role in the parenting of the child(ren) should attend the Seminar**

**(h) ] (e)** Any agreed Interim Parenting Plan/Custody Order.

**[ (i) ] (f)** A list of the names and relationships of all persons who reside in each parties' household.

**[ (j) ] (g)** Any reports from appropriate agencies/experts.

**[ (k) ] (h)** Whether independent counsel should be appointed for the child(ren).

**[ (l) ] (i)** The present status of the custody of the child(ren).

**[ (m) ] (j)** Any existing Parenting Plan/Custody Order.

2. The Court Administrator's Office shall file the Conference Summary Report with the Prothonotary and **[ copies shall be mailed ] mail copies** to all parties **[ by the Court Administrator's Office ]**.

3. The Court Administrator's Office shall promptly forward the Conference Summary Report and file to the assigned **[ judge ] Family Court Judge**.

**[ 4. If the parties do not reach an agreement at the Custody Conference, the case will be assigned to a Family Court Judge.**

**5. ] 4.** As a general rule, if a Judge has handled a contested family law case for that family, the matter will be assigned to that Judge.

#### **Rule 1915.4-4. Pre-Trial Conferences and Trial.**

(a) No later than five (5) days prior to the Pre-Trial Conference with a Judge, all parties **[ must ] shall** file a Pre-Trial Statement and serve copies on all other parties or their legal counsel. The Pre-Trial Statement must include the following:

- (1) Brief summary of the case including the names and dates of birth of the child(ren) at issue and the current custody arrangement;
- (2) Statement of issues expected to be raised at Trial;
- (3) Admissions from pleadings to be made part of the record;
- (4) Stipulations of parties;
- (5) Statements of objections or unusual evidentiary problems expected to arise at trial;
- (6) Statement of settlement prospects;
- (7) Estimated time needed for Trial;
- (8) Name and address of each expert intended to be called at trial as a witness or a request that an expert custody evaluator or other expert witness be appointed by the Court;
- (9) Name and address of each witness intended to be present at Trial and the relationship of the witness to the parties and child(ren);
- (10) List of proposed exhibits intended to be offered at Trial;
- (11) Proposed Parenting Plan in accordance with the forms found at [www.dauphincounty.org/government/court-departments/self-help](http://www.dauphincounty.org/government/court-departments/self-help);
- (12) Updated Criminal or Abuse History Verification of other parties or persons living in the residence;
- (13) Information about Criminal and Abuse History of other parties or persons living in the residence;
- (14) Certificate of Completion of the Seminar if not previously filed;
- (15) Any other relevant matter.

(b) No later than five (5) days prior to a Custody Trial before a Judge, the parties shall file an updated Pre-Trial Statement and serve copies on all other parties or their legal counsel which shall include the items listed above and any additional items as directed by the Judge.

#### **1915.5. Question of Jurisdiction or Venue. No Responsive Pleading Required. Counterclaim.**

**[ (a) ]** An original and one copy of Preliminary Objections raising a question of jurisdiction or venue shall be filed with the Prothonotary. **[ Preliminary Objections to the existence or exercise of jurisdiction or venue in any custody action shall be assigned to the judge who is assigned to oversee custody matters or to the judge who has handled the case on a previous assignment ] The Prothonotary shall forward the Preliminary Objections to the Court Administrator's Office for assignment to a Family Court Judge.**

**[ (b) Counterclaims or cross-claims shall, where possible, be filed prior to the conference. ]**

#### **1915.7. Agreements.**

(a) Agreements filed contemporaneously with the custody complaint:

1. When the parties reach an agreement prior to the filing of the custody complaint, either party shall file the original and one copy of the custody complaint with the Prothonotary and bring the original signed custody agreement to the Court Administrator's Office for assignment to a Family Court Judge. The agreement shall not be filed with the Prothonotary at the same time that the custody complaint is filed. The agreement will be filed with the Prothonotary as an attachment to the Court Order.

2. The agreement shall be signed by all parties and the signatures shall be witnessed or notarized unless the agreement is reached before the Custody Conference Officer or the Court.

3. The agreement shall contain a proposed order of court with a distribution legend.

4. An administrative fee of \$150.00 shall be paid to the Prothonotary in accordance with Rule 1915.3(a) or (b).

5. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted [ [at www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] **at the Dauphin County Website on the Self-Help Center page.**

(b) Agreements to modify existing custody orders:

1. When the parties agree to modify an existing custody order, the original agreement and proposed order shall be taken to the Court Administrator's Office for assignment to a Family Court Judge. The agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court Order. A Petition for Modification of a Custody Order should not be filed. There shall be no administrative fee paid to the Prothonotary for the modification of an existing custody order when no Petition for Modification of a Custody Order has been filed.

2. The agreement shall be signed by all parties and the signatures shall be witnessed or notarized.

3. The agreement shall contain a proposed order of court with a distribution legend.

4. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted [ [at www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] **at the Dauphin County Website on the Self-Help Center page.**

(c) Agreements reached after the complaint or petition for modification of a custody order is assigned to a Custody Conference Officer:

1. If at any time prior to the Custody Conference the parties are able to agree upon custody, the parties shall take the original signed agreement to the Court Administrator's Office for assignment to a Family Court Judge. The custody agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court Order. The agreement shall be signed by all parties and the signatures shall be witnessed or notarized. The agreement shall contain a proposed order of court with a distribution legend.

2. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted [ [at www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] **at the Dauphin County Website on the Self-Help Center page.**

(d) Agreements reached after a custody matter has been assigned to a judge:

1. If at any time prior to a conference or hearing before the assigned judge an agreement is reached regarding custody, the parties shall take the original signed agreement to the Court Administrator's Office for assignment to the assigned Family Court Judge. The agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court order. The agreement shall be signed by all parties and the signatures shall be witnessed or notarized. Upon presentation of the agreement and consent order, the Court may, in its discretion, enter an order without taking testimony.

2. The parties or children need not be present at a scheduled pretrial conference or hearing before a judge when an agreement has been reached prior to the conference or hearing unless the Court so directs.

3. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted [ [at www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] **at the Dauphin County Website on the Self-Help Center page.**

[ **1915.8. Physical or Mental Examination of Persons.**

(a) **The Conference Officer shall maintain and, on request, provide counsel and the parties with a list of psychiatrists, psychologists, social workers, counselors, and the like who are available for consultation, evaluation, and testimony in custody matters.**

(b) **Reserved.**

(c) **In the event that either psychological studies or home studies become necessary to a proper disposition of the cause, the cost of such studies may be assessed against the parties. ]**

[ **Rule 1915.15(c). Educational Seminar Attendance and Custody Conference Scheduling Order—Custody Complaint, Custody Count In Divorce Complaint or Petition for Modification or Petition for Contempt.**

**In addition to the information required by Pa.R.C.P. 1915.15(a) or 1915.15(b), each Custody Complaint, Petition for Modification, Petition for Contempt, or custody count in a Divorce action relating to child custody shall include an Educational Seminar Attendance and Custody Conference Scheduling Order in substantially the following form:**

Plaintiff

Defendant

: IN THE COURT OF COMMON PLEAS
: DAUPHIN COUNTY, PENNSYLVANIA
:
: CIVIL ACTION
: CUSTODY
:
: NO.

EDUCATIONAL SEMINAR AND CUSTODY CONFERENCE SCHEDULING ORDER

AND NOW, upon consideration of the attached Complaint, Petition for Modification or Petition for Contempt of a Custody Order, it is hereby ordered that the parties and their respective counsel appear before Custody Conference Officer on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ M, Dauphin County Courthouse, 3rd Floor, 101 Market Street, Suite 300, Harrisburg, Pennsylvania for a Custody Conference.

At such Conference, an effort will be made to conciliate and resolve the issues in dispute, or if this cannot be accomplished, to define and narrow the issues to be heard by the Court and to recommend an interim order pending pretrial/trial. Failure to appear may also result in an interim order being entered.

Children should not attend the conference unless requested by the Custody Conference Officer.

All parties are ORDERED to attend a four hour educational seminar (Seminar for Families in Change and Conflict). File with the Prothonotary and bring with you to the Custody Conference your Seminar Certificate of Attendance you will receive at the Seminar. The Plaintiff is scheduled to attend on \_\_\_\_\_ at \_\_\_\_\_ M and the Defendant is scheduled to attend on \_\_\_\_\_ at \_\_\_\_\_ M. Any requests for rescheduling must be directed to the provider of the Seminar and you will be required to attend the next available Seminar. (See attached information sheet regarding the Seminar).

FAILURE TO ATTEND AND COMPLETE THE SEMINAR WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN THE FINDING OF CONTEMPT OF COURT PUNISHABLE BY FINE AND OTHER APPROPRIATE SANCTIONS.

IF YOU FAIL TO APPEAR AT THE CUSTODY CONFERENCE WITHOUT PROPER CAUSE SHOWN, THE CUSTODY CONFERENCE OFFICER SHALL REFER THE MATTER TO THE COURT FOR A CONTEMPT HEARING WHICH CAN RESULT IN AN INTERIM CUSTODY ORDER, THE IMPOSITION OF SANCTIONS INCLUDING FINES, ATTORNEY FEES AND COSTS.

You must complete and file with the Prothonotary a Criminal or Abuse History Verification regarding you and anyone living in your household on or before \_\_\_\_\_. The Criminal or Abuse History Verification is attached and is also available at www.dauphincounty.org/government/Court-Departments/Self-Help-Center.

You must mail a copy of your Criminal or Abuse History Verification to all other parties by \_\_\_\_\_.

No party may change the child(ren)'s residence which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.C.P. No. 1915.17 regarding relocation.

If any party to this custody action is incarcerated at any stage of the proceedings, the Custody Conference Officer or Judge will make reasonable efforts to arrange for the incarcerated party to participate by telephone or video conference. If you, as an incarcerated party, do not think such arrangements have been made, please contact the Court Administrator's office at (717) 780-6624 or by mail at 3rd floor, Dauphin County Courthouse, 101 Market Street, Harrisburg, PA 17101.

If any party needs an interpreter at either the custody conference or trial, please contact the Court Administrator's office at (717) 780-6640 or email interpreterrequest@dauphinc.org as soon as possible. It takes a minimum of five days to schedule an interpreter and failure to make a timely request could delay the proceedings.

FOR THE COURT:

Date \_\_\_\_\_ By \_\_\_\_\_ Custody Conference Officer

YOU SHOULD TAKE THIS ORDER TO YOUR LAWYER AT ONCE.

IF YOU DO NOT HAVE A LAWYER AND WANT A LAWYER TO REPRESENT YOU, IMMEDIATELY CONTACT MIDPENN LEGAL SERVICES AT (717) 232-0581 TO OBTAIN LEGAL REPRESENTATION OR REFERRAL TO THE DAUPHIN COUNTY BAR ASSOCIATION LAWYER REFERRAL.

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Dauphin County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Court Administrator's Office at (717) 780-6630. All arrangements must be made at least 72 hours prior to any hearing or conference. ]

Rule 1915.17. Relocation—Change of Address Which Will Significantly Impair The Ability of a Non-Relocating Party to Exercise Custodial Rights.

(1) A party proposing to relocate must send a Notice of Relocation and Counter-Affidavit to every other person who has custodial rights to the child(ren) pursuant to Pa.R.C.P. 1915.17. The Notice of Relocation and Counter-Affidavit are found in Pa.R.C.P. 1915.17(i) and (j) and also are available [ at www.dauphincounty.org/

government/Court-Departments/Self-Help-Center ] at the Dauphin County Website on the Self-Help Center page.

(2) If a party, because of the proposed relocation, files a Complaint for Custody or a Petition for Modification, the local rules regarding those actions must be followed. See Local Rule 1915.3 and [ 1915.3.1 ] 1915.15.

(3) All Custody Agreements/Parenting Plans must contain a paragraph that states the following: "A party proposing to change the residence of a child which significantly impairs the ability of a non-relocating party to exercise custody rights shall follow the procedures required by 23 Pa.C.S. § 5337 and Rule of Civil Procedure 1915.17 as set forth in Exhibit A attached to this Custody Agreement/Parenting Plan." Exhibit A must be attached to all Custody Agreements/Parenting Plans and is available [ at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center) ] at the Dauphin County Website on the Self-Help-Center page.

Rule [ 1930 ] 1915.30. Mandatory [ Four Hour Educational Seminar ] Co-Parenting Video Viewing.

(a) In all Custody actions, [ the ] all parties shall [ complete a four hour educational seminar (Seminar for Families in Change and Conflict) if a party has not attended the Seminar in the prior twelve (12) months and in such other cases as the Court may order ] view the co-parenting video found on the Dauphin County website. The link will be noted in the custody conference scheduling order.

