

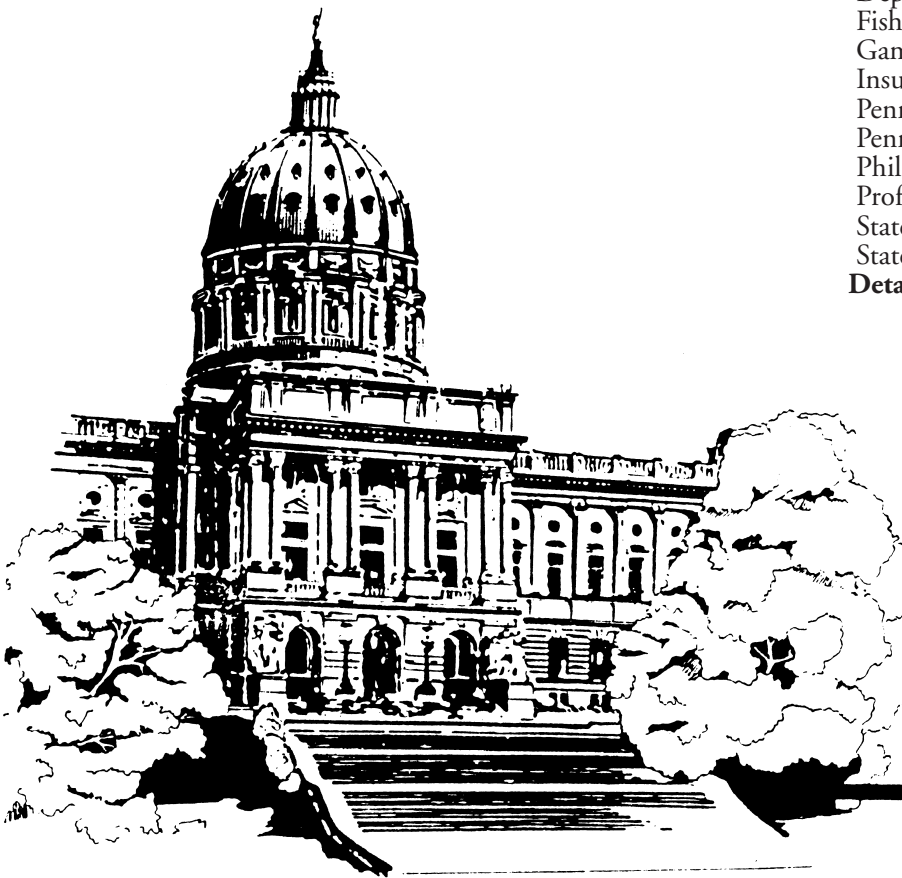
PENNSYLVANIA BULLETIN

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Agencies in this issue

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Department of Agriculture
Department of Banking and Securities
Department of Community and Economic
Development
Department of Environmental Protection
Department of Health
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Game Commission
Insurance Department
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Pennsylvania Public Utility Commission
Philadelphia Parking Authority
Professional Standards and Practices Commission
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State Tax Equalization Board

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No. 580, March 2023

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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.

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.

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.

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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 2023.

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THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 6]

Proposed Amendment of Pa.R.Crim.P. 632

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pa.R.Crim.P. 632 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:

Joshua M. Yohe, Counsel
Criminal Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: (717) 231-9521
criminalrules@pacourts.us

All communications in reference to the proposal should be received by Monday, May 1, 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 Criminal Procedural
Rules Committee*

STEFANIE SALAVANTIS,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 6. TRIAL PROCEDURES IN COURT CASES

PART C(1). Impanelling Jury

(*Editor's Note:* Pa.R.Crim.P. 632 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")

Rule 632. Juror Information Questionnaire.

[(A)] (a) Prior to *voir dire*:

(1) Each prospective juror shall complete and verify the standard, confidential juror information questionnaire required by [paragraph (H)] subdivision (i) of this rule, and any supplemental questionnaire provided by the court.

(2) The president judge shall designate the method for distributing and maintaining the juror information questionnaires.

(3) The trial judge and the attorneys shall receive copies of the completed questionnaires for use during *voir*

dire, and the attorneys shall be given a reasonable opportunity to examine the questionnaires.

[(B)] (b) The information provided by the jurors on the questionnaires shall be confidential and limited to use for the purpose [of jury selection only] or pursuant to subdivision (h). Except for disclosures made during *voir dire*, or unless the trial judge otherwise orders pursuant to [paragraph (F)] this] subdivision (f), non-aggregated, personally identifiable information shall only be made available to the trial judge, the defendant[(s)] and the attorney[(s)] for the defendant[(s)], and the attorney for the Commonwealth.

[(C)] (c) The original and any copies of the juror information questionnaires shall not constitute a public record.

[(D)] (d) Juror information questionnaires shall be used in conjunction with the examination of the prospective jurors conducted by the judge or counsel pursuant to Rule 631(E), or for the purposes of subdivision (h).

[(E)] (e) If the court adjourns before *voir dire* is completed, the trial judge may order that the attorneys be permitted to retain their copies of the questionnaires during the adjournment. When copies of the questionnaires are permitted to be taken from the courtroom, the copies:

(1) shall continue to be subject to the confidentiality requirements of this rule, and to the disclosure requirements of [paragraph (B)] subdivision (b); and

(2) shall not be duplicated, distributed, or published.

The trial judge may make such other order to protect the copies as is appropriate.

[(F)] (f) The original questionnaires of all impaneled jurors shall be retained in a sealed file and shall be destroyed upon completion of the jurors' service, unless otherwise ordered by the trial judge or retained for the purposes of subdivision (h). Upon completion of *voir dire*, all copies of the questionnaires shall be returned to the trial judge and destroyed, unless otherwise ordered by the trial judge at the request of the defendant[(s)], the attorney[(s)] for the defendant[(s)], or the attorney for the Commonwealth, or unless retained for the purposes of subdivision (h).

[(G)] (g) Subject to subdivision (h), [The] the original and any copies of questionnaires of all prospective jurors not impaneled or not selected for any trial shall be destroyed upon completion of the jurors' service.

(h) Nothing in this rule shall prevent judicial districts from individually electing to retain the information provided by prospective or impaneled jurors on their questionnaires for the purpose of assessing their district's juror demographics as it relates to the constitutional guarantee that juries be drawn from a representative cross-section of the community, provided that such information may only be retained or published by the districts in the aggregate and in a manner that does not contain or reveal any personally identifiable information of the prospective or impaneled jurors.

[(H)] (i) The form of the juror information questionnaire shall be as follows:

**JUROR INFORMATION QUESTIONNAIRE
CONFIDENTIAL; NOT PUBLIC RECORD**

NAME: LAST		FIRST		MIDDLE INITIAL
CITY/TOWNSHIP		COMMUNITIES IN WHICH YOU RESIDED OVER THE PAST 10 YEARS:		
MARITAL STATUS: MARRIED <input type="checkbox"/>	SINGLE <input type="checkbox"/>	SEPARATED <input type="checkbox"/>	DIVORCED <input type="checkbox"/>	WIDOWED <input type="checkbox"/>
OCCUPATION		OCCUPATION(S) PAST 10 YEARS		
OCCUPATION OF SPOUSE/OTHER		PAST 10 YEARS OCCUPATION OF SPOUSE/OTHER		
NUMBER OF CHILDREN		[RACE: <input type="checkbox"/> WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> HISPANIC <input type="checkbox"/> OTHER]		
RACE (Circle all that apply)		<p><u>American Indian or Alaska Native: A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.</u></p> <p><u>Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.</u></p> <p><u>Black or African American: A person having origins in any of the Black racial groups of Africa.</u></p> <p><u>Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</u></p> <p><u>White: A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.</u></p>		
ETHNICITY (Circle One)		<p><u>Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.</u></p> <p><u>Not Hispanic or Latino.</u></p>		
GENDER (Circle One)		<p><u>Male</u></p> <p><u>Female</u></p> <p><u>Other _____</u></p>		
LEVEL OF EDUCATION YOURS		SPOUSE/OTHER		CHILDREN

- | | YES | NO |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| 1. Have you ever served as a juror before?
If so, were you ever on a hung jury? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you have any religious, moral, or ethical beliefs that would prevent you from sitting in judgment in a criminal case and rendering a fair verdict? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Do you have any physical or psychological disability that might interfere with or prevent you from serving as a juror? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Have you or anyone close to you ever been the victim of a crime? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Have you or anyone close to you ever been charged with or arrested for a crime, other than a traffic violation? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Have you or anyone close to you ever been an eyewitness to a crime, whether or not it ever came to court? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Have you or anyone close to you ever worked in law enforcement or the justice system? This includes police, prosecutors, attorneys, detectives, security or prison guards, and court related agencies. | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Would you be more likely to believe the testimony of a police officer or any other law enforcement officer because of his or her job? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Would you be less likely to believe the testimony of a police officer or other law enforcement officer because of his or her job? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Would you have any problem following the court's instruction that the defendant in a criminal case is presumed to be innocent unless and until proven guilty beyond a reasonable doubt? | <input type="checkbox"/> | <input type="checkbox"/> |

- | | YES | NO |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| 11. Would you have any problem following the court’s instruction that the defendant in a criminal case does not have to take the stand or present evidence, and it cannot be held against the defendant if he or she elects to remain silent or present no evidence? | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Would you have any problem following the court’s instruction in a criminal case that just because someone is arrested, it does not mean that the person is guilty of anything? | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. In general, would you have any problem following and applying the judge’s instruction on the law? | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Would you have any problem during jury deliberations in a criminal case discussing the case fully but still making up your own mind? | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Are you presently taking any medication that might interfere with or prevent you from serving as a juror? | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Is there any other reason you could not be a fair juror in a criminal case? | <input type="checkbox"/> | <input type="checkbox"/> |

I hereby certify that the answers on this form are true and correct. I understand that false answers provided herein subject me to penalties under 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

SIGNATURE _____ DATE _____

Comment

This rule requires that, prior to *voir dire* in any criminal case, the prospective jurors, including prospective alternate jurors, must complete the standard, confidential juror information questionnaire required in [**paragraph (H)**] **subdivision (i)**, and that the trial judge and attorneys must automatically be given copies of the completed questionnaires in time to examine them before *voir dire* begins. Compare Rule 625, which provides that attorneys must request copies of juror qualification forms for the jurors summoned in their case.

Under [**paragraph (A)(2)**] **subdivision (a)(2)**, it is intended that the president judge of each judicial district may designate procedures for submitting the questionnaire to the jurors and maintaining them upon completion. For example, some districts may choose to mail them along with their jury qualification form, while others may desire to have the questionnaire completed by the panel of prospective jurors when they report for jury service. This rule, however, mandates that the questionnaires be completed by each prospective juror to a criminal case.

Each judicial district must provide the jurors with instructions for completing the form [,] and inform them of the procedures for maintaining confidentiality of the questionnaires. It is expected that each judicial district will inform the jurors that the questionnaires will only be used for jury selection **or for the limited purposes provided in subdivision (h)**.

Pursuant to [**paragraph (C)**] **subdivision (c)**, the juror information questionnaire is not a public record and therefore may not be combined in one form with the qualification questionnaire required by Rule 625. However, nothing in this rule would prohibit the distribution of both questionnaires in the same mailing.

Under [**paragraph (B)**] **subdivision (b)**, the **disaggregated** information provided by the jurors **that contains their individualized, personally identifiable information** is confidential and may be used only for the

purpose of jury selection. Except for disclosures made during *voir dire*, [**the**] **such** information in the completed questionnaires may not be disclosed to anyone except the trial judge, the attorneys and any persons assisting the attorneys in jury selection, such as a member of the trial team or a consultant hired to assist in jury selection, the defendant, and any court personnel designated by the judge. Even once disclosed to such persons, however, the information in the questionnaires remains confidential. **Nothing in this rule is intended to prohibit or discourage the collection and retention of aggregated juror demographic data pursuant to subdivision (h).**

Although the defendant may participate in *voir dire* and have access to information from the questionnaire, nothing in this rule is intended to allow a defendant to have a copy of the questionnaire.

[**Paragraph (D)**] **Subdivision (d)** makes it clear that juror information questionnaires are to be used in conjunction with the oral examination of the prospective jurors [,] and are not to be used as a substitute for the oral examination. Juror information questionnaires facilitate and expedite the *voir dire* examination by providing the trial judge and attorneys with basic background information about the jurors, thereby eliminating the need for many commonly asked questions. Although nothing in this rule is intended to preclude oral questioning during *voir dire*, the scope of *voir dire* is within the discretion of the trial judge. See, e.g., *Commonwealth v. McGrew*, 100 A.2d 467 (Pa. 1953) and Rule 631(E).

[**Paragraph (E)**] **Subdivision (e)** provides, upon order of the trial judge, that only attorneys in the case, subject to strict limitations imposed by the court, may retain their copies of the juror information questionnaires during adjournment.

[**Paragraph (F)**] **Subdivision (f)** provides the procedures for the collection and disposition of the original completed questionnaires and copies for impaneled jurors. Once *voir dire* is concluded, all copies of the completed questionnaires are returned to the official designated by

the president judge pursuant to [**paragraph (A)(2),] subdivision (a)(2) and destroyed promptly **or retained for the limited purposes of subdivision (h)**. The original completed questionnaires of the impaneled jury must be retained in a sealed file in the manner prescribed pursuant to [**paragraph (A)(2),] subdivision (a)(2) and destroyed upon the conclusion of the juror's service, unless the trial judge orders otherwise **or unless retained for the limited purposes of subdivision (h)**. Because the information in the questionnaires is confidential, the trial judge should only order retention of the original questionnaires under unusual circumstances. Such a circumstance would arise, for example, if the questionnaires were placed at issue for post-verdict review. In that event, the judge would order the preservation of the questionnaires in order to make them part of the appellate record. **Nothing in this rule is intended to prevent the trial or president judge, court administrator, or other relevant official from retaining the original questionnaires for the limited purposes of subdivision (h)**.****

Under [**paragraph (G)] subdivision (g), the original and any copies of the questionnaires of those jurors not impaneled and not selected for any jury must be destroyed [**without exception**] upon completion of their service **unless retained for the limited purposes of subdivision (h)**.**

There may be situations in which the attorneys and judge would want to prepare an individualized questionnaire for a particular case. In this situation, a supplemental questionnaire, **as permitted by subdivision (a)(1)**, would be used together with the standard juror information questionnaire, and the disclosure and retention provisions in [**paragraphs (B) and (F)] subdivisions (b) and (f) would apply. [*See paragraph (A)(1).*]**

[**Note: Former Rule 1107 rescinded September 28, 1975. Present Rule 1107 adopted September 15, 1993, effective January 1, 1994; suspended December 17, 1993 until further Order of the Court; the September 15, 1993 Order is superseded by the September 18, 1998 Order, and present Rule 1107 adopted September 18, 1998, effective July 1, 1999; renumbered Rule 632 and amended March 1, 2000, effective April 1, 2001; amended May 2, 2005, effective August 1, 2005; amended July 7, 2015, effective October 1, 2015.**

Committee Explanatory Reports:

Final Report explaining the September 18, 1998 adoption of new Rule 1107 concerning juror information questionnaires published with the Court's Order at 29 Pa.B. 4887 (October 3, 1999).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the May 2, 2005 amendments to the mandatory juror information questionnaire form published at 35 Pa.B. 2870 (May 14, 2005).

Final Report explaining the July 7, 2015 amendments correcting cross-references to Rules 625 and 631 published with the Court's Order at 45 Pa.B. 3985 (July 25, 2015).]

**SUPREME COURT OF PENNSYLVANIA
CRIMINAL PROCEDURAL RULES COMMITTEE**

PUBLICATION REPORT

Proposed Amendment of Pa.R.Crim.P. 632

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pa.R.Crim.P. 632. The proposed amendment would revise the juror information questionnaire by increasing the number of categories of race and ethnicity from which a juror may choose and by including a query for gender. The rule would also be amended to explicitly permit judicial districts to retain information provided by prospective and impaneled jurors so long as such information is only retained in the aggregate.

Currently, Pa.R.Crim.P. 632(H) sets forth the juror information questionnaire. Among sections seeking biographical information, *e.g.*, name, city, and marital status, there is a section soliciting prospective jurors to identify their race. The form presents the juror with four choices: "white," "black," "Hispanic," and "other." Each choice is accompanied by a corresponding checkbox. The "other" checkbox, however, does not have an accompanying space for the juror to disclose a specific race. The questionnaire does not solicit prospective or impaneled jurors to identify their ethnicity or their gender. This current version of the juror information questionnaire containing a "race box" was first adopted in 1998. *See* 28 Pa.B. 4883 (October 3, 1998). The purpose of the questionnaire was to "reduce otherwise lengthy *voir dire* practices [] and ensure that basic information about the jurors is known to the parties." As governed by Pa.R.Crim.P. 632, the information contained in the questionnaires is made available only to the trial judge, the defendant, the defendant's attorney, and the attorney for the Commonwealth and only for the purpose of jury selection. Pa.R.Crim.P. 632(B). The questionnaires are to be returned to the judge at the completion of a juror's service and destroyed.

The Committee's review was prompted by an observation that the questionnaire's options for race and ethnicity were too limited. Additionally, the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness requested that the rule be amended to permit judicial districts to retain aggregated, non-identifiable juror demographic information for the purpose of assessing that juries are drawn from a representative cross-section of the community.

With respect to increasing the number of categories of race and ethnicity from which a juror may choose, the proposed amendment was informed, in part, by the importance of gathering such information for *Batson* challenges. In *Batson v. Kentucky*, 476 U.S. 79 (1986), the Supreme Court of the United States held that "the Equal Protection Clause forbids the prosecutor to challenge potential jurors solely on account of their race or on the assumption that black jurors as a group will be unable impartially to consider the State's case against a black defendant." *Batson*, 476 U.S. at 89. *See Commonwealth v. Reid*, 99 A.3d 470, 484 (Pa. 2014). The Equal Protection Clause of the 14th Amendment to the United States Constitution forbids the exercise of peremptory challenges to potential jurors on the basis of gender or ethnicity as well. *See J.E.B. v. Alabama ex rel. T.B.*, 511 U.S. 127, 129

(1994) (“We hold that gender, like race, is an unconstitutional proxy for juror competence and impartiality.”); *Commonwealth v. Uderra*, 862 A.2d 74, 84 (Pa. 2004) (ethnicity). Beyond *Batson*, litigants have the right to be informed concerning the make-up of the jury and to be tried by a jury of their peers.

In crafting new categories, the Committee reviewed the 2020 U.S. Census questionnaire as well as the practices of other jurisdictions and courts. The Committee acknowledged that there are a variety of categories and subcategories in use based on the purpose of the data collection. Ultimately, the Committee concluded that the questionnaire should include sufficient categories of race and ethnicity for use in a *Batson* challenge and include gender to provide potentially relevant *Batson* information.

To permit the retention of data from the questionnaires, the Committee proposes subdivision (h), which would permit retention of juror data, provided the data is retained in the aggregate and in a manner that does not contain or reveal any personally identifiable information of the prospective or impaneled jurors. Please note, subdivision (h) is intended to permit the retention of this information; it is not intended to require retention. Whether that data is retained is an administrative, rather than procedural, matter.

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 23-390. Filed for public inspection March 24, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rules of Criminal Procedure 570.1; Administrative Doc. No. 25-2023

Administrative Order

Upon recommendation of the Beaver County Bar Association’s Criminal Rules Committee, it is hereby *Ordered* that Beaver County Local Rule of Criminal Procedure 570.1 is *Rescinded*.

This Order shall be effective thirty (30) days following publication in the *Pennsylvania Bulletin*.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative office of Pennsylvania Courts via email to adminrules@pacourts.us;

2. File two (2) paper copies and one (1) electronic copy in Microsoft Word format only to bulletin@palrb.us with Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Publish a copy of this Administrative Order on the Beaver County Court of Common Pleas website, <https://www.beavercountypa.gov/departments/courts>, after publication in the *Pennsylvania Bulletin*;

4. Incorporate the change rule into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*;

5. Keep a copy of this Administrative Order continuously available for public inspection and copying in the Beaver County Law Library.

By the Court

RICHARD MANICINI,
President Judge

[Pa.B. Doc. No. 23-391. Filed for public inspection March 24, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CLINTON COUNTY

Crime Victim’s Compensation Fund, Victim Witness Services; No. AD-4-2018

Order

And Now, this 22nd day of March, 2023, pursuant to Title 18, Section 11.1101, *It Is Hereby Ordered* as follows:

1. The previous Orders of Court issued November 15, 2018, October 8, 2019, and March 13, 2023 are hereby deemed superseded by this Order and shall become ineffective upon this Order’s effective date.

2. The assessment of the Crime Victim’s Compensation Fund and the Victim Witness Services Fund shall increase to a total of Two Hundred and 00/100 (\$200.00) Dollars unless otherwise ordered by this Court.

3. This cost shall be imposed at both the Magisterial District Courts and the Court of Common Pleas of this Judicial District notwithstanding any statutory provision to the contrary.

4. Pursuant to 18 P.S. § 11.1101(b), disposition of the assessment shall be as follows:

(a) Sixty and 00/100 (\$60.00) Dollars of the costs imposed where the accused has pled guilty or nolo contendere, or has been placed into a diversionary program, plus thirty (30%) percent of the costs imposed which exceed Sixty and 00/100 (\$60.00) Dollars (i.e. a total of One Hundred and Two and 00/100 (\$102.00) Dollars) shall be paid into the Crime Victim’s Compensation Fund;

(b) Seventy (70%) percent of the costs imposed which exceed Sixty and 00/100 (\$60.00) Dollars (i.e. Ninety-eight and 00/100 (\$98.00) Dollars) shall be paid to the Local Victim Services Fund. These monies shall be deposited into a separate account to be utilized by the Office of District Attorney of Clinton County solely for victim services under guidelines of Act 77; and

(c) These changes replace the current § 11.1101(b)(1) and (2) assessments as set forth in the Order of October 8, 2019 and the Order of March 13, 2023.

5. The Administrative Order shall be effective within thirty (30) days after publication thereof in The *Pennsylvania Bulletin*, and shall govern all matters.

6. The Judicial Law Clerk in accordance with Pa.R.Crim.P. Rule 105 shall:

(a) File one (1) copy of this Order with the Administrative Office of the Pennsylvania Courts via email to adminrules@pacourts.us.

November 15, 2018 and October 8, 2019 from said website.

By the Court

(b) File with the Legislative Bureau for publication in The Pennsylvania Bulletin.

CRAIG P. MILLER, President Judge

(c) Publish one (1) copy of this Order on the Clinton County Court website and remove the previous Orders of

[Pa.B. Doc. No. 23-392. Filed for public inspection March 24, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Order Adopting New Form for Report of Intermediary; No. 3 of 2023

Administrative Order of Court

And Now, this 14th day of March, 2023, It Is Hereby Ordered that the prior version of the Westmoreland County Orphans' Court Procedural Form "Report of Intermediary" is hereby rescinded and the new form "Report of Intermediary" appended to this Order as Exhibit "A," is hereby adopted.

This change is effective 30 days after publication in the Pennsylvania Bulletin.

By the Court

CHRISTOPHER A. FELICIANI, President Judge

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 INTERMEDIARY (23 Pa.C.S. § 2533)

The INTERMEDIARY is required to file a report within six months after filing the Report of Intent to Adopt and shall forthwith notify adopting parents of the report and filing thereof, in writing. [An INTERMEDIARY is any person or persons or agency acting between the parent or parents and the proposed adoptive parent or parents in arranging an adoption placement. (23 Pa.C.S. § 2102)]

1. List name and address of INTERMEDIARY:

2. The child proposed to be adopted (ADOPTEE) is:

- a) Name:
b) Age, place and date of birth:
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 medical history information been obtained? If it has not been, please set forth the reason therefor. (See 23 Pa.C.S. § 2533).