[ (b) In custody actions, other than Petitions for Special Relief (Emergency Custody Petitions), Petitions for Contempt, or when a stipulation is filed simultaneously with a Custody Complaint, all parties must attend the Seminar before the date of their Custody Conference.

(c) In a Petition for Contempt or a Petition for Special Relief (Emergency Custody) or other similar Custody actions, the parties shall attend the Seminar as ordered by the Court.

(d) The fee for the Seminar must be submitted to the Provider on the date of attendance in accordance with the instructions contained in the information sheet provided to all parties with their Seminar Attendance Order.

(e) If the parties have not attended the Seminar prior to their Custody Conference, the Custody Conference Officer shall provide the party with another date or time to attend the Seminar and such Order will be filed with the Prothonotary's Office.

(f) If the Custody Conference Officer recommends that it would be in the child(ren)'s best interests for an adult who resides in the household or has a strong role in the parenting of the child(ren) to attend the Seminar, the Court may enter an Order requiring their attendance at the Seminar.

(g) Failure to attend the Seminar may be considered as Contempt of Court punishable by fine and other appropriate sanctions. ]

(b) Court Administration will receive confirmation when a party has viewed the video in its entirety and will file a Praecipe with the Prothonotary.

(c) If a party fails to view the video prior to the custody conference, Court Administration will notify the Court. Failure to view the video may be considered as Contempt of Court punishable by fine and other appropriate sanctions.

[ Rule 1931. Mandatory Prior Court Involvement Statement for All Family Law Matters.

1. For the purposes of this section, Family Law Matters include all Divorce, Custody, Protection from Abuse, Support and Paternity actions and all related motions, petitions or other pleadings.

2. All Family Law Matters that require the assignment of a judge must attach a completed Prior Court Involvement Statement to the front of their pleading. The Prior Court Involvement Statement shall be in the following form and is available at [www.dauphincounty.org/government/Court-Departments/Self-Help-Center](http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center):

\_\_\_\_\_  
 Plaintiff  
 v.  
 \_\_\_\_\_  
 Defendant

: IN THE COURT OF COMMON PLEAS  
 : DAUPHIN COUNTY, PENNSYLVANIA  
 :  
 : NO. \_\_\_\_\_  
 :  
 : CIVIL ACTION - LAW

**PRIOR COURT INVOLVEMENT STATEMENT**

The following lists all cases involving one or more of the same parties and indicates if a prior matter involved a Conference or a Contested Hearing before a Judge or if an agreed order was entered.

Check all that Apply	Action	Docket Number	Judge	Contested Hearing or Pretrial Conference	Agreement Reached and No Hearing Before a Judge Required
<input type="checkbox"/>	Custody				
<input type="checkbox"/>	Divorce				
<input type="checkbox"/>	Support or APL				
<input type="checkbox"/>	Paternity				

Check all that Apply	Action	Docket Number	Judge	Contested Hearing or Pretrial Conference	Agreement Reached and No Hearing Before a Judge Required
<input type="checkbox"/>	PFA				
<input type="checkbox"/>	This is the first Family Law Matter Filed in Dauphin County involving the above-captioned parties and children.				

Date \_\_\_\_\_

Signature (Your Signature) \_\_\_\_\_

Name (Print your Name) ] \_\_\_\_\_

The previously listed amendments shall be published in the *Pennsylvania Bulletin* and will become effective thirty days from the date of publication.

By the Court

JOHN F. CHERRY,  
*President Judge*

[Pa.B. Doc. No. 22-1965. Filed for public inspection December 16, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY Local Adoption Forms; No. 3 of 2022

#### Administrative Order of Court

And Now, this 29th day of November 2022, *It Is Hereby Ordered* that prior versions of the Westmoreland County Orphans' Court Procedural Forms set forth as follows are rescinded and new forms set forth as follows, appended to this Order as Exhibit "A," are hereby adopted:

- Preliminary Order for Adoption Petition
- Petition to Confirm Consent to Adoption

- Petition for Involuntary Termination of Parental Rights

- Petition to Approve Post-Adoption Contact Agreement

- Report of Intention to Adopt

- Report of Intermediary

- Petition for Voluntary Relinquishment of Parental Rights

This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RITA DONOVAN HATHAWAY,  
*President Judge*

THE COURTS

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF

WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: \_\_\_\_\_ :  
ADOPTION OF \_\_\_\_\_ :  
\_\_\_\_\_ : No: \_\_\_\_\_  
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

PRELIMINARY ORDER FOR ADOPTION PETITION  
(23 Pa.C.S. § 2701)

AND NOW this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ it is  
ORDERED AND DECREED that an evidentiary hearing on the Adoption Petition for the adoption of the  
above captioned ADOPTEE is set in Courtroom No. \_\_\_\_\_ for the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock A.M/P.M.

Notice shall be provided as required by 23 Pa.C.S. § 2721.

Unless excused by the court, the adopting parent(s), ADOPTEE and the intermediary are required to  
appear at the evidentiary hearing. [23 Pa.C.S. § 2723]

All reports shall be timely filed and in no case later than 10 days before the evidentiary hearing to  
allow the court time to review.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is  
DIRECTED to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :  
ADOPTION OF :  
 : No: \_\_\_\_  
 :  
\_\_\_\_ : ATTORNEY: \_\_\_\_  
(Adoptee's name as on birth certificate)

ADOPTION PETITION  
(23 Pa.C.S. § 2701)

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of \_\_\_\_\_  
[Names of Adopting Parent(s) and Consenting Birth Parent]

1. ADOPTEE:
  - a) Pre-adoptive name as appears on birth certificate:
  - b) Post-adoptive name:
  - c) Age:
  - d) Date of birth:
  - e) Birthplace:
  - f) Sex: Male ( ) Female ( )
  - g) Present address:
  - h) Racial background:
  - i) Date and place of initial placement with adopting parent(s):
  - j) Length of residence with adopting parent(s):

## THE COURTS

- k) If ADOPTEE is over 12 years of age, is the ADOPTEE's written consent attached?
  - l) Has ADOPTEE's birth certificate or certification of registration of birth been made a part of the record in these proceedings? [See 23 Pa.C.S. § 2701(9)]
    - (1) If no birth certificate or certification of registration of birth can be obtained, a statement of the reasons therefor and an allegation of the effort made to obtain the certificate must be presented to the Court with a request that the Court establish a date and place of birth at the adoption hearing on the basis of the evidence presented. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(8)]
      - (A) To expedite the adoption hearing and give the Court an opportunity for review, this request and relevant information shall be made a part of the record in the form of a written petition. This written petition shall be filed and a certified copy presented to the Court at least ten days before the adoption hearing. The request and factual averments shall also be presented as evidence at the adoption hearing.
  - m) List assets possessed or owned by ADOPTEE and the value of these assets:
  - n) Marital status of ADOPTEE:
    - (1) If married, state date of marriage and spouse's name, age and address:
2. PARENT 1: (If you are a birth parent in a step-parent adoption, please leave this blank.)
- a) Name:
  - b) Maiden name:
  - c) Age and date of birth:
  - d) Birthplace:
  - e) Present address:
    - (1) How long have you lived at this present address?
    - (2) List residences during the past five years:



- f) Present marital status:  
If married, state:
    - (1) Date:
    - (2) Place:
    - (3) Name of spouse:
  - g) Name(s) and age(s) of person(s) who presently live in your household:
  - h) Religious affiliation:
  - i) Racial background:
  - j) State your employment and approximate annual income:
  - k) Are you related to ADOPTEE?
    - (1) If yes, state relationship:
  - l) Have you ever been convicted of a misdemeanor or a felony?
    - (1) If yes, list crime, date and place of conviction:
  - m) Do you have any communicable or contagious disease?
    - (1) If yes, state what it is:
3. PARENT 2: (If you are a birth parent in a step-parent adoption, please leave this blank.)
- a) Name:
  - b) Age and date of birth:
  - c) Birthplace:
  - d) Present address:
    - (1) How long have you lived at this present address?
    - (2) List residences during the past five years:
  - e) Present marital status:  
If married, state:
    - (1) Date:

## THE COURTS

- (2) Place:
- (3) Name of spouse:
- f) Name(s) and age(s) of person(s) who presently live in your household:
- g) State your employment and approximate annual income:
- h) Religious affiliation:
- i) Racial background:
- j) Are you related to ADOPTEE?
  - (1) If yes, state relationship:
- k) Have you ever been convicted of a misdemeanor or a felony?
  - (1) If yes, list crime, date and place of conviction:
- l) Do you have any communicable or contagious disease?
  - (1) If yes, state what it is:
- 4. Name, address and phone number of attorney representing petitioner(s):
- 5. Name, address and phone number of attorney or guardian ad litem who is or has represented ADOPTEE:
- 6. State whether there any court orders that remain in effect as of the date of the petition's filing and which terminated parental rights of any birth parent, presumptive father, or putative father of the adoptee. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(11)(A)]
- 7. State whether there any court orders that remain in effect as of the date of the petition's filing establish rights of guardianship or custody of the adoptee in any person or entity other than the birth parent. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(11)(B)]
- 8. State whether there any court orders that remain in effect as of the date of the petition's filing and

which establish or set forth any special conditions concerning placement, custody guardianship, or adoption of the adoptee. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(11)(C)]

9. If Report of Intention to Adopt is required, state date of filing:
  
10. Name, address of Intermediary, if any:
  - a) Filing date of Intermediary Report:
  
  - b) Circumstance of placement:
  
  - c) Did Intermediary make an interim placement pursuant to 23 Pa.C.S. § 2530(c)?
  - d) Was a favorable home study completed by a local public child-care agency, an adoption agency or a court designated licensed social worker prior to said placement?
  - e) If the home study and pre-placement reports were completed, have they been filed?
    - (1) If yes, list filing date:
  
    - (2) If no, explain:
  
  - f) Have the adopting parent(s) received the medical history information about the ADOPTEE?
    - (1) If not obtained, explain why: [See 23 Pa.C.S. § 2533(b)(12)]
  
    - (2) Is/are adopting parent(s) knowledgeable and satisfied with ADOPTEE's mental and physical health?
  
11. Has the Pennsylvania State Police criminal history report, Federal criminal history record and Pennsylvania child abuse investigation been filed as required by 23 Pa.C.S. § 6344(b) and (d)?
  - (1) If no, explain why:

12. If any of the reports or exhibits listed in subparagraphs 15.13 (a)(6)—(a)(12) have not been filed or are not attached to the petition, explain why such reports have not been filed or exhibits have not been attached and the reasons showing cause why the court may enter a decree of adoption under 23 Pa.C.S. § 2901, notwithstanding the absence of all legal requirements having been met.  
[Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(13)]
13. State whether the Prospective Adoptive Parents and the minor adoptee, if required by 23 Pa.C.S. § 2733(c), have been informed of the opportunity to enter into a Contact Agreement with any of the minor adoptee's birth relatives. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(14)]
14. If an agreement for post-adoption contact and communication has been negotiated and executed by the Prospective Adoptive Parents and one or more birth relatives, is an averment of one of the following applicable: [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(15)]
- a) The date of the order and the name of the court approving the Contact Agreement and that the Contact Agreement and court order are attached as exhibits to the petition; or
  - b) A petition to approve the executed proposed agreement for post-adoption contact and communication has been submitted and is pending before the court or is being filed under a separate petition simultaneously with the filing of this petition.
15. If ADOPTEE's birth parent(s) is/are deceased, list name(s), date(s) of death and attach original or certified death certificate(s):
16. If there is no intermediary or if no Report of the Intermediary has been filed or if ADOPTEE is over the age of 18 years, complete the following: [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(7)]
- a) BIRTH MOTHER OF ADOPTEE:
    - (1) Name:
    - (2) Maiden name:
    - (3) Age and date of birth:
    - (4) Birthplace:
    - (5) Present Address:

- (6) Marital status as of the time of birth of ADOPTEE:
- (7) Marital status during the year prior to the time of birth of ADOPTEE:
- (8) Racial background:
- (9) Religious affiliation:

b) BIRTH FATHER OF ADOPTEE:

- (1) Name:
- (2) Age and date of birth:
- (3) Birthplace:
- (4) Present Address:
- (5) Marital status as of the time of birth of ADOPTEE:
- (6) Marital status during the year prior to the time of birth of ADOPTEE:
- (7) Racial background:
- (8) Religious affiliation:

17. State whether all consents required by 23 Pa.C.S. § 2711 (relating to consents necessary to adoptions) are a part of this petition. If all required consents are not a part of this petition, state basis upon which the consents are not required. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.13(a)(9)]

18. Petitioner(s) are not aware of any violation of any statute regulating the interstate placement of children with respect to the placement of the ADOPTEE. [See 62 P.S. §§ 761]

19. Have the Petitioner(s) reviewed the "Disclosure of Fees and Cost" form required by Pa. Orphans' Court Rule 15.13(e)(2) and aver that it accurately represents all of the fees, costs and expenses paid or to be paid by petitioner(s) relative to this adoption?

20. For required exhibits, refer to Pennsylvania Supreme Court Orphans' Court Rule No. 15.13 (18)(b).

WHEREFORE, the petitioner(s) pray for an Order of adoption which creates the relationship of parent(s) and child between the petitioner(s) and the ADOPTEE.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Signature(s) of Petitioner(s)]

ATTORNEY FOR PETITIONER(S):

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_

\_\_\_\_\_  
(Phone Number)

VERIFICATION

I/We the above named petitioner(s) do verify that the statements contained in this Petition to Adopt are true and correct to the best of my/our knowledge, information and belief. I/We understand that false statements herein made are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities. (The maximum penalty for such violation is a period of incarceration up to two years and a \$5,000 fine.)

Date \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ [Signature(s) of Petitioner(s)]

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CONSENT OF ADOPTEE:

I am over twelve years of age, have read the foregoing petition and consent to my adoption by \_\_\_\_\_

I also agree to have my name changed to \_\_\_\_\_.

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature of Adoptee)

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CONSENT OF BIRTH PARENT:

As birth parent (or parent by former adoption), I consent to his/her adoption by my spouse. I believe it is in the best interest of my child. I further agree to the name change as heretofore stated.

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature of Birth or Adoptive Parent)

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: \_\_\_\_\_ :  
ADOPTION OF \_\_\_\_\_ :  
 : No: \_\_\_\_\_  
 :  
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

FINAL ADOPTION ORDER  
(23 Pa.C.S. § 2902)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after  
review of the record and after hearing the Court makes the following findings:

1. This Court has jurisdiction.
2. \_\_\_\_\_, the ADOPTEE is \_\_\_\_\_ years of age, being born on \_\_\_\_\_.
3. The adopting parent(s) and the ADOPTEE have appeared before this court. (23 Pa.C.S. § 2723)
  - a) If the ADOPTEE is over 12 years of age, the ADOPTEE's consent is necessary.  
[23 Pa.C.S. § 2711(a)(1)]
4. The statements made in the adoption petition are true and correct.
5. The needs and welfare of ADOPTEE will be promoted by approval of this adoption.
6. All requirements of the Adoption Act have been met.
7. It is in the ADOPTEE's best interest that the Court approve the adoption.

THEREFORE, THE COURT HEREBY ORDERS AND DECREES the following:

1. The request for adoption is hereby approved and the above captioned ADOPTEE shall be and is hereby adopted by \_\_\_\_\_.  
[Name of Adopting Parent(s)]
2. Said ADOPTEE shall have all the rights of a child and heir of the adopting parent(s) and shall be subject to the duties of such child.
3. In a step-parent adoption, the consenting birth parent shall retain the same parent-child relationship as heretofore existed irrespective of the fact that said consenting birth parent is or is not a petitioner. (23 Pa.C.S. § 2903)

4. Said ADOPTEE shall hereafter be known as \_\_\_\_\_.

- Within thirty (30) days after conclusion of the appeals period, the agency responsible for having gathered the medical and social history information necessary to complete the “child profile,” shall electronically submit the “child profile” to the Pennsylvania Adoption Information Registry, (PAIR), and shall thereafter file an “Acknowledgment of Submission” in the office of the Register of Wills of Westmoreland County.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans’ Court is

*Directed* to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

\_\_\_\_\_, J.

ATTEST:

\_\_\_\_\_

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :
ADOPTION OF :
: No: of
:
: ATTORNEY: \_\_\_\_\_
(Child's name as on birth certificate)

NOTICE
(Confirm Consent)
[23 Pa.C.S. § 2513(b)]

TO: \_\_\_\_\_

A petition has been filed asking the court to put an end to all rights you have to your child \_\_\_\_\_. The court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom # \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_ A.M./P.M. YOU ARE WARNED THAT EVEN IF YOU FAIL TO APPEAR AT THE SCHEDULED HEARING, THE HEARING WILL GO ON WITHOUT YOU AND YOUR RIGHTS TO YOUR CHILD MAY BE ENDED BY THE COURT WITHOUT YOUR BEING PRESENT.

YOU ARE ALSO NOTIFIED OF THE ACT 101 OF 2010 WHICH ALLOWS FOR AN ENFORCEABLE VOLUNTARY AGREEMENT FOR CONTINUING CONTACT OR COMMUNICATION FOLLOWING AN ADOPTION BETWEEN AN ADOPTIVE PARENT, A CHILD, A BIRTH PARENT, AND/OR A BIRTH RELATIVE OF THE CHILD, IF ALL PARTIES AGREE AND THE WRITTEN VOLUNTARY AGREEMENT IS APPROVED BY THE COURT.

YOU HAVE A RIGHT TO BE REPRESENTED AT THE HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
WESTMORELAND BAR ASSOCIATION
P.O. BOX 565
GREENSBURG, PA 15601
(724) 834-8490
www.westbar.org

(Name of Attorney)

(Address)

(Telephone Number)

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE:
ADOPTION OF
(Child's name as on birth certificate)
:
:
: No: OF
:
: ATTORNEY: \_\_\_\_\_

PETITION TO CONFIRM CONSENT TO ADOPTION

PRELIMINARY ORDER
(23 Pa.C.S. § 2504)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Judicially resolve the attached petition, it is ORDERED AND DECREED that an evidentiary hearing is set in Courtroom No. \_\_\_\_\_ for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock A.M./P.M. At least ten days written notice, as required by 23 Pa.C.S. § 2503(b), shall be given to the following:

- (1) parent(s) who have consented in attached petition,
(2) parent(s) who have not consented in attached petition,
(3) to the parent(s) or guardian of consenting parent(s) who is/are under the age of 18.

The parent(s) consenting in attached petition and their parent(s) or guardian if under 18 years of age and/or the putative father whose parental rights are being exposed to termination shall also be advised in said notice that their parental rights may be terminated at the aforesaid hearing.

Method of providing said notice shall conform to Pa.R.O.C.P. 5.1 and 15.4.

"Affidavit of Service" relative to all notices shall be filed at least 10 days before the evidentiary hearing to allow the court time to review.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is Directed to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

\_\_\_\_\_, J.

ATTEST:

\_\_\_\_\_

cc:

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :  
ADOPTION OF :  
: No: OF  
: :  
(Child's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

PETITION TO CONFIRM CONSENT TO ADOPTION  
(23 Pa.C.S. § 2504)

CONSENT BY:

"X" those that apply

BIRTH MOTHER

BIRTH FATHER

PUTATIVE FATHER

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of \_\_\_\_\_  
[Adoptive parent(s) or Intermediary]

1. CHILD:

- a) List name as appears on birth certificate:
- b) Age:
- c) Date of birth:
- d) Birthplace:
- e) Sex: Male ( ) Female ( )
- f) Present address:
- g) Racial background:
- h) Who has custody of CHILD and since when:

2. BIRTH MOTHER:

- a) Name:

- b) Maiden name:
- c) Age and date of birth:
- d) Birthplace:
- e) Present address:
- f) Present marital status:  
If married, state:
  - (1) Date:
  - (2) Place:
  - (3) Name of spouse:
- g) Were you married when CHILD was born? [Pa.R.O.C.P. 15.9(a)(3)]
  - (1) If yes, name of spouse:
- h) Were you married one year prior to the birth of CHILD? [Pa.R.O.C.P. 15.9(a)(3)]
  - (1) If yes, name of spouse:
  - (2) If this marriage ended, state how and when:
- i) The last known address of CHILD's BIRTH FATHER:
- j) What is your employment?
- k) Racial background:
- l) Are you consenting to have your parental rights terminated?
  - (1) Is your consent to the adoption as required by 23 Pa.C.S. § 2504 attached to this petition?

3. BIRTH FATHER:

- a) Name:
- b) Age and date of birth:
- c) Birthplace:
- d) Present address:
- e) Present marital status:  
If married, state:

- (1) Date:
  - (2) Place:
  - (3) Name of spouse:
  - f) Were you married when CHILD was born?
    - (1) If yes, name of spouse:
  - g) Were you married one year prior to the birth of CHILD?
    - (1) If yes, name of spouse:
    - (2) If this marriage ended, state how and when:
  - h) The last known address of CHILD's BIRTH MOTHER:
  - i) What is your employment?
  - j) Racial background:
  - k) Are you consenting to have your parental rights terminated?
    - (1) Is your consent to the adoption as required by 23 Pa.C.S. § 2504 attached to this petition?
4. PUTATIVE FATHER:
- a) Name:
  - b) Age and date of birth:
  - c) Birthplace:
  - d) Present address:
  - e) Present marital status:
    - If married, state:
      - (1) Date:
      - (2) Place:
      - (3) Name of spouse:
  - f) Were you married when CHILD was born?
    - (1) If yes, name of spouse:
  - g) Were you married one year prior to the birth of CHILD?



- (1) If yes, name of spouse:
  - (2) If this marriage ended, state how and when:
- h) Was PUTATIVE FATHER ever married to BIRTH MOTHER?
- (1) If yes, state when:
- i) What is your employment?
- j) Racial background:
- k) Are you consenting to have your parental rights terminated?
- (1) Is your consent to the adoption as required by 23 Pa.C.S. § 2504 attached to this petition?
- l) Explain the circumstances that created the status of PUTATIVE FATHER:
- m) A PUTATIVE FATHER'S parental rights may be terminated in these proceedings either by having the PUTATIVE FATHER join in this petition as a petitioner OR by giving him NOTICE pursuant to 23 Pa.C.S. § 2504(c). Is the termination of the parental rights of a PUTATIVE FATHER an objective by either method?
- n) If as part of hearing on the petition, the parental rights of a putative father could be terminated pursuant to 23 Pa.C.S. § 2504(c), and if notice of the opportunity to enter into a Contact Agreement was not proved to the subject putative father prior to the petition's filing, then on or before the hearing, the court shall be presented with verified statement from a representative of the agency or intermediary, or counsel representing any other party that written notice was provided to the subject putative father regarding the opportunity of a birth relative to enter into a Contact Agreement, that such notice was provided by hand delivery, by first-class United States mail, postage prepaid, to the last known address, or by electronic transmission in accordance with Rule 15.4(b)(2)(C), and the date(s) that such notice was given, or the reason(s) why such notice cannot be given, including efforts made to identify or locate the subject person. If notice was given, a copy of the notice shall accompany this verified statement. [Pa.R.O.C.P. 15.9(c)(3)]
- o) If this petition does not identify the father of CHILDL, attach a certification from the Department of Health as to whether a claim of paternity has been filed pursuant to 23 Pa.C.S. § 5103. [23 Pa.C.S. § 2504(c)]
- (1) Has a claim of paternity been filed?