Intermediary

COMMONWEALTH OF PENNSYLVANIA :
 : ss
 COUNTY OF WESTMORELAND :

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 _____

[Pa.B. Doc. No. 23-393. Filed for public inspection March 24, 2023, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CHS. 131 AND 135]

Preliminary Provisions; Definitions; Lands and Buildings; State Game Lands

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its January 28, 2023, meeting amends §§ 131.2 and 135.41 (relating to definitions; and State game lands) to restrict the operation of boats propelled by electric motors on waterways owned or controlled by the Commission to slow, no-wake speed.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 52 Pa.B. 6870 (November 5, 2022).

1. Purpose and Authority

With the advancements being made to electric marine motors and the batteries that they use, the Commission has revisited its regulations relating use of these devices on waterways owned or controlled by the Commission. Today's electric motors are more powerful than the electric motors that existed when the regulations were created. The Commission's applicable boating regulations were originally created to limit conflict with other users and the impact that gasoline motors have on the environment through pollution, gasoline spills, erosion and related issues. However, these regulations never contemplated the use of the newer high horsepower (HP) electric motors that are now available. Current costs of the newer electric motors are relatively high (Example: 50 HP electric outboard motor is currently around \$8,500, plus a matching deep cycle battery costs of around \$5,000). The Commission anticipates that, while costs of this newer technology remain high today, these costs will eventually come down and the use and availability of these devices will become more prolific. In an effort to be proactive, the Commission amends §§ 131.2 and 135.41 to restrict the operation of boats propelled by electric motors on waterways owned or controlled by the Commission to slow, no-wake speed. The Fish and Boat Commission has recently adopted similar changes to their regulations on electric motors by limiting the operation of electric motors to slow, no-wake speeds.

Section 721(a) of the code (relating to control of property) provides "The administration of all lands and waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations consistent with the purpose of this title for its use and protection as necessary to properly manage these lands or waters." The amendments to §§ 131.2 and 135.41 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends §§ 131.2 and 135.41 to restrict the operation of boats propelled by electric motors on waterways owned or controlled by the Commission to slow, no-wake speed.

3. Persons Affected

Persons wishing to use boats propelled by electric motors on waterways owned or controlled by the Commission will be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 131 and 135, are amended by amending §§ 131.2 and 135.41 to read as set forth in Annex A, with ellipses referring to the text of the existing regulations.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-490 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.2. Definitions.

In addition to the definitions contained in section 102 of the act (relating to definitions), the following words and terms, when used in this part or in the act, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Single projectile ammunition—A cartridge or shell ammunition that is loaded with a single projectile designed to remain intact upon discharge from a firearm.

Slow, no wake speed—The slowest possible speed of a motorboat required to maintain maneuverability so that the wake or wash created by the motorboat on the surface of the water is minimal.

Special firearms deer season—Any firearms deer season, except muzzleloader season, that precedes the regular firearms deer season.

* * * * *

CHAPTER 135. LANDS AND BUILDINGS
Subchapter C. STATE GAME LANDS

§ 135.41. State game lands.

* * * * *

(c) *Additional prohibitions.* In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

* * * * *

(7) Drive motor vehicles with or without attachments having a registered gross vehicle weight in excess of 12,000 pounds.

(8) Use a boat propelled by a motor or operate a boat in excess of slow, no wake speed. Boats propelled by electric motors are authorized for use on waterways when operated at slow, no-wake speed unless the waterway is otherwise posted closed to all boats or all boats propelled by a motor.

(9) Consume, possess or transport any alcohol, liquor, beer, malt or brewed alcoholic beverage.

* * * * *

[Pa.B. Doc. No. 23-394. Filed for public inspection March 24, 2023, 9:00 a.m.]

Title 58—RECREATION
GAME COMMISSION
[58 PA. CODE CH. 141]
Hunting and Trapping; General

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its January 28, 2023, meeting amends § 141.6 (relating to illegal devices) to allow the use of body gripping traps with a spread larger than 6 1/2" × 6 1/2" for river otters.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 52 Pa.B. 6871 (November 5, 2022).

1. Purpose and Authority

Section 141.6 formerly stated that “It is unlawful to . . . [u]se body gripping traps with a spread larger than 6 1/2" × 6 1/2" for a furbearer except beaver.” While the Commission has permitted the use of body gripping traps for otter trapping since the creation of the season, use was limited up to the 6 1/2" × 6 1/2" maximum size. The Commission amends § 141.6 to allow the use of body gripping traps with a spread larger than 6 1/2" × 6 1/2" for river otters as well. The Commission has determined that there are no significant biological concerns with this change.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to § 141.6 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 141.6 to allow the use of body gripping traps with a spread larger than 6 1/2" × 6 1/2" for river otters.

3. Persons Affected

Persons wishing to use body gripping traps with a spread larger than 6 1/2" × 6 1/2" to harvest an otter will be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.6 to read as set forth in Annex A, with ellipses referring to the text of the existing regulations.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-488 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.6. Illegal devices.

It is unlawful to:

* * * * *

(2) Use snares to take wildlife or furbearers except beavers may be taken with snares completely or partially submerged in water in a waterway or watercourse, marsh, pond or dam.

(3) Use body gripping traps with a spread larger than 6 1/2" x 6 1/2" for any furbearer, except beaver and otter.

(4) Use a cage or box trap capable of catching more than one furbearer at a time.

* * * * *

[Pa.B. Doc. No. 23-395. Filed for public inspection March 24, 2023, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Furbearer Hunting-Trapping Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its January 28, 2023, meeting amends § 147.701 (relating to general) to create a universal reporting period of 48 hours for bobcat, fisher and otter harvests.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 52 Pa.B. 6872 (November 5, 2022).

1. Purpose and Authority

Section 147.701 formerly provided a 48-hour reporting period for any person taking a bobcat or fisher and a 24-hour reporting period for any person taking an otter. In 2015, the Commission originally established the shorter reporting window for the otter season to allow game wardens to inspect the carcass to confirm it was taken during the open season. Today, after the seventh year of otter trapping, the season has increased from only two open wildlife management units (WMU) and a 3-day season to five open WMUs and an 8-day season. With these expanding opportunities, the Commission's concerns with furtakers harvesting early and reporting during the season have diminished. Furthermore, reporting otter harvests within 48 hours of harvest is now considered acceptable, especially in light of the confusion shared by many furtakers that was caused by the differing reporting periods. The Commission amends § 147.701 to create a universal reporting period of 48 hours for bobcat, fisher and otter harvests. The amendments to § 147.701 will not take effect until the 2023-2024 license year. For the 2022-2023 license year, otter reporting will be taken by HuntFishPA, the same method used for reporting bobcat and fisher harvests and CITES tags will be mailed in a similar manner to bobcat CITES tags.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." The amendments to § 147.701 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 147.701 to create a universal reporting period of 48 hours for bobcat, fisher and otter harvests.

3. Persons Affected

Persons who have acquired an otter harvest permit within this Commonwealth will be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.701 to read as set forth in Annex A, with ellipses referring to the existing text of the regulation.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-487 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter S. FURBEARER HUNTING-TRAPPING PERMITS

§ 147.701. General.

This section provides for permits to be issued for the hunting and trapping of bobcat and the trapping of otter and fisher during the seasons established and in areas designated under § 139.4 (relating to seasons and bag limits for the license year).

* * * * *

(4) Tagging requirements are as follows:

(i) A permitted person taking a bobcat, fisher or otter shall immediately, before removing the animal from the location of the taking, fully complete and attach to the animal a carcass tag furnished with the permit. The carcass tag must remain attached to the animal until a Convention on International Trade in Endangered Species (CITES) tag is attached, if applicable, or the animal is mounted, tanned, made into a commercial fur or prepared for consumption.

(ii) A permitted person taking a bobcat, fisher or otter shall report the harvest to the Commission within 48 hours of the taking by a means specified by the Director.

(iii) A CITES tag for a bobcat or otter taken under this permit will be provided by the Commission in the event that the bobcat, otter or any parts thereof are exported internationally or upon request of the permittee. The

CITES tag shall immediately be locked through the eyes of the pelt or, in the event of any other part, locked through and attached to the part. The CITES tag must remain attached to the animal until it is mounted, tanned, made into a commercial fur or prepared for consumption.

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[Pa.B. Doc. No. 23-396. Filed for public inspection March 24, 2023, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 631b AND 635b]

Baccarat Side Wagers and Variations—Temporary Regulations; Spanish 21 Side Wagers and Variations—Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority) and § 13A03 (relating to temporary table game regulations), adopts the temporary regulations in Chapters 631b and 635b (relating to Baccarat side wagers and variations—temporary regulations; and Spanish 21 side wagers and variations—temporary regulations) to read as set forth in Annex A. The Board's temporary regulations will be added to Part VII (relating to Gaming Control Board) as part of Subpart K (relating to table games).

Purpose of this Temporary Rulemaking

This temporary rulemaking adds several new side wagers and variations to existing games available for play in this Commonwealth.

Explanation

The additions to Chapter 631b are Rising Phoenix Baccarat (a Baccarat variation), Golden Talons (a Baccarat side wager) and Harmony Progressive (a Baccarat side wager). Rising Phoenix Baccarat is a variation that can be offered either as commission or commission-free Baccarat and incorporates approximately 20 additional Bonus wagers that may be offered. Rising Phoenix is a Baccarat side wager offering, which shall win if the selected hand wins or ties with a natural, or wins by at least four points. The Harmony Progressive is a progressive side wager that wins based upon certain hands.

The addition to Chapter 635b is Player's Edge 21, a variation of Spanish 21. Player's Edge 21 increases favorability to players and offers additional side wager options. Player's Edge 21 is more favorable to players in that the Dealer must hit on a soft 17 and that a suited Dealer blackjack results in higher insurance wager payout odds. In terms of additional side wagers, Player's Edge 21 offers Match-Up and Match-Down wagers, which expand the Match-the-Dealer wager offered under Spanish 21. Additionally, Player's Edge 21 also offers the new Monster Match progressive side wager option, which win if the Player's and Dealer's initial two cards combine into certain four-card hands.

Fiscal Impact

Commonwealth. The Board does not expect that this temporary rulemaking will have a fiscal impact on the

Board or other Commonwealth agencies. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

Political subdivisions. This temporary rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This temporary rulemaking will provide certificate holders with an additional table game option. If a certificate holder decides to offer any of the side wagers or variations—temporary regulations within the licensed facility, or both, the certificate holder will be required to train their dealers on the rules of play and purchase new equipment—specifically table layouts corresponding to the game and wagers offered. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This temporary rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

If a certificate holder seeks to offer any of the side wagers or variations contained in these temporary regulations the certificate holder will be required to submit a Rules Submission form reflecting the choices in how the game will be offered and with the selected side wagers and variations identified. These forms are available on the Board's public web site and submitted to Board staff electronically.

Effective Date

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin* and will expire 3 years from the date of publication.

Public Comments

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how this temporary rulemaking might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Robert Wood, Assistant Chief Counsel, Pennsylvania Gaming Control Board, 303 Walnut Street, 5th Floor, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation # 125-243.

Contact Person

The contact person for questions about this temporary rulemaking is Robert Wood, Assistant Chief Counsel, at (717) 346-8300.

Regulatory Review

Under 4 Pa.C.S. § 13A03, the Board is authorized to adopt temporary regulations which are not subject to the provisions of sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240), referred to as the Commonwealth Documents Law (CDL) (45 P.S. §§ 1201—1205); the Regulatory Review Act (RRA) (71 P.S. §§ 745.1—745.14); and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (CAA) (71 P.S. §§ 732-204(b) and 732-301(10)). These temporary regulations expire 3 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13A03, the temporary regulations are exempt from the requirements of the RRA,

sections 201—205 of the CDL and sections 204(b) and 301(10) of the CAA.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code Chapters 631b and 635b, are amended by adding §§ 631b.8—631b.10 and 635b.2 to read as set forth in Annex A.

(2) The temporary regulations are effective March 25, 2023.

(3) The temporary regulations will be posted on the Board's web site and published in the *Pennsylvania Bulletin*.

(4) The temporary regulations shall be subject to amendment as deemed necessary by the Board.

(5) The Chairperson of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

DENISE J. SMYLER,
Chairperson

Fiscal Note: 125-243. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

SUBPART K. TABLE GAMES

CHAPTER 631b. BACCARAT SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§ 631b.8. Rising Phoenix Baccarat.

(a) A certificate holder may offer to players a Baccarat game variation entitled Rising Phoenix Baccarat.

(b) The certificate holder shall specify in its Rules Submission whether it will offer Rising Phoenix Baccarat as a standard commission or a commission-free baccarat offering.

(c) Unless otherwise provided in this section, Rising Phoenix Baccarat shall be played consistent with Chapter 631a (relating to Baccarat) or § 631b.5 (relating to commission-free Baccarat).

(d) Rising Phoenix Baccarat shall be played on a table with those characteristics provided in § 631a.2(a), (b)(1)—(4), and (7) and (c)—(e) (relating to Baccarat table physical characteristics).

(e) In addition to the table characteristics provided in subsection (d), the Rising Phoenix Baccarat table shall include:

(1) If a certificate holder offers the Sun 7 wager, authorized under subsection (g)(4)(i), separate areas designated for the placement of the Sun 7 Bonus for each player.

(2) If a certificate holder offers the Moon 8 wager, authorized under subsection (g)(4)(ii), separate areas designated for the placement of the Moon 8 Bonus of each player.

(3) If a certificate holder offers any of the Bonus wagers, authorized under subsection (g)(4), separate areas designated for the placement of the Bonus wagers for each player.

(4) If a certificate holder offers the Harmony Progressive wager, authorized under § 631b.9 (relating to Golden Talons), separate areas designated for the placement of the Harmony Progressive for each player.

(f) Rising Phoenix Baccarat shall be played with six or eight decks of cards that are identical in appearance and two cover cards.

(g) The following are permissible wagers in the game of Rising Phoenix Baccarat:

(1) A wager on the Banker's hand which shall:

(i) Win if the Banker's hand has a point count higher than that of the Player's hand.

(ii) Lose if the Banker's hand has a point count lower than that of the Player's hand.

(iii) Tie and be returned to the player if the Banker's hand and the Player's hand have an equal point count.

(iv) Tie and be returned to the player if a certificate holder offers Rising Phoenix Baccarat as commission-free and a Banker's hand consisting of three cards with a point count of seven wins the round of play.

(2) A wager on the Player's hand which shall:

(i) Win if the Player's hand has a point count higher than that of the Banker's hand.

(ii) Lose if the Player's hand has a point count lower than that of the Banker's hand.

(iii) Tie and be returned to the player if the Player's hand and the Banker's hand have an equal point count.

(3) A tie wager which shall:

(i) Win if the Player's hand and the Banker's hand have an equal point count.

(ii) Lose if the Player's hand and the Banker's hand do not have an equal point count.

(4) Any of the following Bonus wagers:

(i) A Sun 7 wager, which shall win if the Banker's hand wins with three cards with a point count equaling 7.

(ii) A Moon 8 wager, which shall win if the Player's hand wins with three cards with a point count equaling 8.

(iii) A 9 over 7 wager, which shall win if either the Player or Banker hand wins with a point count of 9 over the losing hand with a point count of 7.

(iv) A 2-card 8 over a 2-card 1 wager, which shall win if either the Player or Banker hand wins with a 2-card hand with a point count of 8 over the losing 2-card hand with a point count of 1.

(v) A Player wins with a 3-card 6 wager, which shall win if the Player's hand wins with a point count of 6 consisting of 3 cards.

(vi) A Banker wins with a 1 or 2 wager, which shall win if the Banker's hand, regardless of the number of cards, wins with a point count equal to 1 or 2.

(vii) Player and Banker have an 8 or 9 wager, which shall win if the Player's hand and Banker's hand each have a point count of 8 or 9 regardless of whether the Player's or Banker's hand win or if they tie.

(viii) A 1 over 0 wager, which shall win if either the Banker's or Player's hand wins with a point count of 1 and the losing hand has a point count of 0.

(ix) A 3-card 6 over 3-card 3 wager, which shall win if either the Banker's or Player's hand wins with a 3-card hand with point count of 6 over a losing 3-card hand with a point count of 3.

(x) A 3-card 8 over 3-card 0 wager, which shall win if either the Banker's or Player's hand wins with a 3-card hand with a point count of 8 over a losing 3-card hand with a point count of 0.

(xi) A Banker win over a 2-card 7 wager, which shall win if the Banker's hand, regardless of the number of cards, wins over a 2-card Player's hand with a point count of 7.

(xii) A 3-card 9 over 3-card 6 wager, which shall win if the Banker's or Player's hand wins with a 3-card hand with a point count of 9 over a losing 3-card hand with a point count of 6.

(xiii) A 3-card 9 over 3-card 8 wager, which shall win if either the Banker's or Player's hand wins with a 3-card hand with a point count of 9 over a losing 3-card hand with a point count of 8.

(xiv) A Player wins with 3-card 8 over 3-card 0 wager, which shall win when the Player's hand wins with a 3-card hand with a point count of 8 over a losing Banker's hand consisting of 3 cards with a point count of 0.

(xv) A tie with 0 wager, which shall win if the Banker's and Player's hands, regardless of the number of cards in either hand, tie with a point count of 0.

(xvi) A tie with 1, 2 or 3 wager, which shall win if the Banker's and Player's hands, regardless of the number of cards in either hand, tie with a point count of 1, 2 or 3.

(xvii) A tie with 4, 5, 6 or 7 wager, which shall win if the Banker's and Player's hands, regardless of the number of cards in either hand, tie with a point count of 4, 5, 6 or 7.

(xviii) A tie with 8 or 9 wager, which shall win if the Banker's and Player's hands, regardless of the number of cards in either hand, tie with a point count of 8 or 9.

(xix) A Player Pair wager, which shall win if the Player's initial two cards match (that is, two 4's or two kings).

(xx) A Banker Pair wager, which shall win if the Banker's initial two cards match (that is, two 4's or two kings).

(5) The Golden Talons wager, offered in accordance with the provisions of § 631b.9.

(6) The Harmony Progressive wager, offered in accordance with the provisions of § 631b.10 (relating to Harmony Progressive).

(h) Payout odds and vigorish shall be handled as follows:

(1) Winning wagers made on the Player's hand, the Banker's hand or on a tie wager shall be paid consistent with § 631a.13(a)—(d) (relating to payout odds; vigorish).

(2) The Bonus wagers provided in subsection (g)(4) shall be paid in accordance with the following odds:

<i>Hand</i>	<i>Odds</i>
Sun 7	40 to 1
Moon 8	25 to 1
9 over 7	25 to 1

<i>Hand</i>	<i>Odds</i>
2-card 8 over 2-card 1	50 to 1
Player win with a 3-card 6	40 to 1
Banker win with 1 or 2	60 to 1
Player and Banker have an 8 or 9	20 to 1
1 over 0	90 to 1
3-card 6 over 3-card 3	150 to 1
3-card 8 over 3-card 0	130 to 1
Banker win over a 2-card 7	30 to 1
3-card 9 over 3-card 6	200 to 1
3-card 9 over 3-card 8	200 to 1
Player win with a 3-card 8 over 3-card 0	250 to 1
Tie with 0	150 to 1
Tie with 1, 2 or 3	70 to 1
Tie with 4, 5, 6 or 7	15 to 1
Tie with 8 or 9	40 to 1
Player pair (initial two cards)	11 to 1
Banker pair (initial two cards)	11 to 1

§ 631b.9. Golden Talons.

(a) The certificate holder may, if specified in its Rules Submission, offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers), the operation of placing a Golden Talons wager.

(b) After placing a Baccarat wager, a player may place a Golden Talons wager prior to the dealer calling, “No more bets.”

(c) The dealer shall then deal the cards in accordance with § 631a.9(b)—(f) (relating to hands of player and banker; procedures for dealing initial two cards to each hand), and the round of play shall be played and completed in accordance to the house rules and the provisions of §§ 631a.10—631a.12 (relating to procedure for dealing a third card; rules for determining whether a third card shall be dealt; and announcement of result of round; payment and collection of wagers).

(d) After the round of play is completed and the announcement of the result is made, the dealer shall settle the Player’s Golden Talons wager while settling the Baccarat wagers and other optional wagers placed by each player.

(e) The Golden Talons wager may be placed on the Player’s hand or the Banker’s hand, or both, and shall win if:

- (1) The hand wagered upon wins by at least 4 points, or
- (2) The hand wagered upon is a natural win or a natural tie, or
- (3) The hand wagered upon wins or ties under the approved payable.

(f) The Golden Talons wager shall be paid out based upon one of the following paytables, which shall be specified in and approved as part of the certificate holder’s Rules Submission:

<i>Scenario</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>	<i>Paytable E</i>
Win by 9	30 to 1	20 to 1	30 to 1	20 to 1	30 to 1
Win by 8	10 to 1	10 to 1	12 to 1	8 to 1	10 to 1
Win by 7	6 to 1	5 to 1	5 to 1	7 to 1	4 to 1
Win by 6	4 to 1	4 to 1	3 to 1	4 to 1	4 to 1
Win by 5	2 to 1	2 to 1	3 to 1	3 to 1	2 to 1
Win by 4	1 to 1	1 to 1	1 to 1	1 to 1	2 to 1
Natural win	1 to 1	1 to 1	1 to 1	1 to 1	1 to 1
Natural tie	Push	2 to 1	Push	Push	Push

(g) A Golden Talons win with a natural will only pay the Natural Win odds of 1 to 1, not the higher odds related to wins by 4 or more.

§ 631b.10. Harmony Progressive.

(a) If the certificate holder offers Baccarat or Baccarat variations as described in Chapters 631a (relating to Baccarat) or 631b (relating to Baccarat side wagers and variations), the certificate holder may, if specified in its Rules Submission, offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers), the option of placing a Harmony Progressive wager, a wager based on the combination of the player and banker hands.

(b) If the certificate holder offers the Harmony Progressive Baccarat wager, in addition to the requirements in § 631a.2 (relating to Baccarat table physical characteristics), the layout shall contain a separate area designated for the placement of the Harmony Progressive Baccarat wager for each player.

(c) After placing a Baccarat wager, as required in § 631a.8(a), and any other available optional wagers, a player may place a Harmony Progressive Baccarat wager at any time before the dealer calls, “No more bets.”

(d) If the certificate holder is offering the Harmony Progressive Baccarat wager, the Baccarat table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Harmony Progressive Baccarat wager. If the certificate holder is offering a Progressive Payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

- (1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive wager.

(2) A device that controls or monitors the placement of Progressive wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive wager that a player attempts to place after the dealer has announced “No more bets.”

(e) The dealer shall deal the cards in accordance with § 631a.9(b)—(f) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), and the round of play shall be played and completed in accordance with the house rules and provisions of §§ 631a.10—631a.12 (relating to procedure for dealing a third card; rules for determining whether a third card shall be dealt; and announcement of result of round; payment and collection of wagers).

(f) After the round of play is completed and the announcement of the result is made, the dealer shall settle the players’ Harmony Progressive Baccarat wagers while settling the Baccarat wagers and other optional wagers placed by each player.

(g) A Harmony Progressive Baccarat wager placed shall win and be paid out in accordance with one of the outcomes and odds prescribed in the paytables in subsection (i). The following outcomes, if part of the payable selected and approved as part of the Rules Submission by the certificate holder, may constitute a winning Harmony Progressive wager:

- (1) The Banker and the Player tie with a six-of-a-kind.
- (2) The Banker and the Player tie with four 8’s and only four cards were dealt.

(3) The Banker and the Player tie with four-of-a-kind and only four cards were dealt.

(4) The Banker and the Player tie with any combination of six 0-value cards.

(5) The Banker and the Player tie with point counts of 0.

(6) The Banker and the Player tie with a point count between 1 and 5.

(7) The Banker and the Player tie with a point count between 6 and 9.

(8) The Banker and the Player tie with hands consisting of all of the same color.

(9) The Banker and the Player tie regardless of hand composition.

(10) The Banker and the Player tie with a total of five cards between the two hands.

(11) The Banker and the Player tie with a total of six cards between the two hands.

(12) The Banker and the Player tie with a total of four cards between the two hands.

(h) Each Harmony Progressive Baccarat wager placed shall lose and be collected by the dealer if either the Banker’s or Player’s hand wins or one of the outcomes specified in subsection (g) does not occur.

(i) If a Harmony Progressive Baccarat wager wins, it shall be paid out based upon the following paytables:

<i>Outcome</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Six-of-a-kind	100% of Progressive	100% of Progressive	100% of Progressive
Four 8’s (4 cards dealt)	1,000 for 1	1,000 for 1	600 for 1
Four-of-a-kind (4 cards dealt)	300 for 1	200 for 1	300 for 1
Six 0-value cards	100 for 1	100 for 1	100 for 1
Tie with 0	20 for 1	20 for 1	20 for 1
Tie with 1—5	6 for 1	5 for 1	5 for 1
Tie with 6—9	3 for 1	3 for 1	5 for 1

<i>Outcome</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
Six-of-a-kind	100% of Progressive	100% of Progressive	100% of Progressive
Four 8’s (4 cards dealt)	600 for 1	1,000 for 1	300 for 1
Four-of-a-kind (4 cards dealt)	300 for 1	300 for 1	300 for 1
Six 0-value cards	200 for 1	100 for 1	100 for 1
Tie (all cards same color)	20 for 1	20 for 1	20 for 1
Any tie	3 for 1	3 for 1	5 for 1

<i>Outcome</i>	<i>Paytable G</i>	<i>Paytable H</i>	<i>Paytable I</i>
Six-of-a-kind	100% of Progressive	100% of Progressive	100% of Progressive
Four 8’s (4 cards dealt)	600 for 1	1,000 for 1	300 for 1
Four-of-a-kind (4 cards dealt)	200 for 1	200 for 1	300 for 1
Six 0-value cards	100 for 1	50 for 1	50 for 1
5 card tie	10 for 1	8 for 1	10 for 1

<i>Outcome</i>	<i>Paytable G</i>	<i>Paytable H</i>	<i>Paytable I</i>
6 card tie	3 for 1	4 for 1	6 for 1
4 card tie	3 for 1	3 for 1	4 for 1

(j) The rate of progression (incrementation rate) and the reseed amounts (reserve incrementation rate) for the Harmony Progressive Baccarat wager must be based upon the following payable which corresponds to the selected payable from subsection (i):

	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Incrementation rate	15%	19%	15%
Reserve incrementation rate	3%	5%	3%

	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
Incrementation rate	15%	19%	15%
Reserve incrementation rate	3%	5%	3%

	<i>Paytable G</i>	<i>Paytable H</i>	<i>Paytable I</i>
Incrementation rate	15%	19%	15%
Reserve incrementation rate	3%	5%	3%

CHAPTER 635b. SPANISH 21 SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§ 635b.2. Player’s Edge 21.

(a) A certificate holder may offer to players a game variation entitled Player’s Edge 21. Player’s Edge 21 shall be played consistent with Chapter 635a (relating to Spanish 21), unless otherwise provided in this section.

(b) In addition to the layout requirements of § 635a.2(b)(3) (relating to Spanish 21 table; card reader device; physical characteristics; inspections), the layout must include:

(1) Insurance pays 2 to 1 with non-suited dealer Blackjack and 5 to 1 with suited dealer Blackjack.

(2) Dealer shall draw to 16 and hit on a soft 17, or similar language approved by the Executive Director in accordance with § 601a.10(a) (relating to approval of table game layouts; signage and equipment).

(c) Player’s Edge 21 shall be played with five, six or eight decks of cards that are identical in appearance and at least one cover card. The decks shall consist of 48 cards, with the 10 of each suit removed from each deck during the inspection required under § 635a.4 (relating to opening of the table for gaming).

(d) Wagers in Player’s Edge 21 shall be handled as follows:

(1) Player’s Edge 21 wagers shall be made in accordance with § 635a.6 (relating to wagers).

(2) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules

Submissions), offer to each player who placed a Player’s Edge 21 wager in accordance with paragraph (1) the option of placing:

(i) A Match-Up wager that shall win if either of the player’s initial two cards match the rank of the dealer’s face up card.

(ii) A Match-Down wager that shall win if either of the player’s initial two cards match the rank of the dealer’s face down card.

(iii) A Monster Match wager.

(A) The Monster Match wager shall be offered as a progressive wager consistent with § 605a.7 (relating to progressive table games).

(B) A Monster Match wager shall win if the player’s first two cards combine with the dealer’s first two cards to create any of the following:

(I) A suited pair.

(II) Three of a kind.

(III) Three of a kind in which all three cards are of the same color.

(IV) Four of a kind.

(V) Four of a kind in which all four cards are of the same color.

(VI) Four of a kind in which all four cards are of the same suit.

(C) The Monster Match progressive pool’s incrementation shall adhere to one of the following tables, approved as part of the Table Games Rules Submission:

	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>
Initial seed	\$5,000	\$5,000	\$1,500	\$1,500	\$1,500
Reseed	Reserve	Reserve	\$1,500	\$1,500	\$1,500
Primary increment	22%	22%	17%	17%	17%
Reserve increment	1%	1%	n/a	n/a	n/a

(e) The procedure for dealing the cards; completion of each round of play shall be as follows:

(1) Player's Edge 21 shall follow the procedures prescribed in § 635a.7 (relating to procedure for dealing the cards; completion of each round of play) except:

(i) The process described in § 635a.7(f) shall be used for settling any Match-Up wagers made under subsection (d)(2)(i). Winning Match-Up wagers shall be paid under subsection (g)(4).

(ii) No player's cards shall be removed under § 635a.7(h)(1)(i) if the player has an outstanding Match-Down or Monster Match wager.

(iii) Upon revealing the dealer's hold card under the process described in § 635a.7(k), the Dealer shall proceed in the following order:

(A) Settle any Match-Down wagers consistent with the process described in § 635a.7(f). Winning Match-Down wagers shall be paid under subsection (g)(4).

(B) Settle any Monster Match wagers consistent with subsection (d)(2)(iii). Winning Monster Match wagers shall be paid under subsection (h).

(C) Deal any additionally required cards to the dealer's hand.

(iv) Dealer shall draw an additional card on a soft 17.

(f) Double Down wager and Rescue procedures shall be as follows:

(1) Except when a player has Blackjack, a player may elect to make a Double Down wager, which may not exceed the amount of their original Player's Edge 21 wager. A player may double down on two or more cards dealt to them or two or more cards of any split pair. One additional card shall be dealt to the hand for which the player has elected to double down. The additional card shall be dealt face up and placed sideways on the layout.

(2) Immediately after a Double Down wager, a player may re-double their existing Player's Edge 21 wager and receive an additional card (a Double-Double Down wager). The additional card shall be dealt face up and placed sideways on the layout.

(3) Immediately after a Double-Double Down wager, a player may again re-double their existing Player's Edge 21 wager with another Double-Double Down wager and receive an additional card. The additional card shall be dealt face up and placed sideways on the layout. The player may only double three times on each hand, for up to eight times the original Player's Edge 21 wager.

(4) If a dealer obtains Blackjack after a player makes a Double Down wager or one or more subsequent Double-

Down wagers, the dealer shall collect only the amount of the original Player's Edge 21 wager and may not collect the additional Double Down wager or the Double-Double Down wager.

(5) A winning Double Down wager and Double-Double Down wagers shall be paid in accordance with § 635a.12(a) (relating to payout odds). The additional payouts in § 635a.12(b) and (c) are not applicable to winning Double Down wagers.

(6) After the additional card required under paragraph (1) or (2) has been dealt to the hand, a player may "rescue" (take back) half of the hand's total wager and forfeit half of the hand's total wager, as long as the additional card does not result in the hand having a total point count in excess of 21.

(g) Winning hands shall be determined as follows:

(1) A player shall win the Player's Edge 21 wager if:

(i) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21.

(ii) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(iii) The player has Blackjack, or the point count of the player's hand equals 21, regardless of the dealer's hand.

(2) Winning Player's Edge 21 wagers shall be paid according to § 635a.12(a), (b) and (d) except:

(i) A winning hand with the 6, 7, 8 of diamonds, not spades, shall be paid at odds of 3 to 1 under § 635a.12(b)(2).

(ii) A winning hand with the three cards consisting of three 7s of diamonds, not spades, shall be paid at odds of 3 to 1 under § 635a.12(b)(4).

(3) A 7-7-7-7 Super Bonus shall be awarded under § 635a.12(c)(1), (2) and (4).

(i) All other players at the table who placed a wager during that round of play when a 7-7-7-7 Super Bonus is awarded to another player shall also be paid either:

(A) An additional fixed payout of \$50.

(B) An additional fixed payout of \$100 if the player has a seven in their first two cards.

(4) Winning Match-Up and Match-Down wagers shall be paid under one of the following paytables, which the certificate holder has identified and had approved as part of the Rules Submission:

(i) A certificate holder may select one of the following paytables if five or six decks of cards are being used:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
2 suited matches	18 to 1	24 to 1	26 to 1
1 suited match and 1 unsuited match	13 to 1	15 to 1	16 to 1
1 suited match	9 to 1	12 to 1	13 to 1
2 unsuited matches	8 to 1	6 to 1	6 to 1
1 unsuited match	4 to 1	3 to 1	3 to 1

(ii) A certificate holder may select one of the following paytables if eight decks of cards are being used:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
2 suited matches	18 to 1	24 to 1
1 suited match and 1 unsuited match	13 to 1	15 to 1

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
1 suited match	9 to 1	12 to 1
2 unsuited matches	8 to 1	6 to 1
1 unsuited match	4 to 1	3 to 1

(h) Winning Monster Match wagers shall be paid under one of the following paytables, which the certificate holder has identified and had approved as part of the Rules Submission:

<i>Triggering Event</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Four of a kind (suited)	100% of Progressive	100% of Progressive	100% of Progressive
Four of a kind (same color)	10% of Progressive	10% of Progressive	100% of Progressive
Four of a kind	200 for 1	200 for 1	200 for 1
Three of a kind (same color)	20 for 1	25 for 1	25 for 1
Three of a kind	12 for 1	10 for 1	12 for 1
Suited pair	3 for 1	2 for 1	3 for 1

<i>Triggering Event</i>	<i>Paytable D</i>	<i>Paytable E</i>
Four of a kind (suited)	100% of Progressive	100% of Progressive
Four of a kind (same color)	100% of Progressive	100% of Progressive
Four of a kind	200 for 1	200 for 1
Three of a kind (same color)	20 for 1	25 for 1
Three of a kind	10 for 1	10 for 1
Suited pair	2 for 1	2 for 1

[Pa.B. Doc. No. 23-397. Filed for public inspection March 24, 2023, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 93]

Boating; Boat Registration and Numbering

The Fish and Boat Commission (Commission) proposes to amend Chapter 93 (relating to boat registration and numbering). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's regulations pertaining to registration and titling of boats.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this proposed rulemaking, contact Robert Caccese, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The proposed amendment to § 93.1 (relating to registration) is published under the statutory authority of section 5308 of the code (relating to period of registration). The proposed amendment to § 93.5 (relating to display of registration number and validation decal) is published under the statutory authority of section 5122 of the code (relating to registrations, licenses, permits, plates and statistics).

D. Purpose and Background

The specific purpose and background of the proposed amendments are described in more detail under the summary of proposal.

E. Summary of Proposal

The act of June 27, 2022 (P.L. 386, No. 28) (Act 28) amended section 5308 of the code regarding registration and titling of boats. Act 28 establishes a calendar-year boat registration cycle that is valid from January 1 through December 31.

Act 28 requires the Commission to promulgate final regulations to implement the amendments and publish them in the *Pennsylvania Bulletin* within 18 months of the effective date of section 2 of Act 28. The Commission has identified two relevant sections of 58 Pa. Code (relating to recreation) that require amendments to be consistent with Act 28.

Additionally, Commission staff have identified language in § 93.1(a) relating to "state owned" boat registrations which is inconsistent with the statutory registration period and Commission practices. State owned boats are issued 2-year registration certificates.

The Commission proposes that §§ 93.1 and 93.5 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to RA-pfbcregulations@pa.gov. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-341. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 93. BOAT REGISTRATION AND NUMBERING

Subchapter A. REGISTRATION OF BOATS

§ 93.1. Registration.

(a) With the exception of a "Manufacturer/Dealer/Jobber" registration certificate, which is valid for 1 year, [and a "State Owned" registration certificate, which is valid until the removal of the property from inventory,] all other boat registration certificates issued under this chapter are valid for a period not exceeding 2 years. The Commission will not issue 1-year registration certificates except to "Manufacturer/Dealer/Jobbers." The registration period expires on [**March**] **December** 31 of the second year following issuance.

* * * * *

§ 93.5. Display of registration number and validation decal.

* * * * *

(b) A set of two color-coded validation decals will be issued for display with each registration number. The decal shall be displayed within 6 inches of the registration number and on a level with the number. The decals shall be approximately 3 inches by 3 inches and color-coded to indicate the registration period. Registration numbers and validation decals shall be displayed in the following manner: PA 12 AM or PA 12 AM. A validation decal may be displayed prior to [**April**] **January** 1 of the period for which it is issued.

* * * * *

[Pa.B. Doc. No. 23-398. Filed for public inspection March 24, 2023, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 133]

Wildlife Classification; Birds

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 28, 2023, meeting to amend § 133.21 (relating to classification of birds) to update the scientific names of the Yellow-crowned Night-Heron, Sedge Wren and Northern Harrier on the Commonwealth's lists of threatened and endangered birds with current accepted taxonomic nomenclature.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 28, 2023, meeting of the Commission. Comments can be sent until April 12, 2023, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The Commission is proposing to amend § 133.21 to update the scientific names of the Yellow-crowned Night-Heron, Sedge Wren and Northern Harrier on the Commonwealth's lists of threatened and endangered birds with current accepted taxonomic nomenclature. The scientific name for the Yellow-crowned Night-heron was changed from *Nycticorax violaceus* to *Nyctanassa violacea* as part of a splitting of genera as published in the 37th Supplement to the American Ornithologists' Union Checklist of North American Birds. The Sedge Wren was split from Grass Wren, a non-migratory Mexican and South American population that retained the *Cistothorus platensis* scientific name. The new scientific name for the Sedge Wren migratory population and Pennsylvania endangered breeding species is now *Cistothorus stellaris*. The Northern Harrier has been split from its old world relative the Hen Harrier. The Hen Harrier retained the original scientific name (*Circus cyaneus*) as the older described species and the Northern Harrier received the new scientific name of *Circus hudsonius*. These changes do not affect the protection, management or common names of these species, but will keep the Commonwealth's lists consistent with current accepted taxonomic nomenclature.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to "Add to or change the classification of any wild bird or wild animal." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or

may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 133.21 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 133.21 to update the scientific names of the Yellow-crowned Night-Heron, Sedge Wren and Northern Harrier on the Commonwealth's lists of threatened and endangered birds with current accepted taxonomic nomenclature.

3. *Persons Affected*

Persons concerned with the scientific identification within this Commonwealth will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in any additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-494. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 133. WILDLIFE CLASSIFICATION

Subchapter B. BIRDS

§ 133.21. Classification of birds.

The following birds are classified:

(1) *Endangered.*

* * * * *

(viii) Great Egret (*Ardea alba*)

(ix) Yellow-crowned Night-Heron ([*Nycticorax violaceus*] *Nyctanassa violacea*)

(x) Common Tern (*Sterna hirundo*)

* * * * *

(xiii) Dickcissel (*Spiza americana*)

(xiv) Sedge Wren (*Cistothorus* [*platensis*] *stellaris*)

(xv) Yellow-bellied Flycatcher (*Empidonax flavi-ventris*)

* * * * *

(2) *Threatened.*

(i) Northern Harrier (*Circus* [*cyaneus*] *hudsonius*)

(ii) Long-eared Owl (*Asio otus*)

* * * * *

[Pa.B. Doc. No. 23-399. Filed for public inspection March 24, 2023, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 139]

Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 28, 2023, meeting to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2023-2024 license year.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 28, 2023, meeting of the Commission. Comments can be sent until April 12, 2023, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 to provide updated seasons and bag limits for the 2023-2024 license year. The 2023-2024 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

For small game, a significant expansion of opportunity for put-and-take hunting of captive-reared bobwhite quail in most of this Commonwealth is proposed by means of an earlier season opening date, later season closing date and removal of the daily bag limit. Also, adjustments to crow season dates and addition of Thursdays as hunting days are proposed to shift hunting opportunity from the peak breeding season to the fall and winter months. For black bear, 5 wildlife management units (WMUs) (1B, 2C, 4A, 4B and 4D) are proposed to be deleted from the extended firearms black bear season because of declining trends in nuisance complaints and hunter success rates. For furbearers, WMUs 3B and 4E are proposed to be opened to river otter trapping because habitat and population data indicate that these units can support sustainable otter harvest. Also, several furbearers are proposed for addition to the list of species that are legal for falconry harvest. For elk, the proposed archery season is a week later than in 2022-2023 to provide additional time

between the license drawing and the beginning of the season. For falconry, an expansion of falconry opportunities, to include the period of overlap with the regular firearms deer season, is proposed for those species for which falconry is a legal means of take. This expansion fully implements the intended effect of recent amendments to § 141.4 (relating to hunting hours) made by the Commission at its July 9, 2022, meeting. No substantive changes are proposed for white-tailed deer or wild turkey seasons, although the 2024 youth and regular spring turkey seasons are proposed to open 5 days later than in 2023. This is a normal fluctuation that occurs every several years for consistency with the wild turkey management plan guideline of opening the regular season the Saturday closest to May 1.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking. . .” The amendments to § 139.4 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 139.4 to provide updated seasons and bag limits for the 2023-2024 hunting/furtaking license year.

3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2023-2024 hunting/furtaking license year will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

The effective dates of this proposed rulemaking are July 1, 2023, to June 30, 2024.

6. Contact Person

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-493. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 139. SEASONS AND BAG LIMITS

(Editor's Note: As part of this proposed rulemaking, the Commission is proposing to replace the table which appears in § 139.4, 58 Pa. Code pages 139-3—139-18, serial pages (404705)—(404720), with the following table.)

§ 139.4 Seasons and bag limits for the license year.

2023-2024 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT, FIELD POSSESSION LIMIT AND SEASON LIMIT OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Squirrel</i> —(Combined species) ¹ Eligible Junior Hunters only, with or without the required junior license	Sept. 9		Sept. 23	6	18
<i>Squirrel</i> —(Combined species) ²	Sept. 9 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 11 Dec. 26	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 Dec. 23 Feb. 29, 2024	6	18
<i>Ruffed Grouse</i> ²	Oct. 14 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 11	and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 Dec. 23	2	6
<i>Rabbit, Cottontail</i> ¹ Eligible Junior Hunters only, with or without the required junior license	Sept. 30		Oct. 14	4	12
<i>Rabbit, Cottontail</i> ²	Oct. 14 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 11 Dec. 26	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 Dec. 23 Feb. 29, 2024	4	12
<i>Ring-necked Pheasant</i> —There is no open season for the taking of pheasants in the Franklin County Wild Pheasant Recovery Area.					
Central Susquehanna Wild Pheasant Recovery Area— <i>Male only</i> ¹	As authorized by the Executive Order				
<i>Ring-necked Pheasant</i> — <i>Male or Female</i> ¹ Eligible Junior Hunters only, with or without the required junior license	Oct. 7		Oct. 14	2	6

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Ring-necked Pheasant—Male or Female</i> ²	Oct. 21 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 11 Dec. 26	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 Dec. 23 Feb. 29, 2024	2	6
<i>Bobwhite Quail</i> —There is no open season for the taking of bobwhite quail in the area surrounding the Letterkenny Bobwhite Quail Focus Area, as designated in § 141.30 (relating to bobwhite quail recovery area).					
<i>Bobwhite Quail</i> ²	Sept. 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 11 Dec. 26	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 Dec. 23 Mar. 30, 2024	Unlimited	
<i>Hare (Snowshoe Rabbits) or Varying Hare</i> ¹	Dec. 26		Jan. 1, 2024	1	3
<i>Woodchuck (Groundhog)</i> ²	July 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 11	and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 June 29, 2024	Unlimited	
<i>Crow</i> ³ (Hunting permitted on Thursday, Friday, Saturday and Sunday only)	Aug. 24		Mar. 24, 2024	Unlimited	
<i>Starling and English Sparrow</i> ³	No closed season, except season closed during the regular firearms deer season(s).			Unlimited	

MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about February 28 of each year. Exceptions:

- (a) Hunting hours in § 141.4 (relating to hunting hours).
- (b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.
- (c) Hunting on Sunday not authorized.¹

PROPOSED RULEMAKING

WILD TURKEY

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Turkey, Fall—Male or Female</i> ¹ WMU 2B	Oct. 28	and	Nov. 17	1	1
	Nov. 22		Nov. 24		
WMUs 1A, 1B, 4A, 4B, 4D and 4E	Oct. 28		Nov. 4		
WMUs 2A, 2F, 2G, 2H, 3A, 3B, 3C, 3D and 4C	Oct. 28		Nov. 11		
WMUs 2C, 2D and 2E	Oct. 28	and	Nov. 11		
	Nov. 22		Nov. 24		
WMU 5B	Oct. 31		Nov. 2		
WMUs 5A, 5C and 5D	Closed to fall turkey hunting				
<i>Turkey, Spring</i> ¹ Bearded Bird only, Eligible Junior Hunters only, with the required junior license	Apr. 27, 2024		Apr. 27, 2024	1	1
<i>Turkey, Spring</i> ^{1,4} Bearded Bird only	May 4, 2024	and	May 18, 2024	1	2
	May 20, 2024		May 31, 2024		
				May be hunted 1/2 hour before sunrise to 12 noon	
				May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	

FALCONRY

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Squirrel—(Combined species)</i> ²	Sept. 1	and and and and and and	Nov. 11	6	18
	Sun. ³ , Nov. 12		Sun. ³ , Nov. 12		
	Nov. 13		Nov. 18		
	Sun. ³ , Nov. 19		Sun. ³ , Nov. 19		
	Nov. 20		Nov. 25		
	Sun. ³ , Nov. 26		Sun. ³ , Nov. 26		
	Nov. 27		Mar. 30, 2024		
<i>Quail</i> ²	Sept. 1	and and and and and and	Nov. 11	Unlimited	
	Sun. ³ , Nov. 12		Sun. ³ , Nov. 12		
	Nov. 13		Nov. 18		
	Sun. ³ , Nov. 19		Sun. ³ , Nov. 19		
	Nov. 20		Nov. 25		
	Sun. ³ , Nov. 26		Sun. ³ , Nov. 26		
	Nov. 27		Mar. 30, 2024		

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Ruffed Grouse</i> ²	Sept. 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Sun. ³ , Nov. 26 Nov. 27	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 25 Sun. ³ , Nov. 26 Mar. 30, 2024	2	6
<i>Cottontail Rabbits</i> ²	Sept. 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Sun. ³ , Nov. 26 Nov. 27	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 25 Sun. ³ , Nov. 26 Mar. 30, 2024	4	12
<i>Snowshoe or Varying Hare</i> ²	Sept. 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Sun. ³ , Nov. 26 Nov. 27	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 25 Sun. ³ , Nov. 26 Mar. 30, 2024	1	3
<i>Ring-necked Pheasant—Male² and Female (Combined)</i>	Sept. 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Sun. ³ , Nov. 26 Nov. 27	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 25 Sun. ³ , Nov. 26 Mar. 30, 2024	2	6
<i>Mink, Muskrat, Fox, Opossum, Raccoon, Striped Skunk, and Weasel</i> ²	Sept. 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Sun. ³ , Nov. 26	and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 25 Sun. ³ , Nov. 26	Unlimited	

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
	Nov. 27	and	Mar. 30, 2024		
<i>Migratory Game Bird</i> ¹ —Seasons and bag limits shall be in accordance with Federal regulations.					

WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Deer, Archery (Antlered and Antlerless)</i> ^{2,5} With the required archery license WMUs 2B, 5C and 5D	Sept. 16 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 26	and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 Jan. 27, 2024	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Archery (Antlered and Antlerless)</i> ^{2,5} With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Sept. 30 Sun. ³ , Nov. 12 Nov. 13 Dec. 26	and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 17 Jan. 15, 2024	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Muzzleloading (Antlerless only)</i> ¹ With the required muzzleloading license	Oct. 14		Oct. 21	An antlerless deer with each required antlerless license.
<i>Deer, Special firearms (Antlerless only)</i> Only Junior and Senior License Holders ⁶ Mentored Permit Holders ⁹ , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or United States Coast Guard	Oct. 19		Oct. 21	An antlerless deer with each required antlerless license.
<i>Deer, Regular Firearms (Antlered & Antlerless)</i> ^{2,5} Statewide	Nov. 25 Sun. ³ , Nov. 26 Nov. 27	and	Nov. 25 Sun. ³ , Nov. 26 Dec. 9	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> ^{1,5} With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26		Jan. 15, 2024	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> ^{1,5} WMUs 2B, 5C and 5D	Dec. 26		Jan. 27, 2024	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Extended Regular firearms (Antlerless)</i> ¹ WMUs 2B, 5C and 5D	Dec. 26		Jan. 27, 2024	An antlerless deer with each required antlerless license.

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Deer, Antlerless</i> ¹ (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.			An antlerless deer with each required antlerless license.

BLACK BEAR

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Bear, Archery</i> ^{2, 7} WMUs 2B, 5C and 5D	Sept. 16		Nov. 11	1
	Sun. ³ , Nov. 12	and	Sun. ³ , Nov. 12	
	Nov. 13	and	Nov. 18	
	Sun. ³ , Nov. 19	and	Sun. ³ , Nov. 19	
	Nov. 20	and	Nov. 24	
<i>Bear, Archery</i> ^{2, 7} WMU 5B	Sept. 30		Nov. 11	1
	Sun. ³ , Nov. 12	and	Sun. ³ , Nov. 12	
	Nov. 13	and	Nov. 17	
<i>Bear, Archery</i> ^{1, 7} WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 14		Nov. 4	1
<i>Bear, Muzzleloader</i> ^{1, 7} (Statewide)	Oct. 14		Oct. 21	1
<i>Bear, Special firearms</i> ⁷ Only Junior and Senior License Holders ⁶ , Mentored Permit Holders ⁹ , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces, or in the United States Coast Guard (Statewide)	Oct. 19		Oct. 21	1
<i>Bear, Regular Firearms</i> ^{2, 7} (Statewide)	Nov. 18		Nov. 18	1
	Sun. ³ , Nov. 19	and	Sun. ³ , Nov. 19	
	Nov. 20	and	Nov. 21	
<i>Bear, Extended firearms</i> ^{2, 7} WMUs 2B, 5B, 5C and 5D	Nov. 25		Nov. 25	1
	Sun. ³ , Nov. 26	and	Sun. ³ , Nov. 26	
	Nov. 27	and	Dec. 9	
<i>Bear, Extended firearms</i> ^{2, 7} WMUs 3A, 3B, 3C, 3D, 4C, 4E and 5A	Nov. 25		Nov. 25	1
	Sun. ³ , Nov. 26	and	Sun. ³ , Nov. 26	
	Nov. 27	and	Dec. 2	

PROPOSED RULEMAKING

ELK

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Elk, Special Conservation Tag^{1,8} and Special-License Tag^{1,8} (Antlered and Antlerless)</i>	Sept. 1		Nov. 4	1
<i>Elk, Archery^{1,8}</i>	Sept. 16		Sept. 30	1
<i>Elk, Regular^{1,8} (Antlered and Antlerless)</i>	Oct. 30		Nov. 4	1
<i>Elk, Late^{1,8}</i>	Dec. 30		Jan. 6, 2024	1

FURTAKING—TRAPPING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Mink and Muskrat</i>	Nov. 18		Jan. 7, 2024	Unlimited	
<i>Beaver</i>	Dec. 16		Mar. 31, 2024		
WMUs 1A and 1B (Combined)				20	60
WMUs 2A, 2B and 3C (Combined)				20	40
WMUs 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)				20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)				5	5

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel</i>	Oct. 21		Feb. 18, 2024	Unlimited
<i>Coyote and Fox</i> Use of cable restraint devices authorized with required certification	Dec. 26		Feb. 18, 2024	Unlimited
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 16		Jan. 7, 2024	1
<i>Fisher, with required fisher permit</i> WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 16		Dec. 31	1
<i>River Otter, with required otter permit</i> WMUs 1A, 1B, 2F, 3B, 3C, 3D and 4E	Feb. 10, 2024		Feb. 17, 2024	1

FURTAKING—HUNTING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Coyote—(Outside of any big game season)³</i>	May be taken with a hunting license or a furtaker's license.			Unlimited	
<i>Coyote—(During any big game season)</i>	May be taken while lawfully hunting big game or with a furtaker's license.			Unlimited	
<i>Opossum, Striped Skunk, Weasel²</i>	July 1 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Sun. ³ , Nov. 26 Nov. 27	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 25 Sun. ³ , Nov. 26 June 29, 2024	Unlimited May be hunted any hour, day or night, on open dates from July 1—Nov. 24 and Dec. 10—June 29, 2024. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 25—Dec. 9.	

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Fox</i> ³	Oct. 21		Feb. 17, 2024	Unlimited May be hunted any hour, day or night, from Oct. 21—Nov. 24 and Dec. 10—Feb. 17, 2024. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 25—Dec. 9.	
<i>Raccoon</i> ²	Oct. 21 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Sun. ³ , Nov. 26 Nov. 27	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 25 Sun. ³ , Nov. 26 Feb. 17, 2024	Unlimited May be hunted any hour, day or night, on open dates from Oct. 21—Nov. 24 and Dec. 10—Feb. 17, 2024. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 25—Dec. 9.	
<i>Bobcat, with required bobcat permit</i> ¹ WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Jan. 6, 2024		Jan. 31, 2024	1	1
<i>Porcupine</i> ²	Oct. 7 Sun. ³ , Nov. 12 Nov. 13 Sun. ³ , Nov. 19 Nov. 20 Dec. 11 Dec. 26	and and and and and and	Nov. 11 Sun. ³ , Nov. 12 Nov. 18 Sun. ³ , Nov. 19 Nov. 24 Dec. 23 Jan. 27, 2024	3	10

No open seasons on other wild birds or wild mammals.

¹ No hunting on Sunday authorized. See 34 Pa.C.S. § 2303 (relating to hunting on Sunday prohibited).

² Hunting on Sunday authorized on separately delineated Sunday date(s) only. See 34 Pa.C.S. § 2303.

³ Hunting on Sunday is authorized. See 34 Pa.C.S. § 2303.

⁴ Only persons who possess a special wild turkey license as provided for in 34 Pa.C.S. § 2709 (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of 2 spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

⁵ Only one antlered deer (buck) may be taken during the hunting license year.

⁶ Includes resident and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under 34 Pa.C.S. § 2706 (relating to resident license and fee exemptions).

⁷ Only one bear may be taken during the hunting license year with the required bear license.

⁸ Only one elk may be taken during the hunting license year with the required elk license.

⁹ Includes mentored youth and mentored adults with a valid mentored hunter permit issued under Chapter 147, Subchapter X (relating to Mentored Hunting Program permit).

GAME COMMISSION

[58 PA. CODE CH. 139]

Seasons and Bag Limits; Wildlife Management Units

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 28, 2023, meeting to amend § 139.17 (relating to wildlife management units) to eliminate wildlife management unit (WMU) 2H and return WMU 2G to its original boundary.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 28, 2023, meeting of the Commission. Comments can be sent until April 12, 2023, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

A uniform system of WMUs was implemented in 2003 to replace the system of multiple, species-specific management units. The primary objective of this new wildlife management unit system was to develop and implement wildlife management decisions on a system of more homogenous units based on physiography, land cover and use, human population density and land ownership. WMU boundaries were defined using readily recognizable features on the landscape rather than hard to identify political boundaries. Over the years, the WMUs have undergone periodic reviews and evaluations. Following a recent evaluation of WMU 2H, which was separated out of the footprint of WMU 2G in 2013, it was determined that WMU 2H is too small to effectively collect adequate wildlife and hunter data for big game species. Furthermore, WMU 2H remains similar to WMU 2G in deer harvests and forest habitat measures. As a result, the Commission is proposing to amend § 139.17 to eliminate WMU 2H and return WMU 2G to its original boundary.

Section 322(c)(4) of the code (relating to powers and duties of commission) specifically authorizes the Commission to "Define geographic limitations or restrictions." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this

Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 139.17 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 139.17 to eliminate WMU 2H and return WMU 2G to its original boundary.

3. Persons Affected

Persons wishing to hunt or trap game or wildlife within WMUs 2G or 2H may be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-492. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 139. SEASONS AND BAG LIMITS

§ 139.17. Wildlife management units.

(a) The divisional line between two or more wildlife management units shall be the center of the highway, natural water course or other natural boundary.

(b) The outline map of Pennsylvania sets forth wildlife management units.

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Furbearers

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 28, 2023, meeting to amend § 141.67 (relating to furbearer seasons) to expand the list of devices that are permitted to be used to hunt and take furbearers having an open falconry season to include falcons lawfully possessed under a falconry permit.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 28, 2023, meeting of the Commission. Comments can be sent until April 12, 2023, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

Members of the falconry community have recently requested an expansion of the hunting seasons for falconry to include certain mink, muskrat, fox, opossum, raccoon, striped skunk and weasel. The Commission has reviewed this request and preliminarily included the addition of these species in the 2023-2024 seasons and bag limits proposal. If approved, this falconry season/species expansion will require the addition of falcons to the list of lawful devices that may be used to harvest any furbearer having an open falconry season. A similar provision was added to § 141.22(a)(7) (relating to small game seasons) to accommodate this similar purpose. The Commission is proposing to amend § 141.67 to expand the list of devices that are permitted to be used to hunt and take furbearers having an open falconry season to include falcons lawfully possessed under a falconry permit.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to § 141.67 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 141.67 to expand the list of devices that are permitted to be used to hunt and take furbearers having an open falconry season to include falcons lawfully possessed under a falconry permit.

3. Persons Affected

Persons wishing to hunt furbearers with a falcon within this Commonwealth will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-498. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§ 141.67. Furbearer seasons.

(a) *Permitted devices.* It is lawful to hunt or take furbearers during any furtaking season with the following devices:

(1) A manually operated or semiautomatic rifle or manually operated handgun that propels single-projectile ammunition.

* * * * *

(11) A cage or box trap, except as prohibited under section 2361(a)(17) of the act.

(12) A raptor. The raptor shall be lawfully possessed under a falconry permit under section 2925 of the act (relating to falconry permits).

(b) *Prohibitions.* While hunting furbearers during any furbearer hunting or trapping season, it is unlawful to:

* * * * *

[Pa.B. Doc. No. 23-402. Filed for public inspection March 24, 2023, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; General

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 28, 2023, meeting to amend § 141.4 (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2023-2024 hunting/trapping license year.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 28, 2023, meeting of the Commission. Comments can be sent until April 12, 2023, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission is proposing to amend § 141.4, Appendix G, to replace the current hunting hours table and

migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2023-2024 hunting/trapping license year.

Section 2102(a) of the code (relating to regulations) provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.4, Appendix G, are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 141.4 to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2023-2024 hunting/trapping license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2023-2024 hunting/furtaking license year will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in any additional cost or paperwork.

5. *Effective Date*

The effective dates of this proposed rulemaking are July 1, 2023, to June 30, 2024.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-497. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

Appendix G. Hunting Hours

(Editor’s Note: As part of this proposed rulemaking, the Commission is proposing to delete the text of the tables which appear in 58 Pa. Code pages 141-37—141-41, serial pages (410939)—(410943) and replace them with the following tables.)

§ 141.4. Hunting hours.

Except as otherwise provided, wild birds and mammals may be hunted 1/2 hour before sunrise to 1/2 hour after sunset.

* * * * *

HUNTING HOURS TABLE FOR JULY 1, 2023, THROUGH JUNE 30, 2024					
<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>	<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1	5:05	9:03	Dec. 31—Jan. 6	6:53	5:16
July 2—8	5:09	9:02	Jan. 7—13	6:53	5:21
July 9—15	5:14	8:59	Jan. 14—20	6:51	5:28
July 16—22	5:20	8:54	Jan. 21—27	6:48	5:36
July 23—29	5:26	8:47	Jan. 28—Feb. 3	6:43	5:44
July 30—Aug. 5	5:33	8:40	Feb. 4—10	6:37	5:53
Aug. 6—12	5:39	8:31	Feb. 11—17	6:29	6:01
Aug. 13—19	5:46	8:21	Feb. 18—24	6:20	6:09
Aug. 20—26	5:53	8:11	Feb. 25—March 2	6:10	6:18
Aug. 27—Sept. 2	6:00	8:00	March 3—9	6:00	6:25
Sept. 3—9	6:06	7:49	March 10—16* Begins	6:49	7:33
Sept. 10—16	6:12	7:38	March 17—23	6:38	7:40
Sept. 17—23	6:19	7:26	March 24—30	6:27	7:47
Sept. 24—Sept. 30	6:26	7:15	March 31—Apr. 6	6:15	7:54
Oct. 1—7	6:33	7:04	April 7—13	6:04	8:02
Oct. 8—14	6:40	6:53	April 14—20	5:53	8:09
Oct. 15—21	6:47	6:43	April 21—27	5:43	8:16
Oct. 22—28	6:55	6:33	April 28—May 4	5:35	8:23
Oct. 29—Nov. 4	7:03	6:25	May 5—11	5:25	8:30
Nov. 5—11** Ends	6:11	5:18	May 12—18	5:18	8:37

HUNTING HOURS TABLE FOR JULY 1, 2023, THROUGH JUNE 30, 2024					
<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>	<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Nov. 12—18	6:19	5:12	May 19—25	5:11	8:43
Nov. 19—25	6:27	5:08	May 26—June 1	5:07	8:49
Nov. 26—Dec. 2	6:34	5:06	June 2—8	5:03	8:54
Dec. 3—9	6:40	5:05	June 9—15	5:02	8:59
Dec. 10—16	6:46	5:06	June 16—22	5:02	9:02
Dec. 17—23	6:50	5:10	June 23—June 30	5:05	9:03
Dec. 24—30	6:52	5:14			

Daylight Saving Time:

Begins*

Ends**

MIGRATORY GAME BIRD HUNTING HOURS TABLE FOR JULY 1, 2023, THROUGH JUNE 30, 2024					
<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>	<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1	5:05	8:33	Dec. 31—Jan. 6	6:53	4:46
July 2—8	5:09	8:32	Jan. 7—13	6:53	4:51
July 9—15	5:14	8:29	Jan. 14—20	6:51	4:58
July 16—22	5:20	8:24	Jan. 21—27	6:48	5:06
July 23—29	5:27	8:16	Jan. 28—Feb. 3	6:43	5:14
July 30—Aug. 5	5:33	8:10	Feb. 4—10	6:37	5:23
Aug. 6—12	5:39	8:01	Feb. 11—17	6:29	5:31
Aug. 13—19	5:46	7:51	Feb. 18—24	6:20	5:39
Aug. 20—26	5:53	7:41	Feb. 25—March 2	6:10	5:48
Aug. 27—Sept. 2	6:00	7:30	March 3—9	6:00	5:55
Sept. 3—9	6:06	7:19	March 10—16* Begins	6:49	7:03
Sept. 10—16	6:12	7:08	March 17—23	6:38	7:10
Sept. 17—23	6:19	6:56	March 24—30	6:27	7:17
Sept. 24—30	6:26	6:45	March 31—Apr. 6	6:15	7:24
Oct. 1—7	6:33	6:34	April 7—13	6:04	7:32
Oct. 8—14	6:40	6:23	April 14—20	5:53	7:39
Oct. 15—21	6:47	6:13	April 21—27	5:43	7:46
Oct. 22—28	6:55	6:03	April 28—May 4	5:35	7:53
Oct. 29—Nov. 4	7:03	5:55	May 5—11	5:25	8:00
Nov. 5—11** Ends	6:11	4:48	May 12—18	5:18	8:07
Nov. 12—18	6:19	4:42	May 19—25	5:11	8:13
Nov. 19—25	6:27	4:38	May 26—June 1	5:07	8:19
Nov. 26—Dec. 2	6:34	4:36	June 2—8	5:03	8:24
Dec. 3—9	6:40	4:35	June 9—15	5:02	8:29
Dec. 10—16	6:46	4:36	June 16—22	5:02	8:32
Dec. 17—23	6:50	4:40	June 23—June 30	5:05	8:33
Dec. 24—30	6:52	4:44			

Daylight Saving Time:

Begins*

Ends**

[Pa.B. Doc. No. 23-403. Filed for public inspection March 24, 2023, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Menageries

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 28, 2023, meeting to amend § 147.282 (relating to safety) to classify wildlife held by a menagerie into categories that match an associated level of exposure and public contact appropriate for that category of wildlife.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 28, 2023, meeting of the Commission. Comments can be sent until April 12, 2023, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

A menagerie has approached the Commission to request that its safety regulations concerning public exposure with certain wildlife held by a menagerie be relaxed. The Commission has reviewed the applicable regulations and determined that changes can be made to the regulation without exposing the public to unnecessary danger or harm. A menagerie is defined as “[a]ny place where one or more wild birds or wild animals, or one or more birds or animals which have similar characteristics and appearance to birds or animals wild by nature, are kept in captivity for the evident purpose of exhibition with or without charge.” The Commission is proposing to amend § 147.282 to classify wildlife held by a menagerie into categories that match an associated level of exposure and public contact appropriate for the given category of wildlife. These changes will authorize menageries to remove additional species of wildlife from caging and directly expose them to the public, including wallabies, nonhuman primates and all other wildlife outside of the families Ursidae, Felidae and Canidae.

Section 2901(b) of the code (relating to authority to issue permits) provides that “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to § 147.282 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 147.282 to classify wildlife held by a menagerie into categories that match an associated level of exposure and public contact appropriate for the given category of wildlife.

3. *Persons Affected*

Persons holding a menagerie permit or persons visiting a wildlife menagerie facility within this Commonwealth will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in any additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-496. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter O. MENAGERIES

§ 147.282. Safety.

(a) Cage construction shall be sufficiently strong to contain the wildlife and to protect the animal from injury from other specimens on exhibit. Caging determined unsafe by Commission personnel shall be reconstructed as directed. Reconstruction shall be completed and approved within 30 days after official notification from the Commission.

(b) Except as provided in [**subsections (c) and (d)**] **subsection (c)**, wildlife may not be removed from cages or directly exposed to the public. Safety barriers shall be present to adequately prevent **the** wildlife from touching, grasping or biting visitors. Barriers, such as walls, fences, moats, retaining rails and other necessary devices shall be present to prevent the public from approaching [**the**] cages, pens, enclosures or areas near enough to contact the wildlife.

(c) [**Public human contact with the following designated animals is permitted under the specified conditions**] **Removal of wildlife from cages and public human contact with the following categories of wildlife is authorized only as follows:**

(1) **Category 1 wildlife.** Ruminant animals **may be moved from cages or confinement and directly exposed to the public, specifically to include public human contact, without restriction.**

(2) [**Organ grinder monkeys, trained performing chimpanzees and elephants**] **Category 2 wildlife.** **Other wildlife not defined as Category 3 wildlife in paragraph (3), may be removed from cages or confinement and directly exposed to the public, specifically to include public human contact, only if the wildlife is under the immediate control of the handler to preclude danger to the public.**

(3) Category 3 wildlife. Members of the families Ursidae, Felidae and Canidae may not be removed from cages or confinement or directly exposed to the public. Public human contact is not authorized for this wildlife.

[(d) Wildlife other than members of the families Ursidae, Felidae and wild Canidae when exhibited

on a stage or in an arena, may be removed from their cage by the exhibitor in a manner precluding danger to the public. Other human contact with the wildlife is prohibited.]

[Pa.B. Doc. No. 23-404. Filed for public inspection March 24, 2023, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

General Quarantine Order; Enhanced Live Bird Market Production Flock and Live Bird Market Supplier Flock Surveillance, Quarantine Area Requirements

Recitals

A. Under the authority established in the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389) and specifically the authority to establish quarantines and general quarantines as set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. §§ 2329(a) and 2329(d)), the Pennsylvania Department of Agriculture (Department) hereby establishes a General Quarantine Order related to Enhanced Live Bird Market Production Flock and Live Bird Market Supplier Flock Surveillance, Testing, Disease Reporting Obligations, Movement Controls, and Requirements within the Quarantine Area Encompassed by this General Quarantine Order.

B. The Domestic Animal Law allows, at 3 Pa.C.S.A. § 2329(d), for a General Quarantine Order to be established and enforced for any area or locality within this Commonwealth where a dangerous transmissible disease has been reported or exists, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. In addition, a General Quarantine Order may apply to goods, products, facilities, containers, vehicles or materials that may carry a dangerous transmissible disease or be contaminated with a hazardous substance.

C. Avian influenza is an infectious disease of poultry.

D. Avian influenza is designated a “dangerous transmissible disease” of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(a)(6).

E. Influenza A viruses, including but not limited to H5 and H7 subtypes, are known to be zoonotic and are considered by the Centers for Disease Control (CDC) to be of public health concern.

F. The Department has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals, conveyances, containers, goods, products and materials, in interstate and intrastate commerce, in order to exclude, contain or eliminate dangerous transmissible diseases, including surveillance, testing, and prohibiting the shipment or movement of such products. (3 Pa.C.S.A. §§ 2327, 2329, 2341—2349 and 2351—2357)

G. Avian Influenza has caused very significant loss in the Pennsylvania poultry industry and the current pathogenic forms of the disease have caused severe wide-spread loss to the poultry industry in states in which it has been detected and confirmed.

H. Highly Pathogenic Avian Influenza H5N1 (HPAI) is of particular concern to the entire Pennsylvania poultry industry as it is expected to cause continued wide-spread loss of poultry, severely limit the market for Pennsylvania product, and cause severe economic damage to the poultry industry in Pennsylvania.