- (2) 23 Pa.C.S. § 2513 requires a copy of notice be given to putative father. It further states a putative father shall include one who has filed a claim of paternity as provided in 23 Pa.C.S. § 5103 (relating to acknowledgements and claim of paternity) prior to the institution of proceedings.
5. State relationship of petitioner(s) to CHILD:
  6. If a consenting parent is under the age of 18 years, state name(s) and address(es) of his/her parent(s) (or guardian).
  7. If parental rights are being terminated to adult(s) intending to adopt, is the identity of the proposed adoptive parent(s) known to the terminating parent(s)?
    - a) If yes, state name(s) and address(es) of proposed adoptive parent(s).
    - b) Are proposed adoptive parents married?
  8. Are any of the CHILD'S birth parent(s) or putative father deceased?
    - a) If yes, state name, relationship to CHILD, date of death and attach an original death certificate as an Exhibit.
  9. No Report of Intention to Adopt is required if the CHILD is "the child, grandchild, stepchild, brother or sister of the whole or half blood or niece or nephew by blood, marriage or adoption" of the adopting parent(s) [23 Pa.C.S. 2531(c)]. In all other cases, persons receiving custody for an adoption are required to file a Report of Intention to Adopt within thirty days of receiving custody or physical care [23 Pa.C.S. § 2532]. Is a Report of Intention to Adopt required in this case?
    - a) If yes, when and where was the Report of Intention to Adopt filed? [23 Pa.C.S. § 2531]
    - b) If yes, when and where was physical custody of CHILD placed with adoptive parent(s)? [Pa.R.O.C.P. 15.9(a)(11)]
    - c) Has the attached consent of the adult(s) accepting custody of CHILD been completed and signed? [Pa.R.O.C.P. 15.9(a)(11)]
  10. Has the attached consent of the adult(s) accepting custody of CHILD been completed and signed? [Pa.R.O.C.P. 15.9(a)(11)]

11. Was the consent to adoption executed by the consenter and if the consent was executed in accordance with 23 Pa.C.S. §§ 2711 and 2712? [Pa.R.O.C.P. 15.9(a)(5)]
  - a) If yes, what date was the consent executed and state the number of days that have elapsed since the consent to adoption was executed by the consenter. [Pa.R.O.C.P. 15.9(a)(6)]
12. Has the petitioner, counsel for the petitioner, or the agency or intermediary in those cases where the agency or intermediary is not the petitioner, received any writing from the consenter revoking or attempting to revoke the previously executed consent to adoption? [Pa.R.O.C.P. 15.9(a)(7)]
13. Has/Have petitioner(s) been informed of the availability of counseling concerning the termination of parental rights and the alternatives thereto?
  - a) Has/Have Petitioners received such counseling from an approved agency or from a qualified counselor? [Pa.R.O.C.P. 15.9(a)(8)]
  - b) If yes, state the name and address of agency or counselor. [Pa.R.O.C.P. 15.9(a)(9)]
14. Has the consenter been informed of the opportunity for a birth relative of the child, including the consenter, to enter into a Contact Agreement with the Prospective Adoptive Parents, once identified? [Pa.R.O.C.P. 15.9(a)(10)]
15. Has a consent by the Proposed Adoptive Parents or by the agency to accept custody of the child until such time as the child is adopted is attached to the petition, and if custody is to an individual, whether a Report of Intention to Adopt under 23 Pa.C.S. § 2531 or an adoption petition under Rule 15.13 been filed? [Pa.R.O.C.P. 15.9(a)(11)]
16. Is birth certificate or certification of registration of birth of CHILD attached as an Exhibit? [Pa.R.O.C.P. 15.3(b)]
  - a) If no, see 23 Pa.C.S. § 2701(9) and question 1(m) in Adoption Petition form.

WHEREFORE, petitioner(s) request(s) this Honorable Court to set an evidentiary hearing and thereafter confirm the consent(s) to Adoption of CHILD, terminate the parental rights of the consenting parent(s) and award custody to the appropriate entity or parties.

---

[Attorney for Intermediary/Adoptive Parent(s)]



VERIFICATION

I/We the above named petitioner(s) do verify that the statements contained in this Petition to Confirm Consent are true and correct to the best of my/our knowledge, information and belief. I/We understand that false statements herein made are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities. (The maximum penalty for such violation is a period of incarceration up to two years and a \$5,000 fine.)

Date \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature(s) of Petitioner(s)]

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CONSENT OF CHILD:

I am over twelve years of age, have read the foregoing petition and consent to my adoption by  
I also agree to have my name changed to \_\_\_\_\_ .

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature of CHILD)

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CONSENT OF BIRTH PARENT:

As birth parent (or parent by former adoption), I consent to his/her adoption by my spouse. I believe it is in the best interest of my child. I further agree to the name change as heretofore stated.

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature of Birth or Adoptive Parent)

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE COURTS

CONSENTS TO ACCEPT CUSTODY

CONSENT BY AGENCY: [Pa.R.O.C.P. 15.9(b)(4)]

We hereby certify that we are an approved AGENCY as defined in the Adoption Act and that

\_\_\_\_\_

[CHILD]

has been in our care and custody since \_\_\_\_\_ and we agree to accept custody of the child/CHILD until such time as the child/CHILD is adopted, that we have read the foregoing petition, consent thereto and join in the prayer.

Date: \_\_\_\_\_

[Agency]

By \_\_\_\_\_

[Title]

CONSENT BY ADULT(S): [Pa.R.O.C.P. 15.9(b)(4)]

I/We \_\_\_\_\_

[Name(s) of Adoptive Parent(s)]

certify that the within named CHILD has been in my/our custody since the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. I/We agree to accept and continue custody until the Adoption is completed. I/We filed a Report of Intent to Adopt the CHILD on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. My/Our present address is \_\_\_\_\_.

Date: \_\_\_\_\_

[Name of Adult Intending to Adopt]





7. CHILD:

Age:

Date of Birth:

Sex:

Read the following carefully:

I HEREBY VOLUNTARILY AND UNCONDITIONALLY CONSENT TO THE ADOPTION OF THE ABOVE NAMED CHILD.

I UNDERSTAND THAT BY SIGNING THIS CONSENT I INDICATE MY INTENT TO PERMANENTLY GIVE UP ALL OF MY RIGHTS TO THE ABOVE NAMED CHILD.

I UNDERSTAND THAT THE ABOVE NAMED CHILD WILL BE PLACED FOR ADOPTION.

I UNDERSTAND I MAY REVOKE THIS CONSENT TO PERMANENTLY GIVE UP ALL OF MY RIGHTS TO THE ABOVE NAMED CHILD BY PLACING THE REVOCATION IN WRITING AND SERVING IT UPON THE AGENCY OR ADULT TO WHOM THE CHILD WAS RELINQUISHED.

IF I AM THE BIRTH FATHER OR PUTATIVE FATHER OF THE CHILD, I UNDERSTAND THAT THIS CONSENT TO AN ADOPTION IS IRREVOCABLE UNLESS I REVOKE IT WITHIN 30 DAYS AFTER EITHER THE BIRTH OF THE CHILD OR MY EXECUTION OF THE CONSENT, WHICHEVER OCCURS LATER, BY DELIVERING A WRITTEN REVOCATION TO

(Name and Address of Agency)

OR

(Attorney's Name and Address Representing the Relinquishing Parents or the Prospective Adoptive Parents)

OR

Judge \_\_\_\_\_, Westmoreland County Court of Common Pleas, Westmoreland County Courthouse, 2 N. Main Street, Greensburg, PA 15601.

IF I AM THE BIRTH MOTHER OF THE CHILD, I UNDERSTAND THAT THIS CONSENT TO AN ADOPTION IS IRREVOCABLE UNLESS I REVOKE IT WITHIN 30 DAYS AFTER EXECUTING IT BY DELIVERING A WRITTEN REVOCATION TO

(Name and Address of Agency)

OR

(Attorney's Name and Address Representing the Relinquishing Parents or the Prospective Adoptive Parents)

OR

Judge \_\_\_\_\_, Westmoreland County Court of Common Pleas, Westmoreland County Courthouse, 2 N. Main Street, Greensburg, PA 15601.

I HAVE CAREFULLY READ AND UNDERSTAND THE ABOVE AND I AM SIGNING THIS CONSENT AS MY FREE AND VOLUNTARY ACT.

\_\_\_\_\_  
[Signature of Consenter]

Date: \_\_\_\_\_

Place where read and signed: \_\_\_\_\_

WITNESSES TO SIGNATURE:

RELATION TO CONSENTER

(1) \_\_\_\_\_  
[Signature of Witness]

\_\_\_\_\_

\_\_\_\_\_  
[Print or Type Name of Witness]

\_\_\_\_\_  
[Address]

RELATION TO CONSENTER

(2) \_\_\_\_\_  
[Signature of Witness]

\_\_\_\_\_

\_\_\_\_\_  
[Print or Type Name of Witness]

\_\_\_\_\_  
[Address]

CONSENT NOT NAMING ADOPTING PARENT<sup>1</sup>

I HEREBY VOLUNTARILY AND UNCONDITIONALLY GIVE MY CONSENT TO THE ADOPTION OF CHILD WITHOUT THE DISCLOSURE OF THE NAMES OR OTHER IDENTIFICATION OF THE ADOPTING PARENT(S).

Date: \_\_\_\_\_

\_\_\_\_\_

[Signature of Consenter]

---

<sup>1</sup>23 Pa.C.S. § 2712 CONSENT NOT NAMING ADOPTING PARENTS:

"A Consent to a proposed adoption meeting all the requirements of this part but which does not name or otherwise identify the adopting parent or parents shall be valid if it contains a statement that it is voluntarily executed without disclosure of the name or other identification of the adopting parent or parents."

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PA  
ORPHANS' COURT DIVISION

IN RE: :  
ADOPTION OF :  
: No:  
: :  
(CHILD's name as on birth certificate) : ATTORNEY:

TERMINATION ORDER  
(Confirm Consent)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after review of the record and after an evidentiary hearing following due notice, the Court makes the following findings and judicial determinations:

1. \_\_\_\_\_ has/have executed a Consent to Adoption in accordance with 23 Pa.C.S. § 2711 and § 2504.
2. ALL OF THE PARENTAL RIGHTS OF THE CONSENTING PARENT(S) ARE HEREBY FOREVER TERMINATED, and the adoption of the CHILD may proceed without further consent of, or notice to, said consenting parent(s).
3. The custody of CHILD is hereby transferred to the adopting parent(s)
  - a)

OR

- b) \_\_\_\_\_ an approved Agency and such Agency is hereby authorized to give consent to the adoption of CHILD.

The adoptive parent(s) is/are directed to file his/her/their Petition for Adoption within sixty (60) days after the conclusion of the appeal period.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is DIRECTED to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

\_\_\_\_\_, J.

ATTEST:

\_\_\_\_\_

cc:

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

	* * *
IN RE:	:
ADOPTION OF	:
	: No:
	:
(CHILD's name as on birth certificate)	: ATTORNEY: _____

\* \* \*

AFFIDAVIT OF SERVICE

The petitioner has been informed of the opportunity for a birth relative of the child, including the petitioner, to enter into a Post-Adoption Contact Agreement with the Prospective Adoptive Parents, once identified. Notice was provided to the petitioner by hand delivery, first class mail, postage paid, to the petitioner's last known address, or by electronic transmission in accordance with Pa.R.O.C.P. Rule 15.9(b)(2).

A copy of the notice has been attached to the Affidavit of Service.

\_\_\_\_\_  
Representative of the Agency/Counsel

\_\_\_\_\_  
Date

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :
ADOPTION OF :
: No: of
:
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

NOTICE
(Involuntary Termination)
[23 Pa.C.S. § 2513 (b)]

TO: \_\_\_\_\_

A petition has been filed asking the court to put an end to all rights you have to your child \_\_\_\_\_. The court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom # \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_ A.M./P.M. YOU ARE WARNED THAT EVEN IF YOU FAIL TO APPEAR AT THE SCHEDULED HEARING, THE HEARING WILL GO ON WITHOUT YOU AND YOUR RIGHTS TO YOUR CHILD MAY BE ENDED BY THE COURT WITHOUT YOUR BEING PRESENT.

YOU ARE ALSO NOTIFIED OF THE ACT 101 OF 2010 WHICH ALLOWS FOR AN ENFORCEABLE VOLUNTARY AGREEMENT FOR CONTINUING CONTACT OR COMMUNICATION FOLLOWING AN ADOPTION BETWEEN AN ADOPTIVE PARENT, A CHILD, A BIRTH PARENT, AND/OR A BIRTH RELATIVE OF THE CHILD, IF ALL PARTIES AGREE AND THE WRITTEN VOLUNTARY AGREEMENT IS APPROVED BY THE COURT.

YOU HAVE A RIGHT TO BE REPRESENTED AT THE HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
WESTMORELAND BAR ASSOCIATION
P.O. BOX 565
GREENSBURG, PA 15601
(724) 834-8490
www.westbar.org

(Name of Attorney)

(Address)

(Telephone Number)



IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE:
ADOPTION OF
(Adoptee's name as on birth certificate)
No: OF
ATTORNEY: \_\_\_\_\_

PETITION FOR INVOLUNTARY TERMINATION OF PARENTAL RIGHTS

PRELIMINARY ORDER
(23 Pa.C.S. § 2511)

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to Judicially resolve the attached petition, it is ORDERED AND DECREED that an evidentiary hearing is set in Courtroom No. \_\_\_\_ for the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock A.M./P.M.

At least ten days written notice shall be given to the parent(s) and putative father whose rights are to be terminated and to the parent(s) or guardian of a minor parent whose rights are to be terminated. A copy of the notice shall be given to the other parent. Manner of service and contents of notice shall comply with 23 Pa.C.S. § 2513(b). Method of providing said notice shall conform to Pennsylvania Supreme Court Orphans' Court Rule Nos. 5.1 and 15.4.

"Affidavit of Service" relative to all notices shall be filed at least 10 days before the evidentiary hearing to allow the court time to review.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is Directed to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

\_\_\_\_\_, J.