I. Avian Influenza, including the current pathogenic strains of HPAI, may be transferred and spread through the movement of poultry, and, their products, their litter, and the movement of unwashed or un-sanitized vehicles, conveyances, containers, goods, products, people, and materials onto and off of premises containing poultry that may have been infected with or exposed to HPAI.

J. HPAI has been found in Pennsylvania in 2022 and a “General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Poultry, Poultry Litter, Conveyances, Feed, Refuse, Containers and Material Standards” was published in the *Pennsylvania Bulletin* (52 Pa.B. 2597) (Saturday, April 30, 2022). It became effective on April 30, 2022 and remains in effect. Pursuant to that Order, Infected Zones that extend 3 kilometers from Index Premises and Control Zones that extend 10 kilometers from Index Premises were established to: 1) Identify additional affected premises through diagnostic testing; 2) Enhance zone premises biosecurity requirements, and; 3) Institute movement restrictions in order to control the spread and limit exposure to protect the Commonwealth’s poultry industry from this dangerous transmissible disease, until it can be systematically, and carefully mitigated in each such Control Zone.

K. The Live Bird Market Production Flocks and Live Bird Market Supplier Flocks and the Live Bird Market Production Flock and Live Bird Market Supplier Flock Network in the Northeastern United States consists of a complex system of production flocks, supplier flocks, dealers and haulers, distributors, a distribution system, livestock auctions and Live Bird Markets. Commonwealth of Pennsylvania producers provide a large portion of the poultry which enters Live Bird Markets in the Northeastern states including the states of Connecticut, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island and Virginia.

L. The Quarantine Area created by this “General Quarantine Order; Enhanced Live Bird Market Production Flock and Live Bird Market Supplier Flock Surveillance, Quarantine Area Requirements” (herein after General Quarantine Order) is established to systematically identify poultry and premises that have been exposed to or infected with Avian Influenza and stop the spread of the dangerous transmissible disease, Highly Pathogenic Avian Influenza H5:N1 Gs/Gd clade 2.3.4.4 within the Live Bird Market Production and Supplier Flock Network.

M. The Quarantine Area created by this General Quarantine Order may be expanded, extended, or moved or a new Quarantine Area created in the future through the issuance of an Addendum hereto and as set forth in this General Quarantine Order.

N. This General Quarantine Order is established to address all highly pathogenic avian influenza strains and particularly identify and mitigate disease threat in the Live Bird Market Production Flock and Live Bird Market Supplier Flock Network, and surveille, identify and test Live Bird Market Production Flocks, Live Bird Market Supplier Flocks, individual production flocks, dealers and haulers, distributors, persons within the distribution system, livestock auctions and Live Bird Markets, including those at risk for not reporting or testing sick birds and erroneously assuming virus could be eliminated by selecting for non-clinical birds in affected flocks.

Order

In consideration of the previous recitals, which are incorporated into this Order by reference, the Department hereby establishes a General Quarantine under authority of the Domestic Animal Law, at 3 Pa.C.S.A. § 2329(d), and section 1702 of The Administrative Code of 1929 (71 P.S. § 442). The following are the conditions and requirements of this General Quarantine Order:

1. *Quarantine Area.* The area covered by this General Quarantine Order are the following townships constituting the "Quarantine Area" Brecknock, Caernarvon, Clay, Colerain, Earl, East Earl, East Cocalico, Ephrata, Little Britain, Salisbury, Upper Leacock, West Cocalico, and West Earl Townships, Lancaster County and East Nottingham, Honeybrook, Lower Oxford, Upper Oxford, West Fallowfield, West Nantmeal, and West Nottingham Townships, Chester County.

2. The Quarantine Area is also set forth and outlined on the map located on the Department's website at paddl.agriculture.pa.gov or direct link at <https://padeptag.maps.arcgis.com/apps/webappviewer/index.html?id=a9066a3d68a443a08043766cb84bf4ae>. To the extent there is any difference between the area set forth in the map and the area established under paragraph 1. (relating to Quarantine Area) and any Addendums to this General Quarantine Order, the area set forth in paragraph 1. (relating to Quarantine Area) above and the Addendums shall apply.

3. *Applicability.* The terms of this General Quarantine Order are applicable to the Live Bird Market Production and Live Bird Market Supplier Flock Network within the Quarantine Area including Live Bird Market Production Flocks and Live Bird Market Supplier Flocks, individual production and breeder flocks, Dealers and Haulers, distributors, those persons within the distribution system, livestock auctions and Live Bird Markets, and the live or dead poultry, poultry waste, live or unprocessed poultry goods and products, poultry products or by-products, poultry handling equipment, and poultry litter, articles, conveyances, vehicles, containers and materials on or entering onto or leaving any of the above premises within the Quarantine Area.

4. Definitions.

Conveyance or Vehicle. For purposes of this General Quarantine Order and in accordance with the Domestic Animal Law, shall include an automobile, truck, trailer, wagon or other vehicle used in the transportation of live or dead poultry, poultry waste, poultry containers or materials, live or unprocessed goods or products of poultry or other domestic animals or poultry products or by-products upon the highways of this Commonwealth. The same standards established for poultry and conveyances and vehicles shall apply to all other animals on the same premises as poultry.

Containers or Materials. For purposes of this General Quarantine Order shall include, footwear, or other clothing, including biosecurity clothing, any vessel, cage, crate, coop, trailer, wagon, equipment, manure application device or other instrument or object utilized to hold, transport, contain, limit, restrict, restrain, confine or control poultry or apply poultry waste, poultry manure, or live or unprocessed goods, poultry feed or products of poultry, or any combination thereof and material used for litter or bedding for poultry, as well as all equipment utilized to house, hold or contain poultry. The same standards established for poultry containers and materials shall apply to all other animals on the same premises as poultry.

Dealer. A person that buys, receives, sells, exchanges, negotiates or solicits the sale, resale, exchange or transfer of domestic animals or dead domestic animals for the purpose of transfer of ownership or possession to a third party.

Distribution System. Individuals, persons, or businesses such as wholesalers, dealers, distributors, haulers, livestock markets, and live bird sellers (non-slaughter) engaged consistently or intermittently in the transportation or sale of poultry to live bird markets. These are the links between production flocks and live bird markets.

Distributor. Any of the persons, businesses or individuals working within the Live Bird Market Production and Supplier Flock Network distribution system serving the live bird markets, including wholesalers, dealers, haulers, livestock markets and Live Bird Markets.

Domestic Waterfowl. For purposes of this General Quarantine Order any domesticated duck, goose, or swan raised for meat, feather, or egg production purposes, or companionship, of any age, that may contract or harbor Avian Influenza virus.

Hauler. For purposes of this General Quarantine Order, a person responsible for the transportation of domestic animals or dead domestic animals into, within or from this Commonwealth.

Flock. All poultry in the same environment, under the same biosecurity and management programs, or on the same premises.

Live Bird Market. Any person, premises, or business that receives, gathers, or purchases live poultry to be displayed for sale, sold, and slaughtered onsite for a customer, or sold to customers for slaughter or for ritual use.

Live Bird Market Production Flock and Live Bird Market Supplier Flock Network. Includes, Live Bird Market Production Flocks and Live Bird Market Supplier Flocks, individual production flocks, dealers, haulers, distributors, those within the distribution system, livestock auctions and Live Bird Markets.

Live Bird Market Production Flock or Live Bird Market Supplier Flock. Any person, including an individual, a production facility, poultry producer, farm or premises that sells, offers for sale, exchanges, deals, barter or otherwise transfers possession of poultry, or poultry goods or products, to a Live Bird Market, a person, individual, business or entity within the Live Bird Market Production Flock and Live Bird Market Supplier Flock Network or to another person, including an individual.

Live or Unprocessed Goods or Products of Poultry or Other Domestic Animals. For purposes of this General Quarantine Order shall include, feed and feed products, eggs, unprocessed dead poultry, including accumulated mortalities from a flock and poultry litter, offal, and waste, as well as, and products produced by poultry or utilizing poultry. This shall include unprocessed goods and products from or for other animals existing on the same premises as the poultry, including cattle, swine, equine, cervid, goats, sheep and other domestic animals and the waste, offal and goods and products, including milk and other agricultural products, produced thereby and the feed and feed products for such animals or feed and feed products produced on the farm for export off the farm.

Livestock Market. For purposes of this General Quarantine Order, a business where producers, dealers, wholesalers, distributors, and retailers meet to purchase, trade, exchange, barter or sell live poultry.

Poultry. For purposes of this General Quarantine Order, poultry shall include, chickens, domestic waterfowl, turkeys, pigeons, doves, pheasants, grouse, partridges, quail, guinea fowl, pea fowl, gallinaceous birds, and ratites, of any age, that may contract or harbor Avian Influenza virus whether living or dead.

5. *Surveillance and Detection.* The Department, under authority of section 2327 of the Domestic Animal Law (3 Pa.C.S.A. § 2327) will conduct surveillance and testing of all Live Bird Market Production Flocks and Live Bird Market Supplier Flocks in the Quarantine Area. Testing will include and will be carried out as set forth in paragraph 6 of this General Quarantine Order. Live Bird Markets, dealers, haulers, distributors, livestock markets and all those in the distribution system are also subject to such surveillance and testing.

6. *Required Testing.* This General Quarantine Order and this paragraph in particular are intended to provide reasonable notice of proposed testing by the Department within the Quarantine Area. All Live Bird Market Production Flocks and Live Bird Market Supplier Flocks in the Quarantine Area and all live or dead poultry, live or unprocessed poultry goods and products, poultry products or by-products, poultry waste, poultry litter, poultry or poultry goods and products handling equipment and articles, conveyances, vehicles, containers, and materials on or entering onto or leaving a Live Bird Market Production Flock premises or Live Bird Market Supplier Flock premises within the Quarantine Area shall be subject to testing under this General Quarantine Order. Live Bird Markets, dealers, haulers, distributors, livestock markets and all those in the distribution system dealing with or having business or contact with Live Bird Market Production Flocks or Live Bird Market Supplier Flocks in the Quarantine Areas are also subject to such testing. The testing shall be carried out in the following manner:

a. *Access*—As set forth in section 2327(c) of the Domestic Animal Law it shall be unlawful for any person to impede, hinder or interfere with the testing of a domestic animal or to refuse to confine a domestic animal so as to allow testing without undue burden on the official conducting the test or to fail to present the domestic animals for testing to the department after reasonable notice of the proposed testing has been given and it shall be unlawful for any person with knowledge that a domestic animal is infected with or has been exposed to a dangerous transmissible disease to conceal or attempt to conceal such domestic animal or knowledge of such a domestic animal from the department (3 Pa.C.S.A. § 2327(c)).

b. All Live Bird Market Production Flock and Live Bird Market Supplier Flock owners within the Quarantine Area and all Live Bird Market Production Flock and Live Bird Market Supplier Flock owners epidemiologically linked to a known detected premises for Highly Pathogenic Avian Influenza, whether or not their premises exists within the Quarantine Area shall allow access to their premises and poultry flocks for the purposes of diagnostic sampling and testing for avian influenza by the Department.

c. Testing must consist of a representative sample of all existing poultry, as defined in this General Quarantine Order, on the premise and shall consist of oropharyngeal

or tracheal swabs of 30 birds per house, submitted in 3 pools of 10 swabs in Brain Heart Infusion Broth (BHI) and for all existing domestic waterfowl, as defined in this General Quarantine Order, 35 cloacal swabs per house in 7 pools of 5 in BHI broth. If fewer than 30 or 35 as listed above exist on the premises or in a given house, submit all existing on premises or in house. Recent mortalities must be tested and submitted in a pool(s) labeled as “dead” and submitted separate and apart from swab pools for live bird samples.

d. Testing and sampling on each premises will continue at a frequency and duration set by the Department. Flocks shall not be sampled more frequently than once every 72 hours and shall be sampled at a minimum, each week for 3 consecutive weeks and until all premises subject to this General Quarantine Order have no detections for Avian Influenza, and premises with non-negative results have depopulated all poultry, completed all disposal, cleaning and initial virus elimination, as directed by the Department, and a minimum of 14 days has elapsed with no additional detections for Avian Influenza in the Quarantine Area and the Quarantine Area has been released, in writing, by the Department.

e. For purposes of this General Quarantine Order the Department will only accept sampling performed by and samples taken and submitted for testing by a state or federal animal health official, licensed class II accredited veterinarian or a department authorized, certified poultry technician. Samples taken by, submitted for testing by, or sampling performed by any other person, unless approved in advance in writing by the Department, will not be accepted and may not be utilized to meet the testing requirements of this General Quarantine Order.

f. A person authorized to sample poultry under this General Quarantine Order shall not be permitted to sample additional premises for 72 hours after being on a premises where the poultry displayed clinical signs consistent with Avian Influenza or where the poultry on the premises have been reported as non-negative at a NAHLN Laboratory or positive for Avian Influenza by the National Veterinary Services Laboratory (NVSL), Ames, Iowa. If a person authorized to sample poultry under this General Quarantine Order receives a report of sick poultry on a premises, they shall not enter the premises and must call (717) 772-2852 and press option 1 to speak to a veterinarian on call. A state or federal animal health official will sample the poultry on their behalf.

g. Non-Negative results on any test will require:

(i) The posting of a Special Order of Quarantine on the premises with revocation only after successful completion of steps under the oversight and guidance of a Department representative as defined and laid out in the Order of Special Quarantine and a written flock plan.

(ii) Immediate depopulation of all poultry species on the premises under the guidance and oversight of a Department representative. Partial depopulation will not be permitted as stamping out approach is the only proven strategy known to eliminate HPAI.

(iii) Disposal of mortalities, litter, exposed feed, and articles that may harbor HPAI under the guidance and oversight of a Department representative. If composting is chosen as means of disposal the build and all phases and temperature parameters must be evaluated by a Department assigned subject matter expert.

(iv) Completion of an epidemiological survey questionnaire administered by the Department.

(v) Completion of a Department approved biosecurity plan.

(vi) Exterior and interior cleaning and disinfection with inspection under the guidance and oversight of a Department representative.

(vii) A 120 day stocking prohibition under extended quarantine or, if applicable, pass environmental sampling with negative PCR or virus isolation results on all samples post cleaning and disinfection, abide by Order of Special Quarantine until released by the Department, and after release follow written parameters of a flock plan and restocking agreement or forfeit any future indemnity payments

h. *Movement*—No poultry, live or dead poultry, live or unprocessed poultry goods and products, poultry litter, poultry or poultry goods and products handling equipment and articles, conveyances, vehicles, containers and materials shall move onto, within, from or out of Quarantine Area or off of or onto a Live Bird Market Production Flock premises or Live Bird Market Supplier Flock premises unless they have been properly tested in accordance with the testing standards and requirements established in this General Quarantine Order and set forth on the Department's website at padls.agriculture.pa.gov or at direct link padls.agriculture.pa.gov/InnerPages/HPAI.html, which is incorporated into this General Quarantine Order by reference, as if fully set forth herein, and found to be negative for Highly Pathogenic Avian Influenza H5/H7. Any person without access to the internet or the Department's website may call the Department at (717) 772-2852 and request a copy of the Testing requirements.

7. *Requirements of "General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Poultry, Poultry Litter, Conveyances, Feed, Refuse, Containers and Material Standards"*. All requirements set forth in the Department's General Quarantine Order "General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Poultry, Poultry Litter, Conveyances, Feed, Refuse, Containers and Material Standards" (52 Pa.B. 2597) (Saturday, April 30, 2022) shall also continue to apply to all Live Bird Market Production Flocks and Live Bird Market Supplier Flocks and premises within the Quarantine Area established by this General Quarantine Order.

8. *Standards for Conveyances, Vehicles, Containers and Materials*. In addition to the requirements established in this General Quarantine Order, including the permitting requirements of the "General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Poultry, Poultry Litter, Conveyances, Feed, Refuse, Containers and Material Standards" (52 Pa.B. 2597) (Saturday, April 30, 2022) referenced in paragraph 7, any conveyance, vehicle, container or material shall meet the standards established in the Department's "Interstate and General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Vehicle, Container and Material Standards" (45 Pa.B. 4930, Saturday, August 22, 2015).

9. *Required Reporting and Prohibitions.*

a. All Live Bird Market Production Flock or Live Bird Market Supplier Flock owners shall immediately report any previous disease and any full or partial flock self-depopulations, upticks in mortalities or clinical signs suggestive of Highly Pathogenic Avian Influenza or any significant changes associated with Poultry health or production monitoring records to the Department by calling 717-772-2852 option 1.

b. All Livestock Market owners, Live Bird Market owners, distributors, dealers and haulers and their agents as well as any person within the distribution system, as defined in this General Quarantine Order are required to report clinical signs suspicious of HPAI as well as any attempted unpermitted movement and sales from Live Bird Market Production Flocks or Live Bird Market Supplier Flocks from within the Quarantine Area to the Department by calling 717-772-2852 option 1.

c. Distributors, Dealer/Haulers and their agents, feed distributors, manure haulers, and any company or grower service personnel, or maintenance personnel are prohibited from any of the following:

(i) Entrance onto any Live Bird Market Production Flock or Live Bird Market Supplier Flock premises within the Quarantine Area without first assuring the premises owner has obtained a written permit from the Department allowing such access. Entrance onto an unpermitted Live Bird Market Production Flock or Live Bird Market Supplier Flock premises shall be a violation of this General Quarantine Order and subject the violator to all penalties allowed under the Domestic Animal Law.

(ii) Removing crates, conveyances, coops, feed, live or dead poultry or poultry goods and products handling equipment, or structures purchased or loaned traded for, bartered, or swapped from any premises subject to this General Quarantine Order without first obtaining a written permit from the Department for their movement.

(iii) Accepting, hauling, loading, removing, or transporting any sick or ill poultry from any Live Bird Market Production Flock or Live Bird Market Supplier Flock premises that has had mortality loss or has done full or partial self-depopulation. If this occurs or becomes known the distributor, dealer, hauler, agent, feed distributor, manure hauler, service or maintenance personnel or other person shall report such findings immediately to the Department by calling 717-772-2852 option 1 and shall immediately halt their route and visit no other premises until advisement can be made.

(iv) Accepting, hauling, loading, removing, or transporting and dead poultry, poultry offal or litter or manure or any unprocessed poultry good or product from a Live Bird Market Production Flock or Live Bird Market Supplier Flock premises within the Quarantine Area without a written permit from the Department.

10. *Required Housing and Management Changes*. Effective immediately and until this order is rescinded all premises subject to this General Quarantine Order shall:

a. Maintain separate housing for poultry apart from domestic waterfowl with a minimum separation of 30 feet between the groups and wear dedicated clothing and footwear when handling and caring for each separate group.

b. Maintain, house, and rear all poultry indoors, where indoor facilities are available on the premises, and allow no access to wild species of waterfowl. All poultry subject to this General Quarantine Order shall be confined to a premises in a pen, cage or some other means that prevents them from moving off the premises.

c. Manure, liquid or solid waste and litter from production houses of any type shall be held in place or dry stacked and may not be land applied, spread or buried.

d. Embryonated and hatching eggs must be incubated on source premises, unless their movement from the premises is allowed under a Department issued written permit and with a Department approved biosecurity plan

to a premises with a Department issued written permit and Department approved biosecurity plan that is set up to sanitize, identify and segregate input eggs and hatchlings from all sources to avoid all potential cross contamination.

11. *Prohibition on All Poultry Shows and Exhibitions.* There shall be no poultry shows or exhibitions within the Quarantine Area.

12. *Entrance On Premises.* Pursuant to the authority at section 2328 of the Domestic Animal Law (3 Pa.C.S.A. § 2328) the Department, “In the performance of its duties required by this chapter. . .may at any time enter any premises or stop and detain any vehicle or conveyance. If entry shall be refused or delayed by any person, the department’s employee or agent may. . .declare before a court of competent jurisdiction that the employee or agent has reason to believe that domestic animals or articles. . .on such premises carry a dangerous transmissible disease, [or] have been exposed to a dangerous transmissible disease. . .and shall further declare that permission to enter and to investigate has been refused or delayed to the department. Upon review of such declaration, the court of jurisdiction may issue a search warrant for such premises. . .It shall be unlawful for any person to refuse or delay admission to any premises to any officer, agent or employee of the department provided with a search warrant issued pursuant to this section. The department shall take appropriate biosecurity and safety measures to ensure that it does not allow dangerous transmissible disease. . .to spread as the result of its entry upon any premises or conveyance.”

13. *Violations.* As established at section 2329(f) of the Domestic Animal Law (3 Pa.C.S.A. § 2329(f)(1), (2)(7) and (8)), It shall be unlawful for any person to sell, offer for sale, lease, lend, exchange, give away, transfer, remove or allow to be removed any animals or animal products, goods, materials, containers, conveyances or other articles

that are the subject of a general or special quarantine order under this section without first obtaining the written permission of the department to do so. It shall be unlawful for any person to allow a domestic animal that is the subject of a general or special quarantine order under this section to stray beyond the quarantined premises, area, or locality. It shall be unlawful for any person to impede, hinder or interfere with the department entering upon premises or elsewhere in the performance of duties imposed by this subchapter. It shall be unlawful for any person to violate any provision of a quarantine order issued under this section.

14. *Penalties.* Any person violating any provision of this General Quarantine Order shall be subject to such penalties, including criminal and civil penalties and other civil remedies such as injunctive relief, as are allowed under the authority of the Domestic Animal Law.

15. This General Quarantine Order shall not be construed as limiting the Department’s authority to establish additional quarantine or testing requirements on imported poultry and/or poultry products.

16. This General Quarantine Order does not replace, supplant, rescind, amend, or affect any existing order which establishes testing, permitting, or movement restrictions associated around an index premises for HPAI including infected zones, control zones, or surveillance zones.

17. This General Quarantine Order shall be effective upon actual service or constructive notice, such as, publication in a newspaper of common circulation in the areas affected or publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 23-405. Filed for public inspection March 24, 2023, 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 March 14, 2023.

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>
03-14-2023	Mercer County State Bank Sandy Lake Mercer County	147 North Diamond Street Mercer Mercer County	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-08-2023	Tompkins Community Bank Ithaca Tompkins County, NY	<i>To:</i> 153 East Lancaster Avenue Wayne Delaware County, PA <i>From:</i> 600 West Lancaster Avenue Wayne Delaware County, PA	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-19-2023	Somerset Trust Company Somerset Somerset County	344 Goucher Street Johnstown Cambria County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
03-14-2023	American Bank Allentown Lehigh County	Filed

Amendment to Article Second of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 4029 West Tilghman Street, Allentown, Lehigh County, PA, to 615 Waterfront Drive, Suite 501, Allentown, Lehigh 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 includes public notices for more recently filed applications.

SARAH HAMMER,
Acting Secretary

[Pa.B. Doc. No. 23-406. Filed for public inspection March 24, 2023, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Availability of the Draft 2023 Annual Action Plan; 2nd Public Hearing and 2nd Pennsylvania Housing Advisory Committee Meeting

The Department of Community and Economic Development (Department) announces the availability of the Commonwealth's Draft Federal Fiscal Year (FFY) 2023 Annual Action Plan (Plan). The Plan is submitted to the United States Department of Housing and Urban Development (HUD) as the annual application for Federal community development and housing funds administered by the Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME) and the Emergency Solutions Grant (ESG) programs. Also covered by the Plan is the Housing Opportunities for Persons with AIDS (HOPWA) program which the Department of Health administers and the National Housing Trust Fund (HTF) which is administered by the Pennsylvania Housing Finance Agency (PHFA).

These meetings are designed to provide an opportunity for citizens, local governmental officials and interested organizations of this Commonwealth to comment about the Plan prior to its submission to HUD.

Purpose

The Plan takes the strategy developed in the Consolidated Plan of 2019—2023 and applies it to the administration of the CDBG, HOME, ESG, HTF and HOPWA programs for the 2023 program year. HUD must approve the Plan for the Commonwealth to receive funding under the identified HUD programs.

Content

The 2023 Plan will include the Methods of Distribution for all Federal programs, as well as the goals and outcomes expected during the 2023 calendar year. In addition to the Department's web site at <https://dced.pa.gov/housing-and-development/consolidated-plan-annual-plans-reports/>, the approved Plan will be able to be viewed on HUD's web site at <https://www.hudexchange.info/consolidated-plan/con-plans-aaps-capers/>.

Allocations for 2023 by Program and Methods of Distribution

CDBG—\$41,120,349

Method of Distribution based on the requirements of Pennsylvania Act 179 of 1984. The 2023 Plan does not include any changes to this distribution.

Entitlement—85% of allocation distributed by the distribution outlined in the Act 179 formula.

Competitive—12% of allocation distributed competitively based on priorities outlined in the Plan with no maximum request or award.

In the Plan, the Department continues to reserve the right to divert any recaptured funds and all uncommitted competitive funds to respond to Federally or State declared natural disasters or emergency declarations.

HOME—\$22,435,460

1. Maximum funding availability varies by HOME eligible activity.

a. Applicants seeking Existing Owner-Occupied Housing Rehabilitation and Homebuyer activities funding will be limited to a maximum of \$500,000 as a town, borough or township. Cities and county applicants are limited to \$750,000.

b. Applicants seeking rental housing and homebuyer-new construction activities will be limited to a maximum funding request of the per unit subsidy limits for the Metropolitan Statistical Area for the proposed activity.

2. Rental housing applicants must demonstrate matching contributions equal to 25% or greater for all HOME rental projects. Eligible match contributions may include cash contributions from non-Federal sources, value of donated property, forbearance of fees, cost of onsite infrastructure improvements directly required for the HOME-assisted project and other eligible sources more specifically detailed in 24 CFR 92.220 (relating to form of matching contribution).

3. Rental housing developments funded by the Department competitive process will be limited to projects consisting of less than ten total units. Other rental housing activities, for ten units and above may be submitted to PHFA and following PHFA's competitive application process.

4. HOME Participating Jurisdictions (PJ), those municipalities which receive a direct allocation of HOME funds from HUD, are eligible to apply for the Department's HOME funds only in certain circumstances:

(1) For those PJs whose annual allocation of HOME funds from HUD was less than \$500,000 in the most recently published Community Planning and Development (CPD) Program Formula Allocations, they may apply for the Department's HOME funds in any eligible category, although they must contribute local HOME funds to the project. The local PJ HOME contribution must be equal to or greater than \$1,000 per HOME assisted unit.

(2) HOME PJs that were allocated more than \$500,000 in the most recently published CPD Formula Allocations are only eligible to apply for activities that qualify as a Community Housing Development Organization (CHDO) set-aside project and must contribute local HOME funds to the project. The local PJ HOME contribution must be equal to or greater than \$1,000 per HOME assisted unit. Lead entities of a HUD-designated HOME consortia are eligible to apply for CHDO Set-Aside projects. For purposes of determining if an entity qualifies as a HOME PJ or not, HOME consortia members communities are considered collectively with the consortia to be a PJ.

5. A CHDO can receive up to 50% of its annual operating budget or \$50,000 whichever is greater as CHDO operating funds.

ESG—\$5,768,872

1. *Rapid rehousing*—No less than 40% will be allocated to rapid rehousing, excluding administration and data collection activities for the Pennsylvania Homeless Management System.

2. *Emergency shelter*—No more than 60% of the annual Federal allocation may be used for emergency shelter activities (including operations, essential services and street outreach).

3. Federal direct-entitlement grantees, those that receive a direct allocation of ESG funds from HUD annually, are eligible to apply for all eligible ESG uses, however direct-entitlement communities will not receive priority over nonentitlement applicants.

4. Each applicant must demonstrate coordination of their efforts with the local Continuum of Care priorities.

5. Nonprofit entities are eligible to apply directly. Regional activities must benefit service areas greater than one county.

6. The Department will grant award amounts based on the evaluations until all grant funds are awarded.

7. ESG funds may become available for reallocation because of poor grantee performance, voluntary returns, funds returned at the end of the contract period, repayment of ineligible expenses or HUD approved reallocation of expired funds. The Department will utilize its Reallocation Policy to allocate available funds.

HOPWA—\$2,482,567

Each regional grantee prioritizes needs for its respective region through a formal process reflective of demographic and epidemiological profiles. The regional grantees conduct a competitive procurement process and receive plans to provide HOPWA services from large organizations and smaller, grassroots faith-based and other community organizations. The following services are provided in this Commonwealth: tenant based rental assistance; short term rent, mortgage and utility assistance; permanent housing placement; and supportive services—case management. In addition, each regional grantee has the capacity to distribute patient care funds directly if it is expedient or a more cost-effective method or both for delivery.

HTF—To Be Allocated (HUD has not released the 2023 allocation yet).

Recovery Housing Program (RHP)—\$1,288,739

The funding for the RHP will be distributed through a competitive process to all eligible applicants, based on scoring of established criteria of the submitted application. An eligible applicant should be a registered entity with the Department of State and be able to provide recovery housing for individuals in recovery from substance use disorder, in accordance with Act 59 of 2017 (Pennsylvania State Law) and any subsequent regulations thereafter. Additionally, an applicant should be licensed or certified by the Department of Drug and Alcohol Programs as a Drug and Alcohol Recovery House, as defined by PA Act 59 of 2017.

Finally, all eligible applicants shall permit the use of medication assisted treatment using one of the Food and Drug Administration-approved medication for the maintenance treatment of opioid use disorder, such as methadone, buprenorphine/naloxone products/buprenorphine products including sublingual tablets/film, and extended release, long-acting injectable buprenorphine formulations and injectable naloxone.

Public Review and Comment

The 2023 Plan is available on the Internet or electronically for public comment from March 25, 2023, through April 24, 2023.

Written Comments

Comments may be electronically submitted to the Department by e-mail to RA-DCEDcdbghomequestions@pa.gov. Written comments should be submitted to Megan L. Sieber, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Written comments must be received by 4 p.m., April 24, 2023, to be included as testimony in the Plan.

Pennsylvania Housing Advisory Committee

Tuesday, April 11, 2023
11 a.m.

The Pennsylvania Housing Advisory Committee (PHAC) is responsible for reviewing Statewide housing, community development and support services, needs and priorities, as well as advising the Department in the preparation of the Commonwealth Consolidated Plan, annual action plans, and the coordination of Federal, State and local resources to manage the implementation of these plans.

As part of the planning process for the Consolidated Plan for the 2023 Plan, the PHAC will be meeting in an open, public forum to discuss the allocations for the 2023 program year. The programs affected by this are: CDBG, HOME Investment Partnerships Program, ESG Program, HOPWA and HTF.

Individuals who wish to attend the PHAC meeting may use the following information to join or attend in-person at the Department.

Join by Phone

Phone Number: (267) 332-8737
Conference ID: 856 472 843#

In-Person Attendance Address

Department of Community and Economic Development
400 North Street
4th Floor
Harrisburg, PA 17120-0225

Individuals with a disability or limited English proficiency who wish to participate in the public hearing should contact Megan Sieber, msieber@pa.gov, (717) 720-7404, TDD (717) 346-0308 at a minimum of 72 hours prior to the meeting to discuss how the Department can accommodate their needs.

Second Public Hearing

Wednesday, March 29, 2023
1 p.m.

The second public hearing for the 2023 Plan will be conducted electronically by means of Microsoft Teams and in-person at the Department on Wednesday, March 29, 2023, at 1 p.m. Individuals who wish to make comment or discuss policy may participate directly in-person or from their phone, personal computer or from a computer located at their public library.

Individuals or organizations may give testimony or comments during this meeting. Comments will be accepted about topics related to the needs of the Commonwealth in the following areas: community development, housing including special needs, homelessness, economic development and any changes to the methods of distribution of the existing Federal programs.

Registration is not required and individuals may join the meeting in-person or directly by phone using the following information:

Join by Phone

Phone Number: (267) 332-8737
Conference ID: 302 016 634#

In-Person Attendance Address

Department of Community and Economic Development
400 North Street
4th Floor
Harrisburg, PA 17120-0225

The hearing will be recorded for public record. The hearing will be shortened if there is no one to testify or there is minimal response.

Individuals with a disability or limited English proficiency who wish to participate in the public hearing should contact Megan Sieber, msieber@pa.gov, (717) 720-7404, TDD (717) 346-0308 at a minimum of 72 hours prior to the meeting to discuss how the Department can accommodate their needs.

Written Comments

Written testimony, instead of testimony provided during the public hearing, must be submitted by 4 p.m., April 24, 2023, for review for consideration for the Plan. Submit comments to Megan Sieber, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, RA-DCEDcdbghomequestions@pa.gov.

FREDERICK C. SIGER,
Acting Secretary

[Pa.B. Doc. No. 23-407. Filed for public inspection March 24, 2023, 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 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.

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. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

Section III identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to stormwater discharges associated with construction activities. A 30-day public comment period applies to these applications and draft permits. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Additional information may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice.

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

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

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

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6340. Email: RA-EPNPDES_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

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

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if 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 & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0264121	Industrial Stormwater Individual NPDES Permit	Transfer	V&S Korns Galvanizing LLC 987 Buckeye Park Road Columbus, OH 43207-2596	Johnstown City Cambria County	SWRO
0123801	Joint DEP/PFBC Pesticides Permit	New	Block Karen 11 Round Top Lane Gettysburg, PA 17325-8746	Cumberland Township Adams County	SCRO
0713805	Joint DEP/PFBC Pesticides Permit	Renewal	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
0913963	Joint DEP/PFBC Pesticides Permit	Renewal	Villas at Regents Glen 975 Easton Road Suite 102 Warrington, PA 18976-1858	Bensalem Township Bucks County	SERO
1023803	Joint DEP/PFBC Pesticides Permit	New	Lynn Vozniak 401 Three Degree Road Renfrew, PA 16053-9749	Penn Township Butler County	NWRO
1513833	Joint DEP/PFBC Pesticides Permit	Renewal	Baena Jeff 2111 Buttonwood Road Berwyn, PA 19312-2105	Easttown Township Chester County	SERO
1519802	Joint DEP/PFBC Pesticides Permit	Renewal	Distefano Landscape Service Inc. 181 Robbins Road Downingtown, PA 19335	West Vincent Township Chester County	SERO
3622807	Joint DEP/PFBC Pesticides Permit	Renewal	Zug David A 245 Hershey Drive Manheim, PA 17545-1223	Manheim Borough Lancaster County	SCRO
3813822	Joint DEP/PFBC Pesticides Permit	Renewal	Greater Lebanon Refuse Authority 1610 Russell Road Lebanon, PA 17046-1425	North Lebanon Township Lebanon County	SCRO
3813823	Joint DEP/PFBC Pesticides Permit	Renewal	Greater Lebanon Refuse Authority 1610 Russell Road Lebanon, PA 17046-1425	North Lebanon Township Lebanon County	SCRO
4323801	Joint DEP/PFBC Pesticides Permit	New	Keith Saltrick 44 Parkview Lane Grove City, PA 16127-4150	Pine Township Mercer County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4613832	Joint DEP/PFBC Pesticides Permit	Renewal	Dortone Roland 3471 Arcola Road Collegeville, PA 19426-3464	Lower Providence Township Montgomery County	SERO
4613852	Joint DEP/PFBC Pesticides Permit	Renewal	Valleycrest Landscape Maintenance Inc. 10000 Shannondell Drive Norristown, PA 19403-5615	Lower Providence Township Montgomery County	SERO
4613856	Joint DEP/PFBC Pesticides Permit	Renewal	Asplundh Chris 3700 Buck Road Huntingdon Valley, PA 19006-2201	Lower Moreland Township Montgomery County	SERO
4613894	Joint DEP/PFBC Pesticides Permit	Renewal	Calabretta Giorgio 316 Township Line Road Schwenksville, PA 19473-1604	Perkiomen Township Montgomery County	SERO
4623801	Joint DEP/PFBC Pesticides Permit	New	White Tail Farm 1543 N Trooper Road Worcester, PA 19490	Worcester Township Montgomery County	SERO
5617801	Joint DEP/PFBC Pesticides Permit	Renewal	Indian Lake Borough Somerset County 1301 Causeway Drive Central City, PA 15926-7621	Indian Lake Borough Somerset County	SWRO
6313806	Joint DEP/PFBC Pesticides Permit	Renewal	Timber Lake P.O. Box 696 Virginia Beach, VA 23451	Peters Township Washington County	SWRO
6318801	Joint DEP/PFBC Pesticides Permit	Renewal	Peters Township Authority Washington County 610 E McMurray Road McMurray, PA 15317	Peters Township Washington County	SWRO
PA0096334	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Amendment Minor	Clelian Hts School for Exceptional Children 135 Clelian Heights Lane Greensburg, PA 15601-6665	Hempfield Township Westmoreland County	SWRO
0380403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Bradys Bend Township Water & Sewer Authority 697 State Route 68 East Brady, PA 16028-2817	Bradys Bend Township Armstrong County	NWRO
0695404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Bally Borough Berks County 425 Chestnut Street Bally, PA 19503-9614	Bally Borough Berks County	SCRO
2683403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Menallen Township Fayette County 427 Searights Herbert Road Uniontown, PA 15401-5137	Menallen Township Fayette County	SWRO
NOEXSC181	No Exposure Certification	Renewal	Schott Pharma USA Inc. 30 Lebanon Valley Parkway Lebanon, PA 17042-9745	South Lebanon Township Lebanon County	SCRO
NOEXSE110	No Exposure Certification	Renewal	Laminators Inc. 3255 Penn Street Hatfield, PA 19440-1731	Hatboro Borough Montgomery County	SERO
NOEXSW008	No Exposure Certification	Transfer	VGP Holdings LLC 491 Railroad Street Rochester, PA 15074-1905	Rochester Borough Beaver County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG030129	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	611 Metals Recycling LLC 6776 Easton Road Pipersville, PA 18947-9749	Bedminster Township Bucks County	SERO
PAG032268	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Graphic Pkg International 2 Commerce Road Pittston, PA 18640-9508	Pittston Township Luzerne County	NERO
PAG032283	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pitt Ohio Express LLC 15 27th Street Pittsburgh, PA 15222-4729	Upper Saucon Township Lehigh County	NERO
PAG032288	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Blue Ridge Pressure Casting Inc. P.O. Box 208 Lehighton, PA 18235-0208	Lehighton Borough Carbon County	NERO
PAG032290	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bridesburg Foundry Co. P.O. Box 269 Whitehall, PA 18052-0269	Whitehall Township Lehigh County	NERO
PAG033604	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Champion Modular Homes 10642 Susquehanna Trail Liverpool, PA 17045-8495	Susquehanna Township Juniata County	SCRO
PAG033672	PAG-03 NPDES General Permit for Industrial Stormwater	New	Ward Trucking LLC P.O. Box 1553 Altoona, PA 16603-1553	Conewago Township York County	SCRO
PAG033685	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Richland Partners LLC P.O. Box 659 Douglassville, PA 19518-0659	Mount Joy Township Lancaster County	SCRO
PAG033687	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Richland Partners LLC P.O. Box 659 Douglassville, PA 19518-0659	Palmyra Borough Lebanon County	SCRO
PAG033688	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Richland Partners LLC P.O. Box 659 Douglassville, PA 19518-0659	New Holland Borough Lancaster County	SCRO
PAG033696	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Purina Animal Nutrition LLC 475 Street Johns Church Road Camp Hill, PA 17011-5755	Hampden Township Cumberland County	SCRO
PAG033697	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Richland Partners LLC P.O. Box 659 Douglassville, PA 19518-0659	West Manchester Township York County	SCRO
PAG033702	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	G & R Excav & Demolition Inc. 900 Pennsylvania Avenue Tyrone, PA 16686-1512	Snyder Township Blair County	SCRO
PAG033706	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Treehouse Private Brands Inc. 680 W Chestnut Street Hanover, PA 17331-7802	Penn Township York County	SCRO
PAG033708	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Johnnys Auto Salvage 350 Brandy Run Road Newville, PA 17241-8619	Upper Mifflin Township Cumberland County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033709	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Marstellar Concrete Inc. 2011 State Road Duncannon, PA 17020-9572	Penn Township Perry County	SCRO
PAG033710	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Red Rose Transit Authority 45 Eric Road Lancaster, PA 17601	Lancaster City Lancaster County	SCRO
PAG033712	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mifflin County SWA 2436 Earlstown Road Centre Hall, PA 16828	Derry Township Mifflin County	SCRO
PAG034841	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Buckeye Energy Service LLC P.O. Box 368 5002 Buckeye Road Emmaus, PA 18049-0368	Armstrong Township Lycoming County	NCRO
PAG034856	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wades Concrete LLC 8550 State Route 415 Campbell, NY 14821-9778	Middlebury Township Tioga County	NCRO
PAG034869	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Emporium Forging Co. Inc. 221 E 2nd Street Emporium, PA 15834-1306	Emporium Borough Cameron County	NCRO
PAG034899	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Shamokin Filler Co. Inc. 453 Venn Access Road Coal Township, PA 17866-6901	Coal Township Northumberland County	NCRO
PAG034900	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Charles Const Co. 838 E Central Avenue Jersey Shore, PA 17740-7014	Limestone Township Lycoming County	NCRO
PAG034901	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Welles Mill Co. Inc. 340 Golden Mile Road Towanda, PA 18848-9230	Wysox Township Bradford County	NCRO
PAG034903	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	HR Bierly & Sons Garage 585 N Pennsylvania Avenue Centre Hall, PA 16828-9238	Potter Township Centre County	NCRO
PAG034906	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Highland Fld Service LLC 51 Zents Boulevard Brookville, PA 15825-2701	Duncan Township Tioga County	NCRO
PAG038417	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ronald Renick 849 W Sunbury Road West Sunbury, PA 16061-2519	Clay Township Butler County	NWRO
PAG038418	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wiest Asphalt Products & Paving Inc. 310 Mitchell Hill Road Butler, PA 16002-9182	Summit Township Butler County	NWRO
PAG038422	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Waste Management of PA Inc. 1154 W 16th Street Erie, PA 16502-1501	Erie City Erie County	NWRO
PAG038424	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Jays Auto Wrecking Inc. 11610 Hamilton Road Edinboro, PA 16412-1117	Washington Township Erie County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038425	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Clarion BD LLC 143 Fiberboard Road Shippenville, PA 16254-4811	Paint Township Clarion County	NWRO
PAG043509	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Homer Roger H 296 Hemlock Hill Drive Austin, PA 16720-4734	Fannett Township Franklin County	SCRO
PAG123844	PAG-12 NPDES General Permit for CAFOs	Amendment	North Mountain Gobbler 8310 Fort McCord Road Chambersburg, PA 17202	Dublin Township Fulton County	SCRO
PAG123943	PAG-12 NPDES General Permit for CAFOs	New	Curtis R Musser 330 Bordner Road Richland, PA 17087-9608	Bethel Township Berks County	SCRO
1023402	Pump Stations Individual WQM Permit	New	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001-3256	Butler Township Butler County	NWRO
1023403	Pump Stations Individual WQM Permit	New	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001-3256	Butler Township Butler County	NWRO
1023404	Pump Stations Individual WQM Permit	New	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001-3256	Butler Township Butler County	NWRO
0623401	Sewer Extensions WQM	0623401	Spring Township Berks County 2850 Windmill Road Sinking Spring, PA 19608-1668	Spring Township Berks County	SCRO
4623402	Sewer Extensions Individual WQM Permit	New	Bridgeport Borough Montgomery County 63 W 4th Street Bridgeport, PA 19405-1050	Upper Merion Township Montgomery County	SERO
4823401	Sewer Extensions Individual WQM Permit	New	Nazareth Borough Municipal Authority Northampton County P.O. Box A Nazareth, PA 18064-0450	Lower Nazareth Township Northampton County	NERO
5123402	Sewer Extensions Individual WQM Permit	New	Philadelphia Water Department 1101 Market Street 6th Floor Philadelphia, PA 19107-2994	Philadelphia City Philadelphia County	SERO
5123403	Sewer Extensions Individual WQM Permit	New	Philadelphia Water Department 1101 Market Street 6th Floor Philadelphia, PA 19107-2934	Philadelphia City Philadelphia County	SERO
5123404	Sewer Extensions Individual WQM Permit	New	Philadelphia Water Department 1101 Market Street 6th Floor Philadelphia, PA 19107-2934	Philadelphia City Philadelphia County	SERO
PA0239381	Single Residence STP Individual NPDES Permit	Transfer	Keith & Kelly Greeley 680 Hilltop Drive Pittsfield, PA 16340-2616	Deerfield Township Warren County	NWRO
0623402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Miller Ryan 278 Dreibelbis Station Road Lenhartsville, PA 19534-9310	Greenwich Township Berks County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1023405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Brandon Michael 185 Leslie Road Valencia, PA 16059-1127	Middlesex Township Butler County	NWRO
3723402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kirkwood Thomas 2606 Harlansburg Road New Castle, PA 16101-9686	Scott Township Lawrence County	NWRO
4692417	Single Residence Sewage Treatment Plant Individual WQM Permit	Amendment	Taylor Paul 132 Middle Creek Road Gilbertsville, PA 19525-8601	Douglass Township Montgomery County	SERO
6203418	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Keith & Kelly Greeley 680 Hilltop Drive Pittsfield, PA 16340-2616	Deerfield Township Warren County	NWRO
WQG02282301	WQG-02 WQM General Permit	New	Hamilton Township Municipal Authority Franklin County 1270 Crottlestown Road Chambersburg, PA 17202	Hamilton Township Franklin County	SCRO

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

Northcentral Regional Office

PA0114898, Sewage, SIC Code 4952, **Madison Township Municipal Authority**, P.O. Box 620, Millville, PA 17846-0620. Facility Name: Madison Township MA Jerseytown Sewer System. This existing facility is located in Madison Township, **Columbia 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), Mud Creek (WWF), is located in State Water Plan watershed 10-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 0.02 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Report	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4.0	6.5	Daily Min	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	5.0	7.5	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

<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	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX

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

- Other Requirements.
- Solids Management.

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.

Northcentral Regional Office

PA0232831, Sewage, SIC Code 4952, **South Creek Township**, P.O. Box 60, Gillett, PA 16925-0060. Facility Name: Gordon Properties. This existing facility is located in South Creek Township, **Bradford 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 Seeley Creek (CWF, MF), is located in State Water Plan watershed 4-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	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 Geo Mean	XXX	1,000

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

- Other Requirements

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.

Northcentral Regional Office

PA0232840, Industrial, NAICS Code 221112, **Renovo Energy Center LLC**, 12011 Sunset Hills Road, Suite 110, Reston, VA 20190-5919. Facility Name: Renovo Energy Center. This existing facility is located in Renovo Borough, **Clinton County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 9-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.44 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>IMIN</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
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	110	365	XXX	30.0	100.0	125
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	1,981	3,091	4,953
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30
Aluminum, Total (ug/L)	10.1	15.8	XXX	2,763	4,310	6,907
PCBs, Total (ug/L)	XXX	XXX	XXX	XXX	XXX	1.75

The proposed reporting limits for Outfalls 002 and 003 are as follows:

<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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is not in effect.