ATTEST:

\_\_\_\_\_

cc:

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :  
ADOPTION OF :  
: No: OF  
: :  
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

PETITION FOR INVOLUNTARY TERMINATION OF PARENTAL RIGHTS  
(23 Pa.C.S. § 2511)

PARTIES WHOSE RIGHTS ARE BEING TERMINATED:

"X" those that apply

BIRTH MOTHER

BIRTH FATHER

PUTATIVE FATHER

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of \_\_\_\_\_  
[See 23 Pa.C.S. § 2512(a) for parties who are authorized to be petitioner(s)]

The Petitioner represents that he/she has standing pursuant to 23 Pa.C.S.A § 2512(a), in that

Either parent when termination is sought with respect to the other parent.

An agency.

The individual having custody or standing in loco parentis to the child and who has filed a report of intention to adopt required by section 2531 (relating to report of intention to adopt).

An attorney representing a child or a guardian ad litem representing a child who has been adjudicated depended under 42 Pa.C.S. § 6341(c) (relating to adjudication).

1. ADOPTEE:

a) List name as appears on birth certificate:

b) Age:

c) Date of birth:

- d) Birthplace:
- e) Sex: Male (     ) Female (     )
- f) Present address:
- g) Racial background:
- h) Who has custody of ADOPTEE and since when: [Pennsylvania Supreme Court Orphans' Court Rule No. 15.10(a)(7)]
- i) The date when the child was removed from the parent who is the subject of the petition, if different from the date of placement with the petitioner. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.10(a)(8)]

2. BIRTH MOTHER:

- a) Name:
- b) Maiden name:
- c) Age and date of birth:
- d) Birthplace:
- e) Present address:
- f) Present marital status:  
If married, state:
  - (1) Date:
  - (2) Place:
  - (3) Name of spouse:
- g) Were you married when ADOPTEE was born? [Pennsylvania Supreme Court Orphans' Court Rule No. 15.10(a)(6)]
  - (1) If yes, name of spouse:
- h) Were you married one year prior to the birth of ADOPTEE? [Pennsylvania Supreme Court Orphans' Court Rule No. 15.10(a)(6)]
  - (1) If yes, name of spouse:
  - (2) If this marriage ended, state how and when:
- i) The last known address of ADOPTEE's BIRTH FATHER:

- j) What is your employment?
  - k) Racial background:
3. BIRTH FATHER:
- a) Name:
  - b) Age and date of birth:
  - c) Birthplace:
  - d) Present address:
  - e) Present marital status:  
If married, state:
    - (1) Date:
    - (2) Place:
    - (3) Name of spouse:
  - f) Were you married when ADOPTEE was born?
    - (1) If yes, name of spouse:
  - g) Were you married one year prior to the birth of ADOPTEE?
    - (1) If yes, name of spouse:
    - (2) If this marriage ended, state how and when:
  - h) The last known address of ADOPTEE's BIRTH MOTHER:
  - i) What is your employment?
  - j) Racial background:
4. PUTATIVE FATHER:
- a) Name:
  - b) Age and date of birth:
  - c) Birthplace:
  - d) Present address:
  - e) Present marital status:

If married, state:

- (1) Date:
  - (2) Place:
  - (3) Name of spouse:
- f) Were you married when ADOPTEE was born?
- (1) If yes, name of spouse:
- g) Were you married one year prior to the birth of ADOPTEE?
- (1) If yes, name of spouse:
  - (2) If this marriage ended, state how and when:
- h) Was PUTATIVE FATHER ever married to BIRTH MOTHER?
- (1) If yes, state when:
- i) What is your employment?
- j) Racial background:
- k) Explain the circumstances that created the status of PUTATIVE FATHER:
- l) If this petition does not identify the father of ADOPTEE, attach a certification from the Department of Health as to whether a claim of paternity has been filed pursuant to 23 Pa.C.S. § 5103. [23 Pa.C.S. § 2512(c)]
- (1) Has a claim of paternity been filed?
  - (2) 23 Pa.C.S. § 2513 requires a copy of notice be given to putative father. It further states a putative father shall include one who has filed a claim of paternity as provided in 23 Pa.C.S. § 5103 (relating to acknowledgements and claim of paternity) prior to the institution of proceedings.
5. State relationship of petitioner(s) to ADOPTEE:
6. If petitioner is an approved AGENCY or INSTITUTION, state complete name and address:
7. If a consenting parent is under the age of 18 years, state name(s) and address(es) of his/her parent(s) (or guardian).
8. If parental rights are being terminated to adult(s) intending to adopt, is the identity of the proposed adoptive parent(s) known to the terminating parent(s)?

- a) If yes, state name(s) and address(es) of proposed adoptive parent(s).
  - b) Are proposed adoptive parents married?
9. Are any of the ADOPTEE'S birth parent(s) or putative father deceased?
- a) If yes, state name, relationship to ADOPTEE, date of death and attach an original death certificate as an Exhibit.
10. No Report of Intention to Adopt is required if the ADOPTEE is "the child, grandchild, stepchild, brother or sister of the whole or half blood or niece or nephew by blood, marriage or adoption" of the adopting parent(s) [23 Pa.C.S. § 2531(c)]. In all other cases, persons receiving custody for an adoption are required to file a Report of Intention to Adopt within thirty days of receiving custody or physical care [23 Pa.C.S. § 2532]. Is a Report of Intention to Adopt required in this case?
- a) If yes, when and where was the Report of Intention to Adopt filed? [(23 Pa.C.S. § 2531]
  - b) If yes, when and where was physical custody of ADOPTEE placed with adoptive parent(s)?
  - c) Has the attached consent of the adult(s) accepting custody of ADOPTEE been completed and signed?  
[Pennsylvania Supreme Court Orphans' Court Rule 15.10(a)(13)]
11. Is birth certificate or certification of registration of birth of ADOPTEE attached as an Exhibit? [Pennsylvania Supreme Court Orphans' Court Rules 15.3(b)]
- a) If no, see 23 Pa.C.S. § 2701(9) and question 1(l) in Adoption Petition form.
12. List the specific facts setting forth why the child was involuntarily placed in the custody of an entity or individual or involuntarily removed from parent who is the subject of the petition. [Pennsylvania Supreme Court Orphans' Court Rules 15.10(a)(9)]
13. 23 Pa.C.S. § 2512(b) mandates that the Petition for Involuntary Termination of Parental Rights "shall set forth specifically those grounds and facts alleged as the basis for terminating parental rights". Therefore, cite the specific subsections of 23 Pa.C.S. § 2511(a) which establish the legal basis for the requested termination(s) and state the alleged facts which justify the requested termination(s). Has this information been attached as Appendix No. 1 to this petition?  
[Pennsylvania Supreme Court Orphans' Court Rules 15.10(a)(10)]

14. List the name(s) of person(s) whose parental rights may be terminated by these proceedings, who is a member of the United States armed services and thereby entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended, 50 U.S.C.A § 501 et. seq. [Pennsylvania Supreme Court Orphans' Court Rule No. 15.10(a)(11)]
15. Has the parent who is the subject of the petition been provided with written notice regarding the opportunity for a birth relative of the child, including the subject birth parent, to enter into a Contact Agreement with the Prospective Adoptive Parents, once identified? [Pennsylvania Supreme Court Orphans' Court Rules 15.10(a)(12)(A)]
16. Has such written notice been given to the subject birth parent prior to the hearing by the agency, intermediary or counsel representing a party? [Pennsylvania Supreme Court Orphans' Court Rules 15.10(a)(12)(B)]
- a) If not, state the reason(s) why such notice cannot be given, including efforts made to identify or locate the subject person. [Pennsylvania Supreme Court Orphans' Court Rules 15.10(a)(12)(C)]
17. Does each petitioner understand the petition and believes its filing to best serve the developmental, physical and emotional needs and welfare of the child. [Pennsylvania Supreme Court Orphans' Court Rules 15.10(a)(14)]
18. As soon as petitioner(s) or attorney(s) has/have reason to believe these proceedings will be contested, the court must be notified IMMEDIATELY so that an attorney may be appointed for ADOPTEE as required by 23 Pa.C.S. § 2313 and thus avoid needless delay.

WHEREFORE, petitioner(s) pray your Honorable Court to set an evidentiary hearing and thereafter judicially decree the termination of the parental rights as requested herein and further award custody of the ADOPTEE to the petitioner(s), and, further decree that ADOPTEE may be adopted without further consent of, or notice to those individual(s) whose parental rights are hereby terminated.

---

[Attorney for Petitioner(s)]

AFFIDAVIT (Agency)

COMMONWEALTH OF PENNSYLVANIA :  
 :  
COUNTY OF \_\_\_\_\_ :

Before me, the undersigned authority personally appeared \_\_\_\_\_ who deposes and says he/she is the authorized representative of \_\_\_\_\_ and that the facts set forth in the foregoing petition are true and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_

Sworn to and subscribed

before me this \_\_\_\_\_ day  
\_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Notary)

(SEAL OF NOTARY)



VERIFICATION

I/We the petitioner(s) do verify that the statements contained in this Petition for Involuntary Termination of Parental Rights are true and correct to the best of my/our knowledge, information and belief. I/We understand that false statements herein made are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities. (The maximum penalty for such violation is a period of incarceration up to two years and a \$5,000 fine.)

Date \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Signature(s) of Petitioner(s))

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

THE COURTS

CONSENTS TO ACCEPT CUSTODY

CONSENT BY AGENCY: [Pennsylvania Supreme Court Orphans' Court Rule No. 15.10(b)(2)]

We hereby certify that we are an approved AGENCY as defined in the Adoption Act and that

\_\_\_\_\_

[Adoptee]

has been in our care and custody since \_\_\_\_\_ and we agree to accept custody of the child/ADOPTEE until such time as the child/ADOPTEE is adopted, that we have read the foregoing petition, consent thereto and join in the prayer.

Date: \_\_\_\_\_

\_\_\_\_\_

[Agency]

By \_\_\_\_\_

\_\_\_\_\_

[Title]

CONSENT BY ADULT(S): [Pennsylvania Supreme Court Orphans' Court Rule 15.10(b)(2)]

I/We \_\_\_\_\_

[Name(s) of Adoptive Parent(s)]

certify that the within named ADOPTEE has been in my/our custody since the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I/We agree to accept and continue custody until the Adoption is completed. I/We filed a Report of Intent to Adopt the

ADOPTEE on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. My/Our present address

is \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Name of Adult Intending to Adopt]

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: \_\_\_\_\_ :  
ADOPTION OF \_\_\_\_\_ :  
\_\_\_\_\_ No: \_\_\_\_\_ OF \_\_\_\_\_ :  
\_\_\_\_\_ :  
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

ORDER OF TERMINATION

(Involuntary Termination)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after review of the record and after an evidentiary hearing following due notice the court makes the following findings and judicial determinations.

1. Petitioner(s) has established a legal basis for terminating the parental rights of

\_\_\_\_\_ [Hereinafter referred to as Respondent(s)]

2. The following subsection(s) of 23 Pa.C.S. § 2511 establish the basis for terminating parental rights of Respondent(s):

"X" the applicable subsections

- a) The parent(s) by conduct continuing for a period of at least six months immediately preceding the filing of the petition either has evidenced a settled purpose of relinquishing parental claim to a child or has refused or failed to perform parental duties. [§ 2511(a)(1)]
- b) The repeated and continued incapacity, abuse, neglect or refusal of the parent(s) has caused the child to be without essential parental care, control or subsistence necessary for his physical or mental well-being and the conditions and causes of the incapacity, abuse, neglect or refusal cannot or will not be remedied by the parent(s). [§ 2511(a)(2)]
- c) The parent is the presumptive but not the birth father of the child. [§ 2511(a)(3)]
- d) The child is in the custody of an agency, having been found under such circumstances that the identity or whereabouts of the parent(s) is/are unknown and cannot be ascertained by diligent search and the parent(s) does/do not claim the child within three months after the child is found. [§ 2511(a)(4)]