Northwest Regional Office

PA0030295 A-1, Sewage, SIC Code 8211, **Commodore Perry School District**, 3002 Perry Highway, Hadley, PA 16130-2628. Facility Name: Commodore Perry School. This existing facility is located in Perry Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary of Little Shenango River, is located in State Water Plan watershed 20-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0092 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)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	XXX	XXX	XXX	4.5	XXX	9
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report	XXX
					Daily Max	

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

PA0292800, Sewage, SIC Code 8800, **Rex Schlindwein**, 7759 Old State Road, Cranesville, PA 16410-2105. Facility Name: Rex Schlindwein SRSTP. This proposed facility is located at 3691 Crane Road, Edinboro, PA 16412 in Washington 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 of Conneauttee Creek (WWF), is located in State Water Plan watershed 16-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0292923, Sewage, SIC Code 8800, **Laura Schwanbeck**, 12831 Wheeler Place, Santa Ana, CA 92705-1130. Facility Name: Laura Schwanbeck SRSTP. This proposed facility is located at 5833 Cassady Road, Hermitage, PA 16148-6418 located in Hermitage City, **Mercer 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 Golden Run (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6 Inst Min XXX	XXX	XXX	9
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10	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

PA0292931, Sewage, SIC Code 8800, **Dara & Kyle Bucholtz**, 10176 Route 98, Edinboro, PA 16412-3616. Facility Name: Dara & Kyle Bucholtz SRSTP. This proposed facility is located in Franklin 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 Little Elk Creek (CWF, MF), 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 .0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6 Inst Min XXX	XXX	XXX	9
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10	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

Application No. PA0248312, Concentrated Animal Feeding Operation (CAFO), **Willow Behrer Farm LLC** (Willow Behrer Farm), 3288 Behrer Lane, Spruce Creek, PA 16683-1500.

Willow Behrer Farm LLC has submitted an application for an Individual NPDES permit for a CAFO known as Willow Behrer Farm, located in Franklin Township, **Huntingdon County**.

The CAFO is situated near Unnamed Tributary to Spruce Creek (HQ-CWF, MF) and Spruce Creek (HQ-CWF, MF) in Watershed 11-A, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 2,017.76 animal equivalent units (AEUs) consisting of 1,062 Holstein Cows, 351 Holstein Heifers, 298 Holstein Calves, and 1 Holstein Bull. Manure is stored in a 226' x 162' x 15' earthen/clay lined pond, two 25' x 100' x 4' sand settling cells, a 105' x 55' x 5' semi-solid storage/settling basin, a 40' x 60' x 6' heifer barn storage, a 130' x 14' x 12' Satellite Underbarn Concrete Pit, Cell 1, Cell 2, and a 40' x 80' x 6' solids stacking pad. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

Southeast Regional Office

PA0244619, Sewage, SIC Code 8811, **Wachs Rachel A**, 215 W Church Road, King of Prussia, PA 19406-3203. Facility Name: Rachel Wachs Properties. This existing facility is located in West Brandywine Township, **Chester 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 West Branch Brandywine Creek, is located in State Water Plan watershed 3-H and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	20.0	XXX	40.0
May 1 - Oct 31	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	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	Report

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

Proposed Part C Conditions:

I. Other Requirements

- A. AMR to DEP
- B. DMR to DEP
- C. Depth of Septage
- D. Solids Removal from Septic Tanks
- E. No Stormwater
- F. Necessary Property Rights

G. Proper Sludge Disposal

H. Abandon STP when Municipal Sewers Available

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0219169, Sewage, SIC Code 4952, **Laurel Highland Municipal Authority**, P.O. Box 93, Rockwood, PA 15557-0093. Facility Name: New Centerville Borough STP. This existing facility is located in New Centerville Borough, **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), Middle Creek (TSF), is located in State Water Plan watershed 19-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>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 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	8.3	XXX	XXX	25.0	XXX	50.0
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	10.0	XXX	XXX	30.0	XXX	60.0
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)						
Nov 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Oct 31	XXX	XXX	XXX	Geo Mean 200	XXX	400
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	25.0	XXX	50.0
May 1 - Oct 31	XXX	XXX	XXX	9.7	XXX	19.5

The proposed effluent limits for Outfall 001 are based on a design flow of .04 MGD.—Limits.

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

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.

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

Contact: Pamela R. Kania P.E., Waterways and Wetlands Program Manager.

Applicant: **CRG Services Management, LLC c/o Fred Ferraro**

Applicant Address: 7800 Forsyth Boulevard, 3rd Floor, St. Louis, MO 63105-2591

Application Number: **PAD480173**

Application Type: New

Municipality/County: Plainfield Township & Wind Gap Borough, **Northampton County**

Total Earth Disturbance Area: 103.29 acres

Surface Waters Receiving Stormwater Discharges: UNT to Bushkill Creek (HQ-CWF, MF) and Other Wetlands

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

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

Project Description: CRG Services Management, LLC is proposing to develop one of 3 lots as part of the ± 160-acre overall tract with two industrial buildings. Additionally, the proposal includes the installation of the collector road "Industrial Drive" along with the auto parking, truck & trailer parking, landscaping, utilities and stormwater management facilities necessary to support the development.

Special Conditions: A Chapter 105 Joint Permit is required for this proposal, but has not been submitted or formally reviewed by PADEP NERO as of this Individual NPDES Permit issuance. Upon issuance of the Chapter 105 Joint Permit, the applicant & design consultant should confer with PADEP NERO & Northampton County Conservation District regarding impacts to the Individual NPDES Permit (i.e. Act 162 riparian buffer equivalency/offsetting, site layout changes, permit amendments, etc.).

Applicant: **PA DOT Engineering District 04**

Applicant Address: 55 Keystone Industrial Park, Dunmore, PA 18411

Application Number: **PAD580011**

Application Type: New

Municipality/County: Great Bend Township, Great Bend Borough, New Milford Township, New Milford Borough, **Susquehanna County**

Total Earth Disturbance Area: 255.71 acres

Surface Waters Receiving Stormwater Discharges: Saltlick Creek and UNTs to Salt Lick Creek (HQ-CWF, MF), Smith Creek and UNTs to Smith Creek (HQ-CWF, MF), Susquehanna River and UNTs to Susquehanna River (WWF, MF), UNTs to Susquehanna River (CWF, MF), Trowbridge Creek and UNTs to Trowbridge Creek (CWF, MF) and other wetlands

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

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

Project Description: The proposed project consists of approximately 9 miles of full reconstruction of the roadway which includes replacing the drainage, bridges, pavement, guiderail, and sign posts.

Special Conditions: N/A

Applicant: **Galen Martin**

Applicant Address: 721 E. Lincoln Ave., Myerstown, PA 17067

Application Number: **PAD480058**

Application Type: Renewal

Municipality/County: Williams T, **Northampton County**

Total Earth Disturbance Area: 17.22 acres

Surface Waters Receiving Stormwater Discharges: Fry's Run, HQ-CWF, MF

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

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

Project Description: 5 lot residential subdivision with onsite sewer, water, and stormwater management facilities.

Special Conditions: N/A

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Beaverton Sow Farm 429 Beaverton Ln. Beavertown, PA 17813	Snyder County	0	932.07	Swine	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for 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. 4923503, Construction, Public Water Supply.

Applicant	Splash Magic RV Resort
Address	213 Aspen Lane Northumberland, PA 17857
Municipality	Northumberland Borough
County	Northumberland County
Responsible Official	Riley Ross 5 Legacy Drive Goldendale, WA 98620
Consulting Engineer	Kenneth Estep 2049 W Market Street Lewisburg, PA 17837
Application Received	March 8, 2023

Description DEP required application for an NCSA transfer and major modification.

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. 6723503, Construction, Public Water Supply.

Applicant **KBK-HR Associates, LLC**
Address 1628 John F. Kennedy Boulevard
23rd Floor
Philadelphia, PA 19103

Municipality Dover Township
County **York County**
Responsible Official Joseph A. Wellenbusher
1628 John F. Kennedy Boulevard
23rd Floor
Philadelphia, PA 19103

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

Application Received February 16, 2023
Description The application proposes water treatment equipment upgrades and extending the well casing out of the well pit.

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.

Application No. 0923503, Construction, Public Water Supply.

Applicant **Pediatric Specialty Care**
Address 90 Cafferty Road
Point Pleasant, PA 18950

Municipality Tinicum Township
County **Bucks County**
Responsible Official John Weber
10 Beulah Road
New Britain, PA 18901

Consulting Engineer Castle Valley Consultants, Inc.
10 Beulah Road
New Britain, PA 18901

Application Received March 9, 2023
Description Upgrades to the additional water system treatment to provide filtration.

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.

Application No. 2623502, Construction, Public Water Supply.

Applicant **Indian Creek Valley Water Authority**

Address 2019 Indian Head Road
Indian Head, PA 15446

Municipality Stewart Township

County **Fayette County**

Responsible Official Kerry Witt
Manager
2019 Indian Head Road
Indian Head, PA 15446

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received February 28, 2023

Description Erection of the new Ohiopyle Water Storage Tank and Mixing System Installation.

Application No. 2623503, Construction, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**

Address 124 Park & Pool Road
New Stanton, PA 15672

Municipality Penn Borough, West Leechburg Borough, and Salem Township

County **Westmoreland County**

Responsible Official Michael Kukura
Resident Manager
124 Park & Pool Road
New Stanton, PA 15672

Consulting Engineer Gibson-Thomas
Engineering Co., Inc.
P.O. Box 853
Latrobe, PA 15650

Application Received March 1, 2023

Description Interior and exterior painting, addition of mixer, and addition of power vent system at the following tanks: North Jeanette, West Leechburg # 1, Clelian Heights # 2.

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.

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

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

3145 Grays Ferry Avenue, Primary Facility ID # **848264**, 3145 Grays Ferry Avenue, Philadelphia, PA 19405, City of Philadelphia, **Philadelphia County**. Heather Shoemaker, GZA, 1515 Market Street, Suite 945, Philadelphia, PA 19102 on behalf of Elias Slaiby, 3145 Grays Ferry Avenue, LLC, 1919 South Vermont Avenue, Suite 680, Torrance, CA 90502, submitted a Notice of Intent to Remediate. Soil and groundwater have been found to be impacted by VOCs, SVOCs, petroleum hydrocarbons and metals. The proposed future use of the property will continue to be nonresidential for use as public storage facility. The Notice of Intent to Remediate was published in *Daily News* on February 20, 2023. Application received: February 16, 2023.

74 South Franklin Street, Primary Facility ID # **864455**, 74 South Franklin Street, Pottstown, PA 19464, Pottstown Borough, **Montgomery County**. I. Scott Renneisen, Terraphase Engineering, Inc., 1100 East Hector Street, Perkasio, PA 18944 on behalf of Michael England, Edge Property Holdings, LLC, 123 South 4th Street, Perkasio, PA 18944, submitted a Notice of Intent to

Remediate. The site has been found to be historically impacted with VOCs in groundwater. The proposed future use of the property will remain nonresidential for the foreseeable future. The Notice of Intent to Remediate was published in *The Mercury* on February 2, 2023. Application received: February 3, 2023.

Monkiewicz Playground, Primary Facility ID # **864451**, 3201 Richmond Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. Paul Linahan, Gannett Fleming, Inc., 1010 Adams Avenue, Audubon, PA 19484 on behalf of Aparna Palantino, Philadelphia Parks and Recreation, 1515 Arch Street, 10th Floor, Philadelphia, PA 19102, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with lead in the soil. The playground is currently closed to the public but will remain recreational following planned site improvements. The Notice of Intent to Remediate was published in *Inquirer Legals* on January 13, 2023. Application received: January 31, 2023.

Simeone Garage, Primary Facility ID # **864800**, 510-528 South 8th Street, Philadelphia, PA 19147, City of Philadelphia, **Philadelphia County**. Paul White, Brickhouse Environmental, 551 South Franklin Street, West Chester, PA 19382 on behalf of Amanda Jimenez, Frederick A. Simeone MD Foundation Inc., 6825 Norwich Drive, Philadelphia, PA 19153, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with petroleum products which have contaminated groundwater at the site and are suspected to have contaminated soil at the site. The Notice of Intent to Remediate was published in *South Philly Review* on February 15, 2023. Application received: February 20, 2023.

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

River Pointe Parcel # 2, Primary Facility ID # **864477**, 75 East 4th Street, Bridgeport, PA 19405, Bridgeport Borough, **Montgomery County**. Jeffery K. Walsh, PG, Penn E&R, Inc., 400 Dublin Pike, Doylestown, PA 18901 on behalf of Anthony E. Maras, Esq., DPD-Brightview, LP, 740 Samson Street, Suite 501, Philadelphia, PA 19106, submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with PAHs and metals. The proposed future use of the property is for residential purposes. The Notice of Intent to Remediate was published in *The Times Herald* on January 31, 2023. Application received: February 8, 2023.

Tipton Trucking Company Inc. Fuel Release, Primary Facility ID # **864734**, U.S. Route 1 South Offramp, 401 Limerick Road and 131 Union School Road, Oxford, PA 19363, Oxford Borough, **Chester County**. Brett Dietz, Sovereign Consulting, Inc., 50 West Welsh Pool Road, Suite 6, Exton, PA 19341 on behalf of Frank Tipton, Tipton Trucking Inc., 397 Waterway Road, Oxford, PA 19363, submitted a Notice of Intent to Remediate. The site has been found to be impacted with diesel fuel in soil. The proposed future use of the property will remain agricultural/commercial with vacant maintained areas. The Notice of Intent to Remediate was published in *The Daily Local News* on February 10, 2023. Application received: February 10, 2023.

Dubner Property, Primary Facility ID # **864810**, 2974 Germantown Pike, Norristown, PA 19403, Worcester Township, **Montgomery County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Peter J. Clelland, BT Worcester, LLC, 200 Dryden Road,

Suite 2000, Dresher, PA 19025, submitted a Notice of Intent to Remediate. The site has been found to be impacted with arsenic, lead, benzo(a)pyrene, benzo(b)fluoranthene and thallium in soil. The intended future use of the property is residential. The Notice of Intent to Remediate was published in *Times Herald* on February 21, 2023. Application received: February 22, 2023.

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.

Norfolk Southern Harmar Derailment, Primary Facility ID # **865027**, 150 Feet Southwest of 2405 Freeport Road, Pittsburgh, PA 15238, Harmar Township, **Allegheny County**. Arcadis U.S., Inc., 111-D Sanders Lane, Bluefield, VA 24605 on behalf of Norfolk Southern, 650 West Peachtree Street NW, Atlanta, GA 30308, submitted a Notice of Intent to Remediate. The Site is located in the area of confluence of Guys Run and the Allegheny River, between Freeport Road and the Allegheny River. On May 26, 2022, a truck unlawfully stopped on mainline tracks in Harmar Township leading to a derailment at MP LC-64.97. As a result of this derailment, rail cars and rail transportation equipment were damaged, one span of a rail bridge crossing Guys Run was destroyed, and a second rail bridge across Guys Run was damaged and compromised. Immediately following the derailment, NSRC initiated site cleanup, rail repair, and rail car recovery in coordination with the U.S. Environmental Protection Agency (EPA), Coast Guard, Pennsylvania Department of Environmental Protection (PADEP), U.S. Army Corps of Engineers (USACE) and Allegheny County. The incident resulted in release of petroleum distillate, diesel fuel, and polymer beads in the vicinity of the derailment. Two separate adjacent areas, divided by Guys Run, comprise the approximate site boundaries and areas of additional investigation and response. The area to the southwest of Guys Run (Area No. 1) is approximately 1.1 acres in size and consists of vacant land. The area to the northeast of Guys Run (Area No. 2) is approximately 1.4 acres in size and consists of a mixture of vacant and forested land. The release of petroleum distillate was limited to surface soils in portions of Area No. 1 and the surface water of Guys Run; the release of diesel fuel was limited to surface soils in Area No. 2; and polymer beads were released to surface soils in both Area No. 1 and Area No. 2, as well as the surface water of Guys Run. Emergency response operations were conducted immediately following the derailment and continued for several weeks. Response activities included the placement of absorbent and hard booms, removal of derailed railcars, and active recovery of released materials. Based on the compounds released during the May 2022 derailment, characterization sampling conducted to date has included the analysis of surface water and soil samples for Resource Conservation and Recovery Act (RCRA) 8 Total Metals, total petroleum hydrocarbons (TPH) diesel range organics (DRO) and gasoline range organics (GRO), polycyclic aromatic hydrocarbons (PAHs), and/or select petroleum-related volatile organic compounds (VOCs). TPH was present in soil samples. Based on the findings of additional pending assessments at the Site, remediation will be conducted as warranted to demonstrate attainment with applicable standards under PADEP oversight and authorization. The

Notice of Intent to Remediate was published in *Pittsburgh Post-Gazette* on February 5, 2023. Application received: March 8, 2023.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMIT@pa.gov.

100930. City of Philadelphia Streets Department, 1401 JFK Boulevard, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**. This major permit modification application is to convert operation to a top load system at the Northwest Transfer Station, an existing municipal waste transfer facility located at 5201 Umbria Street, in the City of Philadelphia, Philadelphia County. Application received: March 3, 2023. Deemed administratively complete: March 9, 2023.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. 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.

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 Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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.

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.

67-03150A: Wetzlel Funeral Home & Crematory, Inc., Hanover Facility, 549 Carlisle Street, Hanover, PA 17331, Hanover Borough, **York County**. Application received: February 16, 2023. For the incorporation of a crematory, currently operating under general permit GP14-67-03150, into an operating permit with the addition of an alternative to the burn cycle interlock requirement at the facility. The crematory's PTE based on 8,760 hours of operation is 1.66 tpy CO, 1.99 tpy NO_x, 1.59 tpy PM₁₀, and < 1 tpy each of VOC, SO_x and HAP. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technol-

ogy requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the facility. If, after the project has been implemented, the Department determines that the sources are operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

36-05158H: Perdue AgriBusiness, LLC, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. Application received: December 28, 2022.

For approval of a Reasonably Available Control Technology (RACT) 3 plan as a plan approval permit.

In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 ozone NAAQS), the Pennsylvania Department of Environmental Protection (Department, DEP) has made a preliminary determination to approve a RACT 3 plan for the Perdue AgriBusiness, LLC, Marietta. The RACT 3 plan approval, if approved by the Department, will be issued as a plan approval permit (36-05158H).

The RACT 3 plan approval incorporates provisions and requirements for the control of emissions of nitrogen oxides (NO_x) and/or volatile organic compounds (VOCs). These provisions and requirements are intended to address the Commonwealth's RACT obligations under section 184 of the Clean Air Act for the 1997, 2008 and 2015 8-hour ozone National Ambient Air Quality Standards. The RACT 3 plan approval does not adopt any new regulations. If approved by the Department, this RACT 3 plan approval will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP). Requirements that are not part of the RACT 3 plan approval will be excluded from the SIP revision submittal.

The following is a summary of the RACT 3 plan approval requirements for this facility that are proposed to be submitted to the EPA as a revision to the Commonwealth's SIP:

RACT III Case-by-Case Requirements.

(a) The average plant-wide solvent loss ratio (SLR) shall not exceed 0.125 gallon of solvent per ton of oilseed processed based on any 12-month consecutive period. Solvent loss shall be determined in accordance with 40 CFR 63.2853 but not utilizing the exemption in (c)(3). The quantity of oilseed processed shall be determined in accordance with 40 CFR 63.2855 but not utilizing the exemption (c)(3).

(b) The permittee shall not cause to be discharged into the atmosphere from:

(1) Stack ID S204—any gases which contain volatile organic compounds (VOCs) exceeding 1.65 lbs VOC/hr, as hexane.

(2) Stack ID S205A—any gases which contain VOCs exceeding 11.51 lbs VOC/hr, as hexane.

(3) Stack ID S205B—any gases which contain VOCs exceeding 5.76 lbs VOC/hr, as hexane.

(4) Stack ID S206—any gases which contain VOCs exceeding 11.94 lbs VOC/hr, as hexane.

(c) Breathing and working losses from the hexane storage tanks (Source ID 212) shall always be captured and vented to the mineral oil scrubber (Control ID C204).

(d) Leak, Detection and Repair (LDAR) Requirements:

(1) The permittee shall maintain & implement a Leak Detection & Repair (LDAR) program to minimize fugitive VOC losses from equipment leaks. The written LDAR program shall be made available to the Department upon request.

(2) The LDAR program shall, at a minimum, employ the following:

(i) A list of equipment and respective identification numbers which will be monitored.

(ii) A list of equipment and respective identification numbers of equipment operating under negative pressure and equipment deemed dangerous to monitor.

(iii) The permittee shall check equipment that contains hexane on a daily basis for any signs of a leak, based on Audible, Visual, and Olfactory (AVO) inspections. Equipment to be checked shall include but not be limited to, storage tanks, pumps, piping, duct work, enclosed conveyors, valves, flanges, seals, sight glasses and process equipment, as well as the extractor, DT, dryer-cooler, distillation equipment, condensers, and heat exchangers. Should an inspection detect any signs of a leak, the permittee shall take those steps necessary to determine if a leak exists and take appropriate action as specified as follows in this condition.

(iv) The permittee shall maintain and operate four (4) fixed-location flammable gas monitors or other leak detection monitoring devices approved by the Department in the solvent extraction area. The fixed-location monitors shall be placed in low lying areas in close proximity to likely fugitive emission sources. The permittee shall maintain an inventory of spare parts for the monitors in order to ensure consistent operation. The flammable gas monitors shall be set to audible and visual alarm at 100 parts per million (ppm) as methane. A representative reading shall be taken and recorded from each monitor daily. Calibration checks shall be performed at a minimum of monthly intervals to ensure the monitors alarm at the 100 ppm level. Should a monitor alarm be triggered, the permittee shall determine the source of the emissions and take appropriate action as specified as follows in this condition, if a leak is then confirmed instrumentally.

(v) The permittee shall perform a leak check for equipment containing hexane as specified in (A)—(D), as follows, using an optical gas imaging camera such as a FLIR camera or a gas leak detector capable of reading hexane concentrations in air at the equivalent concentration of 0% to 5% methane with an accuracy of +/- 0.2%. The owner/operator may request, in writing, the use of other leak detection monitoring devices, approved, in writing, by the Department. A leak is defined as an instrument reading of 500 ppm as methane above the background concentration.

(A) Initial monthly monitoring, for a minimum of 12 consecutive months.

(B) After the initial 12 month period for non-leaking components, quarterly monitoring.

(C) After any leak is observed, the monitoring frequency will revert to monthly until no leaks are shown for 12 consecutive months, then may return to quarterly.

(D) The Department may alter the monitoring frequency if detections demonstrate a change is warranted.

(vi) The portable gas leak detectors used in (v) previously listed, shall be operated in accordance with manufacturer recommended procedures and:

(A) Optical gas imaging cameras shall be operated and calibrated according to 40 CFR 60.18(g) and be able to detect hexane at a minimum sensitivity of:

i. 100 grams/hour for the monthly monitoring frequency

ii. 60 grams/hour for quarterly or longer monitoring frequencies

(B) Portable gas leak detectors shall be operated and calibrated according to 40 CFR Part 60, Appendix A, Method 21 and be able to detect hexane at a minimum sensitivity of 100 ppm methane equivalent.

(vii) A release from any equipment or component designed by the manufacturer to protect the equipment, controller(s), safety of personnel, to prevent ground water contamination, or an emergency situation is not considered a leak.