- e) The child has been removed from the care of the parent(s) by the court or under a voluntary agreement with an agency for a period of at least six months, the conditions which led to the removal or placement of the child continued to exist, the parent(s) cannot or will not remedy those conditions within a reasonable period of time, the service or assistance reasonably available to the parent(s) are not likely to remedy the condition which led to the removal or placement of the child within a reasonable period of time and termination of the parental rights would best serve the needs and welfare of the child. (§ 2511(a)(5))
- f) In the case of a newborn child, the parent knows or has reason to know of the child's birth, does not reside with the child, has not married the child's other parent, has failed for a period of four months immediately preceding the filing of the petition to make reasonable efforts to maintain substantial and continuing contact with the child and has failed during the same four-month period to provide substantial financial support for the child. [§ 2511(a)(6)]
- g) The parent is the father of a child who was conceived as a result of a rape or incest. [§ 2511(a)(7)]
- h) The child has been removed from the care of the parent by the court or under a voluntary agreement with an agency, 12 months or more have elapsed from the date of removal or placement, the conditions which led to the removal or placement of the child continue to exist and termination of parental rights would best serve the needs and welfare of the child [§ 2511(a)(8)]
- i) The parent has been convicted of one of the following in which the victim was a child of the parent:
- 1) an offense under 18 Pa.C.S. Ch. 25 (relating to criminal homicide);
  - 2) a felony under 18 Pa.C.S. § 2702 (relating to aggravated assault);
  - 3) an offense in another jurisdiction equivalent to an offense in subparagraph 1) or 2); or
  - 4) an attempt, solicitation or conspiracy to commit an offense in subparagraph 1), 2) or 3)
- [§ 2511(a)(9)]
- j) The parent has been found by a court of competent jurisdiction to have committed sexual abuse against the child or another child of the parent based on a judicial adjudication as set forth in paragraph (1)(i), (ii), (iii) or (iv) or (4) of the definition of “founded report” in Section 6303(a) (relating to definitions) where the judicial adjudication is based on a finding of “sexual abuse or exploitation” as defined in Section 6303(a). [§ 2511(a)(10)]
- k) The parent is required to register as a sexual offender under 42 Pa.C.S. Chapter 97 Subchapter H (relating to registration of sexual offenders) or I (relating to continued registration of sexual offenders) or to register with a sexual offender registry in another jurisdiction or foreign country. [§ 2511(a)(11)]
- l) Other Considerations—The court in terminating the rights of a parent shall give primary consideration to the developmental, physical and emotional needs and welfare of the child. The rights of a parent shall not be terminated solely on the basis of environmental factors such as inadequate housing, furnishings, income, clothing and medical care if found to be beyond the

control of the parent. With respect to any petition filed pursuant to subsection (a)(1), (6) or (8), the court shall not consider any efforts by the parent to remedy the conditions described therein which are first initiated subsequent to the giving of notice of the filing of the petition. [§ 2511(b)]

- 3. Specific findings have been placed on the record at the end of the evidentiary hearing.
- 4. IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT THE PARENTAL RIGHTS OF THE ABOVE MENTIONED RESPONDENT(S) TO ADOPTEE ARE FOREVER TERMINATED.
- 5. The adoption of ADOPTEE may continue without further notice to or consent of the above mentioned Respondent(s).
- 6. The custody of ADOPTEE is hereby transferred to
  - a) \_\_\_\_\_
  - OR
  - b) \_\_\_\_\_
 an approved Agency and such Agency is hereby authorized to give consent to the adoption of ADOPTEE.

The Petitioner(s) is/are directed to file his/her/their Petition for Adoption within sixty (60) days after the conclusion of the appeal period.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is *Directed* to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

\_\_\_\_\_, J.

ATTEST:

\_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

	* * *
IN RE:	:
ADOPTION OF	:
	: No:
	:
(Adoptee's name as on birth certificate)	: ATTORNEY: _____

\* \* \*

AFFIDAVIT OF SERVICE

The petitioner has been informed of the opportunity for a birth relative of the child, including the petitioner, to enter into a Post-Adoption Contact Agreement with the Prospective Adoptive Parents, once identified. Notice was provided to the petitioner by hand delivery, first class mail, postage paid, to the petitioner's last known address, or by electronic transmission in accordance with [Pennsylvania Supreme Court Orphans' Court Rule 15.10(b)(1)].

A copy of the notice has been attached to the Affidavit of Service.

\_\_\_\_\_  
Representative of the Agency/Counsel

\_\_\_\_\_  
Date

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :
ADOPTION OF :
: No: OF
:
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

NOTICE
(Post-Adoption Contact Agreement)
23 Pa.C.S. § 2735

TO: \_\_\_\_\_
(All parties to the agreement; custodian of the child; consenting child or child's attorney/child's guardian ad litem; child's consenting sibling or consenting sibling's attorney/guardian ad litem)

A petition has been filed asking the court to review and approve the proposed Post-Adoption Contact Agreement regarding the above-referenced child.

YOU HAVE 10 DAYS FROM THE DATE OF THIS NOTICE TO FILE A RESPONSIVE PLEADING IN OPPOSITION TO THE PETITION. FAILURE TO DO SO MAY RESULT IN THE COURT ISSUING AN ORDER WITHOUT FURTHER HEARING.

YOU HAVE A RIGHT TO BE REPRESENTED AT THE HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
WESTMORELAND BAR ASSOCIATION
P.O. BOX 565
GREENSBURG, PA 15601
(724) 834-8490
www.westbar.org

(Name of Attorney)

(Address)

(Telephone Number)

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :
ADOPTION OF :
: No: OF
:
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

PETITION TO APPROVE POST-ADOPTION CONTACT AGREEMENT (23 Pa.C.S. § 2735)

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of \_\_\_\_\_ [See Pa.R.O.C.P. 15.12(a)(3) for parties who are authorized to be petitioners] respectfully avers the following:

- 1.) Age and date of birth of ADOPTEE:
a. If ADOPTEE is age 12 years or older, is the ADOPTEE's written consent attached?
2.) Name, address and phone number of attorney or guardian ad litem who is or has represented ADOPTEE:
a.) A guardian ad litem was required to be appointed under 23 Pa.C.S. § 2733(b):
b.) If yes, was such guardian ad litem also appointed for any of the ADOPTEES minor siblings?
3.) Length of time ADOPTEE has been under the care, custody and control of an individual other than a birth parent, even if such individual is other than the Prospective Adoptive Parent(s):
4.) If petition and proposed agreement are not being presented to the same court that terminated parental rights, name of judge and date of court order terminating parental rights:
5.) Length of time ADOPTEE has been under the care and custody of the Prospective Adoptive Parent(s):



- 6.) Will the proposed agreement impact the ADOPTEE's adjustment to the home, school and community of the Prospective Adoptive Parent(s)?
- 7.) List the names of any other persons not a party to the proposed agreement, who routinely would be present when the birth relative who is a party to the proposed agreement have contact or communication with the ADOPTEE, and the ADOPTEE's interaction and relationship with such other person:
- 8.) Has/have the signatory birth relative(s) indicated their willingness and ability to respect and appreciate the bond between the ADOPTEE and the Prospective Adoptive Parent(s)?
- a. Name(s) of birth relative(s) who is/are a party to the proposed agreement:
- 9.) Has/have the Prospective Adoptive Parent(s) indicated their willingness and ability to respect and appreciate the bond between the ADOPTEE and the birth relative who is a party to the proposed agreement?
- a. Name(s) of Prospective Adoptive Parent(s) who are a party to the proposed agreement:
- 10.) Is petitioner aware of any evidence or substantiated allegation that the ADOPTEE has been abused or neglected by the birth relative(s) who is/are a party/parties to the proposed agreement?
- 11.) Is the signed proposed agreement (pursuant to Act 101 of 2010, 23 Pa.C.S. §§ 2731—2741) attached as an Exhibit hereto?
- a. Date of proposed agreement:
- 12.) Petitioner(s) has/have read and understands the petition and believes that its filing and the proposed Post-Adoption Contact Agreement is in the best interest of the ADOPTEE:

WHEREFORE, the petitioner(s) pray for an Order to Approve the Post-Adoption Contact Agreement.

---

Signature(s) of Petitioner(s)

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :
ADOPTION OF :
: No: OF
:
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

ORDER TO APPROVE POST-ADOPTION CONTACT AGREEMENT

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after review of the petition and exhibits, or evidentiary hearing, pursuant to Pa.C.S. § 2735, the Court makes the following findings.

- 1. The Post-Adoption Contact Agreement is dated .
2. The parties to the Post-Adoption Contact Agreement are .
3. The ADOPTEE age 12 years or older consents to the Post-Adoption Contact Agreement.
4. The agreement has been entered into knowingly and voluntarily by all parties.
5. The Post-Adoption Contact Agreement is in the best interest of ADOPTEE.

This Agreement shall be legally enforceable under 23 Pa.C.S. §§ 2735(c), 2738(c)(2).

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is DIRECTED to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:
\_\_\_\_\_, J.

ATTEST:
\_\_\_\_\_

cc:

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PA

IN RE: :
ADOPTION OF :
: No:
:
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

CERTIFICATE OF SERVICE

I, , hereby certify that a copy of the attached Petition to Approve Post-Adoption Contact Agreement was served upon the following parties or their counsel (to include birth relatives; proposed adoptive parents; individual or entity having custody of the child at the time of the filing of this petition; the child whose written consent is required; the child's guardian ad litem, if appointed; a minor sibling of the child whose written consent is required, and their guardian ad litem, if appointed; or an attorney representing any of these parties), on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by first class United States mail:

\_\_\_\_\_

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :  
ADOPTION OF :  
: No: OF  
:  
:  
(Adoptee's name as on birth certificate) : ATTORNEY:

REPORT OF INTENTION TO ADOPT  
(23 Pa.C.S. § 2531)

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of the proposed adoptive parents, respectfully represents:

1. That the proposed adoptive parents, , are residents of County, and their address is .
2. Their religious affiliation is .
3. The proposed adoptive parents have possession or physical care of , a minor child, for the purpose and with the intention of adopting such child.
4. The child proposed to be adopted is:  
 Sex: Male ( ) Female ( ) Born at:  
 Age: Born on :  
 Religious Affiliation: Race:
5. The name and address of the Intermediary (if any) from which the proposed adoptive parents received the child is:  
 Name  
 Address

6. If the child was not received through an Intermediary:  
The birth father of the child proposed to be adopted is:  
Name  
Address  
Religious Affiliation  
The birth mother of the child proposed to be adopted is:  
Name  
Address  
Religious Affiliation
7. An itemized accounting of all monies and consideration paid or to be paid to the Intermediary is as follows:
8. The parent(s) whose parental rights are to be terminated (have) (have not) received counseling with respect to the termination and the alternatives thereto. If counseling was received, it was provided on the following dates:  
  
and the name and address of the counselor or agency which provided the counseling is:  
Name  
Address
9. The date and circumstances surrounding the proposed adoptive parents receiving or retaining custody or physical care of the child proposed to be adopted are:
10. The date on which the pre-placement investigation was concluded is .
11. A copy of the pre-placement report is attached hereto.

I ACKNOWLEDGE THAT I HAVE BEEN ADVISED OR KNOW AND UNDERSTAND THAT THE BIRTH FATHER OR PUTATIVE FATHER MAY REVOKE THE CONSENT TO THE ADOPTION OF THIS CHILD WITHIN 30 DAYS AFTER THE LATER OF THE BIRTH OF THE CHILD OR THE DATE HE HAS EXECUTED THE CONSENT TO AN ADOPTION AND THAT THE BIRTH MOTHER MAY REVOKE THE CONSENT TO AN ADOPTION OF THIS CHILD WITHIN 30 DAYS AFTER THE DATE SHE HAS EXECUTED THE CONSENT.

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Adoptive Parents



- c) Sex: Male (      ) Female (      )
  - d) Religious affiliation:
  - e) Racial background:
3. Placement of ADOPTEE with adopting parent(s):
- a) When:
  - b) Where:
4. Parents of ADOPTEE:
- a) BIRTH MOTHER:
    - (1) Name:
    - (2) Age and date of birth:
    - (3) Racial background:
    - (4) Marital status as of the time of birth of ADOPTEE:
      - (A) If married, state name of husband:
    - (5) Marital status during one year prior to the birth of ADOPTEE:
    - (6) Religious affiliation:
  - b) BIRTH FATHER:
    - (1) Name:
    - (2) Age and date of birth:
    - (3) Racial background:
    - (4) Marital status as of the time of birth of ADOPTEE:
      - (A) If married, state name of wife:
    - (5) Marital status during one year prior to the birth of ADOPTEE:
    - (6) Religious affiliation:



5. Identify all proceedings wherein any of ADOPTEE's parents' (or putative father's) parental rights and/or duties were terminated. [If termination occurred in a court other than the court in which the petition for adoption will be filed, attach a certified copy of the ORDER (23 Pa.C.S. § 2534 (3))].
6. List residence of parent(s) of ADOPTEE if their parental rights have not been terminated:
7. Explain what consents required by 23 Pa.C.S. § 2711 are applicable in this Adoption. Attach the applicable consents as Exhibits to this report. (If the original consent is required as a part of another report or petition, a copy may be attached in lieu of the original.) [23 Pa.C.S. § 2534 (2)]
8. List an itemized accounting of monies and consideration paid or to be paid to or received by the intermediary or to or by any other person or persons to the knowledge of the Intermediary by reason of the adoption placement:
9. List full description and statement of value of all property owned or possessed by the ADOPTEE:
10. Has any provision of any statute regulating the interstate placement of children been violated with respect to the placement of the child?

11. Attach a birth certificate or certification of registration of birth. [23 Pa. C.S.A. § 2534 (1)]  
If no birth certificate or certification of registration of birth can be obtained, state why. [See 23 Pa.C.S.A. § 2701(9)]
  
12. Has the attending physician delivered the medical history information to the intermediary or has the physician delivered the medical history information directly to the adopting parents?  
(See 23 Pa.C.S. § 2102 and § 2909)
  - a) If not delivered, state why?
  - b) If it was delivered, was the information edited to remove identifying information about ADOPTEE's birth family?

---

Intermediary

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF WESTMORELAND : **SS**

The above named INTERMEDIARY, being duly sworn according to law deposes and says that the facts set forth in the above Intermediary Report are true and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
[Signature of Intermediary]

Sworn to and subscribed

before me this \_\_\_\_\_ day  
\_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Notary)

(SEAL OF NOTARY)

(Alternative Method for Verification)

I the above named Intermediary do verify that the statements contained in the Intermediary's Report are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities. (The maximum penalty for such violation is a period of incarceration up to two years and a \$5,000 fine.)

Date \_\_\_\_\_

\_\_\_\_\_

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

IN RE:
ADOPTION OF
(Adoptee's name as on birth certificate)
No: of
ATTORNEY: \_\_\_\_\_

NOTICE
(Voluntary Relinquishment)
23 Pa.C.S. § 2503(b)

TO: \_\_\_\_\_

A petition has been filed asking the court to put an end to all rights you have to your child. The court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom # \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ at \_\_\_\_\_ A.M./P.M. YOUR PRESENCE IS REQUIRED AT THE HEARING.

YOU ARE ALSO NOTIFIED OF THE ACT 101 OF 2010 WHICH ALLOWS FOR AN ENFORCEABLE VOLUNTARY AGREEMENT FOR CONTINUING CONTACT OR COMMUNICATION FOLLOWING AN ADOPTION BETWEEN AN ADOPTIVE PARENT, A CHILD, A BIRTH PARENT, AND/OR A BIRTH RELATIVE OF THE CHILD, IF ALL PARTIES AGREE AND THE WRITTEN VOLUNTARY AGREEMENT IS APPROVED BY THE COURT.

YOU HAVE A RIGHT TO BE REPRESENTED AT THE HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
WESTMORELAND BAR ASSOCIATION
P.O. BOX 565
GREENSBURG, PA 15601
(724) 834-8490
www.westbar.org

(Name of Attorney)

(Address)

(Telephone Number)

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :  
ADOPTION OF :  
: No: of  
: :  
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

PETITION FOR VOLUNTARY RELINQUISHMENT OF PARENTAL RIGHTS

PRELIMINARY ORDER  
(23 Pa.C.S. § 2501 and § 2502)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to judicially resolve the attached petition it is ORDERED AND DECREED that an evidentiary hearing is set in Courtroom No. \_\_\_\_\_ for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock A.M/P.M. At least ten days written notice of the hearing shall be given to the petitioner and a copy of the notice as specifically set forth in 23 Pa.C.S. § 2503(b) shall be served upon the parent(s) or guardian of the petitioner who has not reached 18 years of age. If only one birth parent is the petitioner, such notice shall be given upon the other parent. If the petition seeks to terminate parental rights of putative father pursuant to 23 Pa.C.S. § 2503(d), such notice as specifically set forth therein shall be provided to putative father. Method of providing notice shall conform to Pa.R.O.C.P. 15.4.

"Affidavit of Service" relative to all notices shall be filed at least **10** days before the evidentiary hearing to allow the court time to review.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is Directed to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

ATTEST: \_\_\_\_\_ J.  
\_\_\_\_\_

cc:

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY, PENNSYLVANIA

IN RE: :  
ADOPTION OF :  
 : No: of  
 :  
(ADOPTEE's name as on birth certificate) : Attorney: \_\_\_\_\_

PETITION FOR VOLUNTARY RELINQUISHMENT OF PARENTAL RIGHTS  
(23 Pa.C.S. § 2501 and § 2502)

RELINQUISHMENT TO:

"X" the one that applies.

- To Agency (23 Pa.C.S. § 2501)
- To Adult(s) intending to adopt (23 Pa.C.S. § 2502)

RELINQUISHMENT BY:

"X" those that apply.

- BIRTH MOTHER.
- BIRTH FATHER.
- PUTATIVE FATHER.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of

\_\_\_\_\_  
[Names of Relinquishing Parent(s)]

1. ADOPTEE:
  - a) List name as appears on birth certificate:
  - b) Age:
  - c) Date of birth:
  - d) Birthplace:



- e) Sex: Male (      ) Female (      )
  - f) Present address:
  - g) Racial background:
  - h) Who has custody of ADOPTEE and since when:
2. BIRTH MOTHER:
- a) Name:
  - b) Maiden name:
  - c) Age and date of birth:
  - d) Birthplace:
  - e) Present address:
  - f) Present marital status:  
If married, state:
    - (1) Date:
    - (2) Place:
    - (3) Name of spouse:
  - g) Were you married when ADOPTEE was born? [Pa.R.O.C.P. 15.7(a)(3) and 15.8(a)(3)]
    - (1) If yes, name of spouse:
  - h) Were you married one year prior to the birth of ADOPTEE? [Pa.R.O.C.P. 15.7(a)(3) and 15.8(a)(3)]
    - (1) If yes, name of spouse:
    - (2) If this marriage ended, state how and when:
  - i) The last known address of ADOPTEE's BIRTH FATHER:
  - j) What is your employment?
  - k) Racial background:

- l) Are you voluntarily relinquishing your parental rights?
- (1) If yes, state reasons for seeking relinquishment: [Pa.R.O.C.P. 15.7(a)(7) and 15.8(a)(7)]
- (2) Is your consent to the adoption attached?
- (3) THE PARENT RELINQUISHING PARENTAL RIGHTS MUST PERSONALLY APPEAR IN COURT AT THE VOLUNTARY RELINQUISHMENT HEARING. [23 Pa.C.S. § 2503]
- (4) The BIRTH MOTHER understands the petition, has considered the alternatives, and has executed the petition voluntarily. [Pa.R.O.C.P. 15.7(a)(12) and 15.8(a)(13)]
3. BIRTH FATHER:
- a) Name:
- b) Age and date of birth:
- c) Birthplace:
- d) Present address:
- e) Present marital status:
- If married, state:
- (1) Date:
- (2) Place:
- (3) Name of spouse:
- f) Were you married when ADOPTEE was born?
- (1) If yes, name of spouse:
- g) Were you married one year prior to the birth of ADOPTEE?
- (1) If yes, name of spouse:
- (2) If this marriage ended, state how and when:
- h) The last known address of ADOPTEE's BIRTH MOTHER:

- i) What is your employment?
- j) Racial background:
- k) Are you voluntarily relinquishing your parental rights?
  - (1) If yes, state reasons for seeking relinquishment: [Pa.R.O.C.P. 15.7(a)(7) and 15.8(a)(7)]
  - (2) Is your consent to the adoption attached?
  - (3) THE PARENT RELINQUISHING PARENTAL RIGHTS MUST PERSONALLY APPEAR IN COURT AT THE VOLUNTARY RELINQUISHMENT HEARING. [23 Pa.C.S. § 2503]
  - (4) The BIRTH FATHER understands the petition, has considered the alternatives, and has executed the petition  
voluntarily. [Pa.R.O.C.P. 15.7(a)(12) and 15.8(a)(13)]

4. PUTATIVE FATHER:

- a) Name:
- b) Age and date of birth:
- c) Birthplace:
- d) Present address:
- e) Present marital status:  
If married, state:
  - (1) Date:
  - (2) Place:
  - (3) Name of spouse:
- f) Were you married when ADOPTEE was born?
  - (1) If yes, name of spouse:
- g) Were you married one year prior to the birth of ADOPTEE?

- (1) If yes, name of spouse:
  - (2) If this marriage ended, state how and when:
- h) Was PUTATIVE FATHER ever married to BIRTH MOTHER?
- (1) If yes, state when:
- i) What is your employment?
- j) Racial background:
- k) Are you voluntarily relinquishing your parental rights?
- (1) If yes, state reasons for seeking relinquishment: [Pa.R.O.C.P. 15.7(a)(7) and 15.8(a)(7)]
  - (2) Is your consent to the adoption attached?
  - (3) THE PARENT RELINQUISHING PARENTAL RIGHTS MUST PERSONALLY APPEAR IN COURT AT THE VOLUNTARY RELINQUISHMENT HEARING. [23 Pa.C.S. § 2503]
  - (4) The PUTATIVE FATHER understands the petition, has considered the alternatives, and has executed the petition voluntarily. [Pa.R.O.C.P. 15.7(a)(12) and 15.8(a)(13)]
- l) Explain the circumstances that created the status of PUTATIVE FATHER:
- m) A PUTATIVE FATHER'S parental rights may be terminated in these proceedings either by having the PUTATIVE FATHER join in this petition as a petitioner (this will require his testimony at the evidentiary hearing) OR by giving him NOTICE pursuant to 23 Pa.C.S. § 2503(d). Is the termination of the parental rights of a PUTATIVE FATHER an objective by either method?

- n) If this petition does not identify the father of ADOPTEE, attach a certification from the Department of Health as to whether a claim of paternity has been filed pursuant to 23 Pa.C.S. § 5103. [23 Pa.C.S. § 2503(d)]
- (1) Has a claim of paternity been filed?
  - (2) 23 Pa.C.S. § 2503(b) requires a copy of notice be given to putative father. It further states a putative father shall include one who has filed a claim of paternity as provided in 23 Pa.C.S. § 5103 (relating to acknowledgements and claim of paternity) prior to the institution of proceedings.
5. State relationship of petitioner(s) to ADOPTEE:
6. If parental rights are being relinquished to an approved Agency, state name and address of the Agency. [P Orphans' Court Rule 15.7(a)(5)]
- a) Pa.R.O.C.P. 15.7(b)(4) requires "the joinder of the Agency having care of the child and its consent to accept custody of the child until such time as the child is adopted." Has the joinder and consent been completed?
  - b) The date the ADOPTEE was placed with the Agency. [Pa.R.O.C.P. 15.7(a)(6)]
7. If a relinquishing parent is under the age of 18 years, state name(s) and address(es) of his/her parent(s) (or guardian).
8. If parental rights are being relinquished to adult(s) intending to adopt, is the identity of the proposed adoptive parent(s) known to the relinquishing parent(s)?
- a) If yes, state name(s) and address(es) of proposed adoptive parent(s).
  - b) Are proposed adoptive parents married?
9. Are any of the ADOPTEE'S birth parent(s) or putative father deceased?

- a) If yes, state name, relationship to ADOPTEE, date of death and attach an original death certificate as an Exhibit.
10. No Report of Intention to Adopt is required if the ADOPTEE is "the child, grandchild, stepchild, brother or sister of the whole or half blood or niece or nephew by blood, marriage or adoption" of the adopting parent(s) [23 Pa C.S. § 2531(c)]. In all other cases, persons receiving custody for an adoption are required to file a Report of Intention to Adopt within thirty days of receiving custody or physical care [23 Pa.C.S. § 2532]. Is a Report of Intention to Adopt required in this case?
- a) If yes, when and where was the Report of Intention to Adopt filed? [23 Pa.C.S. § 2531]
- b) If yes, when and where was physical custody of ADOPTEE placed with adoptive parent(s)? [Pa.R.O.C.P. 15.8(a)(5)]
- c) Has the attached consent of the adult(s) accepting custody of ADOPTEE been completed and signed? [Pa.R.O.C.P. 15.8(a)(12)]
11. Is birth certificate or certification of registration of birth of ADOPTEE attached as an Exhibit? [Pa.R.O.C.P. 15.3(b)]
- a) If no, see 23 Pa.C.S. § 2701(9).
12. Has/Have petitioner(s) received counseling concerning the termination of parental rights and the alternatives thereto from an approved agency or from a qualified counselor? [Pa.R.O.C.P. 15.7(a)(8) and 15.8(a)(8)]
- a) If yes, state the name and address of agency or counselor. [Pa.R.O.C.P. 15.7(a)(9) and 15.8(a)(9)]
13. Has the petitioner been informed of the opportunity for a birth relative of the child, including the petitioner, to enter into a Contact Agreement with the Prospective Adoptive Parents, once identified? [Pa.R.O.C.P. 15.7(a)(10) and 15.8(a)(10)]

WHEREFORE, your petitioner(s) pray for Order(s) terminating the parental rights of the petitioner(s) and if required hereby terminate the parental rights of the Putative Father and award custody to the appropriate entity or parties.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
[Signature(s) of Petitioner(s)]

VERIFICATION

I/We the above named petitioner(s) do verify that the statements contained in this Petition for Voluntary Relinquishment of Parental Rights are true and correct to the best of my/our knowledge, information and belief. I/We understand that false statements herein made are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities. (The maximum penalty for such violation is a period of incarceration up to two years and a \$5,000 fine.)

Date \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
[Signature(s) of Petitioner(s)]

WITNESS

ADDRESS OF WITNESS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



CONSENTS TO ACCEPT CUSTODY

CONSENT BY AGENCY: [Pa. R.O.C.P. 15.7(b)(4)]

We hereby certify that we are an approved AGENCY as defined in the Adoption Act and that

\_\_\_\_\_

[Adoptee]

has been in our care and custody since \_\_\_\_\_ and we agree to accept custody of the child/ADOPTEE until such time as the child/ADOPTEE is adopted, that we have read the foregoing petition, consent thereto and join in the prayer.

Date: \_\_\_\_\_

\_\_\_\_\_

[Agency]

By \_\_\_\_\_

\_\_\_\_\_

[Title]

CONSENT BY ADULT(S): [Pa. R.O.C.P. 15.8(b)(3)]

I/We

\_\_\_\_\_

[Name(s) of Adoptive Parent(s)]

certify that the within named ADOPTEE has been in my/our custody since the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. I/We agree to accept and continue custody until the Adoption is completed. I/We filed a Report of Intent to Adopt the ADOPTEE on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. My/Our present address is \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Name of Adult Intending to Adopt]

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PA  
ORPHANS' COURT DIVISION

IN RE: :  
ADOPTION OF :  
 : No:  
 :  
(Adoptee's name as on birth certificate) : ATTORNEY: \_\_\_\_\_

TERMINATION ORDER  
(Voluntary Relinquishment)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after review of the record and after an evidentiary hearing following due notice, the Court makes the following findings and judicial determination.

1. The Petitioner(s) is/are \_\_\_\_\_ .
2. The Petitioner(s) is/are the natural parent(s) of the above captioned ADOPTEE.
3. The Petitioner(s) has/have knowingly, deliberately and voluntarily relinquished all of his/her/their parental rights to the ADOPTEE.
4. ALL OF THE PETITIONER(S) PARENTAL RIGHTS TO THE ADOPTEE ARE HEREBY FOREVER TERMINATED AND ADOPTEE MAY BE ADOPTED WITHOUT FURTHER CONSENT OF OR NOTICE TO PETITIONER(S).
5. The custody of ADOPTEE is hereby transferred to:

a)

OR

- b) \_\_\_\_\_ an approved Agency and such Agency is hereby authorized to give consent to the adoption of ADOPTEE.

The adoptive parent(s) is/are directed to file his/her/their Petition for Adoption within sixty (60) days after the conclusion of the appeal period.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is DIRECTED to note in the docket that the individual(s) listed below have been given notice of this Order.

THE COURTS

BY THE COURT:

\_\_\_\_\_, J.

ATTEST:

\_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

	* * *
IN RE:	:
ADOPTION OF	:
	:     No:
	:
(Adoptee's name as on birth certificate)	:     ATTORNEY: _____

\* \* \*

AFFIDAVIT OF SERVICE

The petitioner has been informed of the opportunity for a birth relative of the child, including the petitioner, to enter into a Post-Adoption Contact Agreement with the Prospective Adoptive Parents, once identified. Notice was provided to the petitioner by hand delivery, first class mail, postage paid, to the petitioner's last known address, or by electronic transmission in accordance with Pa.R.O.C.P. 15.7(b)(2) and 15.8(b)(1).

A copy of the notice has been attached to the Affidavit of Service.

\_\_\_\_\_  
Representative of the Agency/Counsel

\_\_\_\_\_  
Date

**Title 255—LOCAL COURT RULES**

**YORK COUNTY**

**In the Matter of: Increasing the Schedule of Fees for the Prothonotary, a Third Class County; 2022-MI-000330 Misc. Civil**

**Amended Administrative Order and Approval**

*And Now, To Wit*, This 3rd day of November 2022, *The Court* pursuant to Act # 98-164 of the Pennsylvania Legislature, hereby approves the increase of fees effective January 1, 2023.

The Prothonotary of York County shall provide a certified copy of this order to the York County District Court Administrator and shall keep a copy constantly available for public inspection and copying. Upon request and payment of reasonable fees for production and mailing, the Prothonotary shall furnish a copy to any person requesting one.

The York County District Administrator shall publish this order as may be required.

*By the Court*

MARIA MUSTI COOK,  
*President Judge*

ACKNOWLEDGMENT OF SHERIFF DEED . . . .	\$14.00
ADD OR SUBSTITUTE A PARTY* . . . . .	\$21.00
<b>APPEALS</b>	
Commonwealth and Superior Court Appeals	
If filed to FC #: 2 separate checks required	
Prothonotary Fee . . . . .	\$103.00
Appellate Court Fee . . . . .	\$90.25
If filed to SU #* . . . . .	\$198.25
District Justice . . . . .	\$238.00
<b>ARBITRATION*</b>	
Appointment of Arbitrator* . . . . .	\$55.00
Arbitration Appeal*	
Less than \$10,000 in controversy* . . . . .	\$445.00
\$10,000 to/including \$25,000 in controversy* ..	\$545.00
Greater than \$25,000 in controversy* . . . . .	\$745.00
ASSIGNMENTS* . . . . .	\$21.00
BENCH WARRANTS . . . . .	\$27.00
CERTIFICATION . . . . .	\$8.00
CHECKS RETURNED AS NON-NEGOTIABLE ..	\$35.00
COMPLAINT—CIVIL* . . . . .	\$258.00
COMPLAINT—CUSTODY . . . . .	\$235.00
When filed with a divorce action . . . . .	\$9.50
COMPLAINT—DIVORCE . . . . .	\$317.00
(ADD \$40.25 MORE FOR EACH ADDITIONAL COUNT AND \$49.75 FOR CUSTODY COUNT)	
CONCILIATOR APPOINTMENT . . . . .	\$155.00
<b>COPIES</b>	
Public printer, per page . . . . .	\$0.25
Staff printer, per page . . . . .	\$1.00

<b>CUSTODY</b>	
Discontinuance or withdrawal . . . . .	\$16.00
Reactivation of Custody Case made inactive per Rule 230.3 . . . . .	\$27.00
Register out-of-state custody order . . . . .	\$25.00
DIVORCE DECREE CERTIFIED COPY . . . . .	\$15.00
<b>DIVORCE</b>	
Appointment of Hearing Officer	
For Fault divorce, Equitable Distribution or Alimony (first 12 hours) . . . . .	\$350.00
Modification of Alimony (first 8 hours) . . . . .	\$250.00
Interim Relief (first 4 hours) . . . . .	\$150.00
Additional proceedings (each block up to 6 hours) . . . . .	\$250.00
Discontinuance or withdrawal . . . . .	\$16.00
<b>EXECUTIONS</b>	
Attachment proceedings (each garnishee)* . . . . .	\$1.00
Reissuance or Amendments* . . . . .	\$20.00
Interrogatories and Answers* . . . . .	\$15.00
Attachment Dissolution* . . . . .	\$21.00
Sheriff's Determination of Ownership . . . . .	\$13.00
<b>EXEMPLIFIED RECORDS</b>	
Incoming Exemplified Records* . . . . .	\$65.00
Outgoing Exemplified Records . . . . .	\$34.00
(Specify in-state or out-of-state)	
<b>EXHIBITS—oversize (documents larger than 11" x 17")</b>	
Per page . . . . .	\$3.75
<b>INTENTION TO PROCEED</b>	
If filed to an FC # . . . . .	\$16.00
If filed to an SU #* . . . . .	\$21.00
<b>JUDGMENTS*</b>	
Amended* . . . . .	\$23.00
Broker's Lien* . . . . .	\$65.00
Bond Forfeiture* . . . . .	\$65.00
By Transcript (District Justice)* . . . . .	\$65.00
Complaint with Confession* . . . . .	\$75.00
Default* . . . . .	\$37.00
Deficiency* . . . . .	\$37.00
Marked to the use of* . . . . .	\$21.00
LICENSE SUSPENSION APPEAL . . . . .	\$238.00
<b>LIENS*</b>	
Commonwealth, Federal, Municipal* . . . . .	\$63.00
Mechanics*	
Claim (commencement of new action)* . . . . .	\$258.00
Stipulation or Waiver* . . . . .	\$49.00
MISCELLANEOUS FILING . . . . .	\$25.00
MORTGAGE FORECLOSURE* . . . . .	\$258.00
MOTION TO STAY EXECUTION* . . . . .	\$15.00

NAME CHANGE	
Resume maiden name after divorce .....	\$20.00
Not divorce related .....	\$104.00
NOTARY PUBLIC	
Acknowledgment/Registration of Signature .....	\$5.50
PATERNITY ACTION.....	\$238.00
PETITION TO OPEN OR STRIKE JUDGMENTS	
If filed from an NO #* .....	\$258.00
If filed to an SU #* .....	NO FEE
PETITION TO REASSESS DAMAGES*.....	\$21.00
PLEADINGS FILED TO AN NO OR MT CASE*..	\$15.00
POWERS OF ATTORNEY	
Registration of first name .....	\$6.00
PRAECIPE TO SATISFY, DISCONTINUE, WITHDRAW CASE	
If case filed prior to 1/2/97* .....	\$21.00
If case filed on or after 1/2/97*.....	NO FEE
Satisfy less than all parties or judgment only*..	\$21.00
Commonwealth Satisfaction (filed prior to 1997)* .....	\$16.00
PROTECTION FROM ABUSE.....	\$252.00
Crossfiling .....	\$207.00
Refiling of expired PFA over 2 years .....	\$252.00
Refiling of expired PFA under 2 years.....	\$207.00
Full hearing held (state surcharge) .....	\$100.00
Issuance of a Bench Warrant .....	\$27.00
Modification of PFA.....	\$30.00
RELEASE, POSTPONEMENT, SUBORDINATION*.....	\$21.00
REPORTS.....	\$10.00
REVIVALS*	
Adverse Proceedings* .....	\$83.00
Amicable Proceedings* .....	\$63.00
Commonwealth Tax Lien* .....	\$63.00
SUBPOENAS*—must be completed before submitted for signature and seal	
If filed to an FC # .....	\$5.50
If filed to an SU, NO, MT, ML #* .....	\$10.50
TAX UPSET/JUDICIAL SALE	
Objections/exception.....	\$25.00

TRANSFER OR REMOVAL OF RECORD TO ANOTHER COURT.....		\$43.00
WRIT OF ATTACHMENT*.....		\$60.00
Notice of intent to attach wages* .....		\$15.00
WRIT OF EXECUTION*.....		\$54.00
WRIT OF EXECUTION—REISSUE*.....		\$20.00
WRIT OF SCIRE FACIAS* .....		\$83.00
WRIT OF SUMMONS (New case)*.....		\$258.00

\*Anything with an ASTERISK must be filed electronically\*

The Prothonotary shall not be required to enter on the docket any suit or action nor order of court or enter any judgment thereon or perform any services whatsoever for any person or political subdivision of the Commonwealth until the requisite fee is paid.

Payment should be made by cash, money order, credit and debit card, certified bank check or business check. Personal checks are not accepted.

Failure to provide all required paperwork may result in returned filings.

All filings should be one-sided.

Judgments must be accompanied by the Rule 236 notice. Envelopes do not need to be included. The Prothonotary assumes the expense for envelopes and postage for service of judgments.

A self-addressed, stamped envelope must be included with any documents to be returned.

For more information about electronic filing and for forms visit: [www.yorkcountypa.gov/prothonotary](http://www.yorkcountypa.gov/prothonotary)

The York County Court Self-Help and Law Resource Center is located at  
 45 N George Street  
 4th Floor  
 York, PA 17401  
[Courtselfhelp@yorkcountypa.gov](mailto:Courtselfhelp@yorkcountypa.gov)

Looking for an attorney?  
 Contact York Attorney Connection  
[www.yorkbar.com](http://www.yorkbar.com)  
 717-854-8755

FEES EFFECTIVE JANUARY 1, 2023

OFFICE OF THE PROTHONOTARY  
 YORK COUNTY JUDICIAL CENTER  
 45 N. GEORGE STREET  
 YORK, PA 17401  
 717-771-9611

[www.yorkcountypa.gov/prothonotary](http://www.yorkcountypa.gov/prothonotary)

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