(viii) Damaged or leaking components shall be tagged with weatherproof and readily visible tags bearing an identification number and the date the leak was detected. The tags must remain in place until the leaking component is repaired. Tagging of difficult-to-monitor leaking components may be done by reference tagging. The reference tag should be located as close as possible to the leaking component and should clearly identify the leaking component and its location.

(ix) The first attempt at repair shall be required for all leaking components within 5 days of detection and the repair shall be completed within 15 days for all components unless the repair would require a unit shutdown that would create more emissions than the repair would eliminate, and if so, the repair may be delayed until the next scheduled shutdown, except the first attempt at repair for:

(A) Any leak > 10,000 ppmv and < 25,000 ppmv—2 days;

(B) Atmospheric pressure relief device leak without a rupture disk > 500 and < 25,000 ppmv—2 days;

(C) Any leak > 25,000 ppmv—1 day;

(x) A leak is considered repaired if one of the following can be demonstrated:

(A) A VOC concentration of 500 ppm as methane or less using a gas leak detector;

(B) No visible leak image when using an optical gas imaging camera able to detect hexane at a minimum sensitivity of 60 grams/hour within the distance determined during the instrument check procedure;

(C) No bubbling at leak interface using a soap solution bubble test specified in EPA Method 21; or a procedure

based on the formation of bubbles in a soap solution that is sprayed on a potential leak source may be used for those sources that do not have continuously moving parts and that do not have a surface temperature greater than the boiling point or less than the freezing point of the soap solution; or

(D) Any other method approved, in writing, by the Department.

(3) Records

(i) The permittee shall record, at a minimum, the following:

(A) Each daily AVO inspection.

(B) Each daily representative fixed-location flammable gas monitor readings.

(C) The initial and periodic leak checks of equipment.

(ii) Each daily observation/reading shall be recorded and shall be signed and dated by the person that conducted the inspection/reading.

(iii) If leaks are observed, the nature, identification number and measured concentration (ppm) of the observed leak shall be recorded along with documentation regarding corrective actions.

(iv) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon request.

(4) Reports

(i) The owner/operator must submit a written request to the Southcentral Regional Office for an extension of LDAR deadlines. This includes extensions required due to facility shutdowns and/or the ordering of replacement parts. The written request shall also include the reason(s) for the extension request and the schedule for completion of the repairs. The Department may grant an extension of the LDAR deadlines based upon the written request.

(e) In accordance with 25 Pa. Code § 129.115(k), all records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

A 30-day public comment period is provided for persons wishing to file a written protest, objection, comments or additional information, which they believe should be considered prior to the issuance of a permit. The written comments, information, protests or objections may be submitted to Thomas Hanlon, Environmental Engineering Manager, Air Quality Program, at 909 Elmerton Avenue, Harrisburg, PA 17110, or at thanlon@pa.gov on or before the closing date of this 30-day public comment period. The 30-day public comment period closes on April 24, 2023.

Each written submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT 3 plan approval, including the permit number, and a concise statement regarding the RACT 3 plan approval provision or requirement that the person is commenting on and the relevancy of the information or objections to issuance of the RACT 3 plan approval.

Public hearing. A public hearing will be held on May 10, 2023, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed RACT 3 plan approval action and the proposed SIP revision. To register

to speak at the hearing, please contact Tom Hanlon at 717.705.4862. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be the Friday before the hearing.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing may submit a written statement and exhibits within 10 days thereafter to Tom Hanlon at 909 Elmerton Avenue, Harrisburg, PA 17110, or at thanlon@pa.gov.

All pertinent documents are available electronically for public review and copies can be requested by contacting Tom Hanlon at 717.705.4862 or at thanlon@pa.gov.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Hanlon at 717.705.4862 or make accommodations through the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD).

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.

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

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

06-05105, Pioneer Crossing Energy LLC, 5087 Junction Road, Lockport, NY 14094-9601, Exeter Township, **Berks County**. Application received: April 28, 2022. For the landfill-gas-to-energy facility. The actual emissions from the facility in 2021 were estimated at 143.50 tons CO, 27.90 tons NO_x, 1.96 tons PM₁₀, 34.98 tons SO_x, 18.50 tons VOC, and 9.66 tons Formaldehyde. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 62, Subpart OOO, 40 CFR Part 63, Subpart ZZZZ and 40 CFR 60 Subpart JJJJ.

06-05078, FR&S, Inc. dba Pioneer Crossing Landfill, 4251 SW High Meadows Ave, Palm City, FL 34990, Exeter Township, **Berks County**. Application received: March 14, 2022. For the landfill located at 727 Red Lane Road. The actual emissions from the facility in 2021 year are estimated at 1.6 tons of CO, 20.5 tons of PM₁₀, 3.1 tons of PM_{2.5}, 2.0 tons of sulfur dioxide and 9.2 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 62, Subpart OOO (Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014) and 40 CFR 61 Subpart M (National Emission Standard for Asbestos).

OPERATING PERMITS

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

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.

41-00049, Danzer Veneer Americas, Inc., 240 North Reach Road, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Application received: October 18, 2022. The Department intends to issue a renewal State Only Operating Permit for the Veneer Mill facility. The facility's main sources include two wood fired boilers (each 28.1 MMBtu per hour capacity), one 25.1 MMBtu per hour natural gas fired boiler, one parts washers, two natural gas fired emergency generators and a flicht milling and veneer clipping operation. The facility has potential to emit under 52.82 tons per year (tpy) of particulate matter/particulate matter with an effective aerodynamic diameter of less than or equal to 10 micrometer, 68.19 tpy of nitrogen oxides, 86.56 tpy of carbon monoxide, 5.06 tpy of volatile organic compounds, 5.08 tpy of hazardous air pollutants and 6.5 tpy of sulfur oxides. The potential emissions for all criteria pollutants slightly changed due to removal of one 30 hp natural gas fired emergency engine and addition of a small 1,000 gallons gasoline tank at the facility. The wood fired boilers are subject to 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. The natural gas fired boiler is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Title 25 Pa. Code Chapters 121–145, as well as 40 CFR Parts 60, 63 and 98. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

08-00009, Tennessee Gas Pipeline Company, LLC, 1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089, Troy Township, **Bradford County**. Application received: February 16, 2022. For a significant permit modification to the State Only operating permit for their Troy (Compressor) Station 317 facility in Troy Township, Bradford County. No physical change or method of source operations at facility is associated with this permit revision and significant operating permit application from company. The proposed changes are found to be acceptable in order to address a reported error to the previous potential emissions calculations of total VOC emissions

(TPY) for the combustion turbine exhaust associated with Source ID P201. The revised method to address typo/error and derive new potential emission calculations, including the corresponding annual totals for NO_x, CO, VOC, will result in insignificant emission increases equal to 2.8 TPY for VOC and 2.7 for NO_x. The existing facility also includes a small natural gas-fired boiler, a centrifugal compressor (associated with Source ID P201), along with fugitive components, such as valves, flanges, etc., and an emergency generator engine. The type and estimated quantity of pollutants emitted from the source or unit submitted in the application are, as follows: NO_x—32.99 tons per year (TPY), CO—36.64 TPY, SO_x—7.82 TPY, PM₁₀—3.71 TPY, VOCs—6.42 TPY, total HAPs—1.78 TPY, and GHGs—65,739 (as CO₂e). This permit revision incorporates all applicable requirements within the revised source operating permit (NMOP 08-00009), including testing, monitoring, recordkeeping, reporting and work practice to verify compliance. The applicable requirements are derived pursuant to the regulations as found within 25 Pa. Code Chapters 121 and 145, relating to Air Resources. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

41-00046, Pennsylvania College of Technology, 2245 Reach Road, Williamsport, PA 17701-5577, City of Williamsport, **Lycoming County**. Application received: September 2, 2022. To issue a renewal of the State Only Operating Permit for their Williamsport campus. The facility's main source includes No. 2 natural gas fired boilers, emergency generators, natural gas fired heat treat ovens and paint spray booths. The facility has potential emissions of 7.72 TPY of CO; 62.01 TPY of NO_x; 0.62 TPY of SO_x; 3.76 TPY of PM/PM₁₀; 10.99 TPY of VOCs; 2.67 TPY HAPs. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121–145 and 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

55-00001, Sunbury Generation LP, P.O. Box 517, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. Application received: October 2, 2022. To issue a renewal of the State Only Operating Permit (synthetic minor) for their facility. The facility's main source includes two (2) 24 megawatt GE model 5000 # 2 or lighter fuel oil fired combustion turbines and two (2) 200 gallon per hour Electromotive model MP-45 diesel fired generators. The facility has potential emissions of 40.67 TPY of CO; 95.30 TPY of NO_x; 7.94 TPY of SO_x; 1.38 TPY of PM/PM₁₀; 2.32 TPY of VOCs; 0.01 TPY HAPs. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the appli-

cable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

Contact: Norm Frederick 570-826-2409.

64-00001, PA Dept of Corr/Waymart SCI, P.O. Box 256, Route 6, Waymart, PA 18472-0256, Canaan Township, **Wayne County**. Application received: February 8, 2023. The Department intends to issue a new State-Only (Natural Minor) Permit for the operation of a Correctional Institution in Canaan Township, Wayne County. The main sources at this facility are two (2) Superior Boilers and one (1) Cleaver Brooks Boiler utilizing natural gas. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

45-00012, Royal Chem Co LTD/East Stroudsburg, 1336 Crowe Rd., East Stroudsburg, PA 18301-1105, East Stroudsburg Borough, **Monroe County**. Application received: January 3, 2023. The Department intends to issue a renewal State-Only (Natural) Minor Permit for the manufacturing of soap and other detergents facility located in East Stroudsburg Borough, Monroe County. The sources at this facility consists of chemstrg, blend & hold tanks, and liquid packaging lines. The control devices consist of scrubbers. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00108, Tierpoint Two, LLC—Tekpark Facility, 9999 Hamilton Blvd., Breinigsville, PA 18031, Upper Macungie Township, **Lehigh County**. Application received: July 8, 2022. The Department intends to issue a new State-Only (Synthetic Minor) Permit for the data processing services facility located in Upper Macungie Township, Lehigh County. The main sources at this facility consist of two (2) emergency generators operated by diesel fuel. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

58-00005, New Enterprise Stone & Lime Co., Clifford Quarry, 3912 Brumbaugh Rd, New Enterprise, PA 16664-9137, Clifford Township, **Susquehanna County**. Application received: March 15, 2022. The Department intends to issue a renewal State-Only (Natural Minor) Permit for the crushed and broken stone facility in Clifford Township, Susquehanna County. The sources consist of crushers, screens, conveyors, and a RAP sys-

tem. The control devices are a baghouse and water sprays. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

52-00006, Pyre Inc., 405 W Harford St, Milford, PA 18337, Milford Township, **Pike County**. Application received: February 8, 2023. The Department intends to issue a renewal State-Only Operating Permit for their crematory. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

43-00290, Sharon Coating, LLC, 277 North Sharpsville Avenue, Sharon, PA 16146-2153, City of Sharon, **Mercer County**. Application received: May 24, 2022. The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the steel coil manufacturing facility. The facility's primary emission sources include two (2) natural gas-fired annealing furnace lines, two (2) emergency diesel generators, miscellaneous natural gas usage, and two (2) parts washers. The potential emissions of the primary pollutants from the facility are as follows: PM₁₀ and PM_{2.5}: 7.14 TPY, NO_x: 94.33 TPY, SO_x: 0.90 TPY, CO: 75.78 TPY, and VOC: 5.99 TPY. The facility is subject to plan approval 43-290D, which includes an emission restriction so as not to exceed 95 tons per year of NO_x emissions and 76 tons per year of CO emissions, including a limit of 1,776,000 mcf/yr of natural gas usage. The emergency diesel generators are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAP for stationary RICE. The permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

OP22-000016, Tasty Baking Company, 4300 South 26th Street, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. Application received: February 18, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal of the Natural Minor Operating Permit (NMOP) for the process of baking in the City of Philadelphia, Philadelphia County. The facility's air emissions' sources include the following: • seven (7) oven firing natural gas (NG) each rated at less than 5.0 Million British Thermal Units per hour (MMBtu/hr); • two (2) 10.206 MMBtu/hr boilers firing NG; • eighteen (18) NG fired warm air furnaces each rated less than 5.0 MMBtu/hr; • one (1) 30 gallons cold cleaning parts washer; • one (1) emergency generator firing diesel rated at 150-Kilowatt (Kw); and • twenty-

two (22) dust collectors. Persons wishing to file protest, comments, or request a public hearing on the previously listed NMOP must submit the protest, comments, or public hearing request 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 NMOP or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Managements Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "Tasty Baking OP22-000016" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail.

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.

04-00222, Austin Associates Inc./Vermiculite Plant, 1060 24th Street Ext., Beaver Falls, PA 15010, City of Beaver Falls, **Beaver County.** Application received: November 11, 2022. Austin Associates Inc. operate a vermiculite plant with two (2) exfoliation furnaces. This facility has a potential to emit 0.8 ton of NO_x per 12-consecutive month period (12-cmp), 0.9 ton/12-cmp of CO, 0.1 ton/12-cmp of VOCs, 0.1 ton/12-cmp of SO₂, 14.0 tons/12-cmp of PM₁₀, and 0.1 ton/12-cmp of HAPs based on 8,760 hours/year of operation. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, record-keeping, reporting, and work practice standards requirements for each unit. 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 (04-00222) 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.

PLAN APPROVALS

Receipt of Plan Approval Application(s) and 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 and Subchapter F. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

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

Contact: Shailesh Pate, Air Quality Engineer, 570-826-2341.

40-00153A, Modineer Pulverman, LLC, 1170 Lower Demunds Road, Dallas, PA 18612, Dallas Township, **Luzerne County.** Application received: March 2, 2023.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to modify an existing Powder Paint Spray Booth that is controlled by a Farr cartridge-type dust collector at their existing manufacturing facility located in Dallas Township, Luzerne County.

The Department of Environmental Protection's (Department) review of the information submitted by Modineer Pulverman, LLC indicates that an existing Powder Paint Spray Booth that is controlled by a Farr cartridge-type dust collector operating presently with exhaust recirculates back to the plant 100% of the time. By this application the company has requested to modify the dust collector exhaust for discharge to the outside atmosphere during the summer season for heat relief. This 10,000 CFM cartridge-type dust collector was installed in 2016. The powder paint is 100% solids that is applied electrostatically to metal parts, and then cured by electric heaters. The small amount of overspray is fine PM that is controlled by cartridge filters, which are known to be Best Available Technology (BAT). There is no VOC-content in the paint; and, therefore, there are no potential VOC emissions. The process will comply with all regulatory requirements pertaining to air contamination source and the emission of air contaminants including 25 Pa. Code § 123.41 for visible emissions and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. The dust collector will collect 99% of particulate emissions generated from the overspray before discharging into atmosphere. The use of baghouse capable of removing 99% of emissions meets Department's BAT criteria for this type of process. The company will operate the source and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

The facility is a State Only facility. If the Department determines that the process is modified and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 40-00153A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 40-00153 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northeast Regional Office, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review must be made by calling 570-826-2511.

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 the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00153A 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. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Engineer Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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. 11110201. NPDES No. PA0263265. Fuel Recovery, Inc., 1501 Ligonier Street, Latrobe, PA 15650, Portage Township, **Cambria County.** Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 71.4 acres. Receiving streams: unnamed tributary to Bens Creek and Spring Run, classified for the following use: CWF. Application received: March 1, 2023.

Mining Permit No. 11070202. NPDES No. PA0262439. Ebensburg Power Company, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, Nanty Glo Borough, **Cambria County**. Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 83.1 acres. Receiving stream: South Branch Blacklick Creek classified for the following use: CWF. Application received: March 2, 2023.

Mining Permit No. 11930102. NPDES No. PA0212393. E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722, Dean Township, **Cambria County**. NPDES renewal of a long-term treatment of post mining discharges affecting 21 acres. Receiving streams: Little Laurel Run & Clearfield Creek classified for the following uses: CWF & WWF. Application received: March 6, 2023.

Mining Permit No. 11120201. NPDES No. PA0269042. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, East Taylor Township, **Cambria County**. Permit renewal for the continued operation and restoration of a bituminous surface mine affecting 145.2 acres. Receiving streams: unnamed tributaries to Little Conemaugh River classified for the following use: CWF. Application received: March 6, 2023.

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

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8200.

Mining Permit No. 17160104. NPDES No. PA0269778. RES Coal LLC, 51 Airport Road, Clearfield, PA 16830, Decatur Township, **Clearfield County**. Renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine affecting 91.4 acres. Receiving stream(s): UNTs to Shimel Run and UNTs to Little Laurel Run classified for the following use(s): CWF. Application received: September 23, 2022. Issued: March 10, 2023.

Mining Permit No. GP-12 170521601. Junior Coal Contracting, Inc., 2330 Six Mile Rd, Philipsburg, PA 16866, Decatur Township, **Clearfield County**. Application for renewal of coverage under GP-12 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. 17051601. Application received: March 8, 2023.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert, 724.925.5500, RA-EPNEWSTANTON@pa.gov.

Mining Permit No. 03030102. Bedrock Mines, LP, 111 Freeport Road, Pittsburgh, PA 15215, East Franklin Township and Sugarcreek Township, **Armstrong County**. Renewal application for reclamation only for an existing bituminous surface mine site, affecting 256.6 acres. Receiving streams: Unnamed tributaries to Long Run and to Long Run, to Patterson Creek, to Buffalo Creek and to the Allegheny River, classified for the following use: TSF. Application received: March 9, 2023.

Mining Permit No. 63120104. NPDES No. PA0252255. Neiswonger Construction, Inc., 17592 Route 322, Strattanville, PA 16258, Deemston Borough, **Washington County**. Renewal application for continued mining to an existing bituminous surface mine and associated NPDES permit, affecting 212.5 acres. Receiving streams: Unnamed tributaries to Fishpot Run & Black Dog Run, classified for the following use: WWF. Application received: March 14, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 40663028. Ebervale Mining Division, LLC, 100 Hazlebrook Road, Hazleton, PA 18201, Hazle Township, **Luzerne County**. Transfer of an anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation affecting 536.0 acres from Pagnotti Enterprises, Inc. Receiving stream: Black Creek, classified for the following uses: CWF, MF. Application received: February 23, 2023.

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.			

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. 11940301. Cambria Industrial Metals, Inc., P.O. Box 64430, Washington, DC 20029, East Taylor Township, **Cambria County**. Permit revision to change the land use from unmanaged natural habitat to industrial. Receiving stream: Hinckston Run classified for the following uses: WWF. Application received: March 1, 2023.

Mining Permit No. 4274SM7. NPDES No. PA0009822. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Walker Township, **Huntingdon County**. NPDES renewal of a large industrial mineral permit. Receiving stream: Crooked Creek classified for the following uses: WWF. Application received: March 6, 2023.

Mining Permit No. 0579201. NPDES No. PA0118583. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Broad Top Township, **Bedford County**. NPDES renewal of a large industrial mineral permit. Receiving stream: Six Mile Run classified for the following uses: WWF. Application received: March 8, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 38950301. NPDES Permit No. PA0223646. Cornwall Mining, LLC, 201 Iron Valley Drive, Lebanon, PA 17042, Cornwall Borough, **Lebanon County**. Transfer of a quarry operation and NPDES Permit from H & K Group, Inc. affecting 175.5 acres. Receiving stream: Snitz Creek, classified for the following use: TSF. Application received: February 28, 2023.

Mining Permit No. 38970301. NPDES Permit No. PA0224448. Cornwall Mining, LLC, 201 Iron Valley Drive, Lebanon, PA 17042, Cornwall Borough, **Lebanon County**. Transfer of a quarry operation and NPDES Permit from H & K Group, Inc. affecting 199.2 acres. Receiving stream: Snitz Creek, classified for the following use: TSF. Application received: February 28, 2023.

Mining Permit No. 38020302. Cornwall Mining, LLC, 201 Iron Valley Drive, Lebanon, PA 17042, Cornwall Borough, **Lebanon County**. Transfer of a quarry operation from H & K Group, Inc. affecting 23.1 acres. Receiving stream: Snitz Creek, classified for the following use: TSF. Application received: March 1, 2023. Application received: March 1, 2023.

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.

Coal NPDES Draft Permits

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

Contact: Bonnie Herbert, Clerical Assistant 3, 724-769-1100.

NPDES No. PA0215121. Mining Permit No. 56981301. Quecreek Mining, Inc., P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, Lincoln and Somerset Townships, **Somerset County**. Application received: September 28, 2018. Accepted: March 20, 2019.

A renewal to the NPDES permit and coal mining activity permit, affecting 47.3 surface acres and 4,774.0 underground acres related to a coal mining activity permit. Receiving stream(s): Quemahoning Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL.

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

The proposed effluent limits for Outfall 001 discharging to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 002 discharging to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 003 discharging to Tributary 45560 to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 005 discharging to Tributary 45560 to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 006 discharging to Quemahoning Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

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.

PA0607908. Mining Permit No. 29940301. Bluegrass Materials Company, LLC, 10000 Beaver Dam Road, Cockeyville, MD 21030, Bethel and Thompson Townships, **Fulton County**. Renewal of NPDES permit affecting 160.0 acres related to a noncoal mining permit. Receiving stream: Little Tonoloway Creek, classified for the following use: TSF. Application received: February 27, 2023.

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

The following treated wastewater outfalls discharge to Little Tonoloway Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Stormwater/Pit Water	Precipitation Dependent
002	Existing	Stormwater	Precipitation Dependent
003	Existing	Stormwater	Precipitation Dependent

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

<i>Outfalls 001 (All Discharges) Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Suspended Solids (ml/L)	XXX	35.0	70.0	90.0
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
<i>Outfall 002 (Dry Weather Discharges) Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Suspended Solids (ml/L)	XXX	35.0	70.0	90.0
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 002 and 003 (10-yr/24-hr Precip. Event)
Parameter (unit)*

Total Iron (mg/L)
Total Settleable Solids (ml/L)
pH (S.U.)

<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
XXX	XXX	XXX	7.0
XXX	XXX	XXX	0.5
6.0	XXX	XXX	9.0

*Outfalls 002 and 003 (>10-yr/24-hr Precip. Event)
Parameter (unit)*

pH (S.U.)

<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
6.0	XXX	XXX	9.0

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)).

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.

Contact: Robert Graves, Completed Projects Section Chief, 717-783-7480.

E1112223-001. Department of General Services—Bureau of Capital Projects Design, 18th and Herr Streets, Harrisburg, PA 17125, Wilmore Borough, Cambria County. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 10, 2023.

The purpose of the project is to construct 1,300 feet of earthen levee flood control along the left bank of North

Branch Little Conemaugh River and Little Conemaugh River in the Borough of Wilmore, Cambria County, PA. The project consists of removing an existing spoil levee along North Branch Little Conemaugh River, constructing an elevated flood plain along NBLC, construction of 800 linear feet of compacted earthen levee along NBLC, 500 linear feet of compacted earthen levee along Little Conemaugh River, construction of 5 levee drainage structures with flap gates and sluice gates, a new stormwater drainage system, construction of an interior drainage basin, construction of State Route 160 roadway elevation adjustment, and construction & installation of a hinged gate closure structure across State Route 160. The project application site is located in the Ebensburg PA USGS Quadrangle Map Latitude: 40° 23' 6" N, Longitude: -78° 43' 10" W.

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: James Cassidy, Senior Civil Engineer, 570-855-9764.

F4104223-001. Anthony Township, 1361 White Hall Road, Turbotville, PA 17772, Turbotville Borough, Montour County. U.S. Army Corps of Engineers Baltimore District. Application received: February 7, 2023.

Multiple homes being demolished to re-establish floodway. Latitude: 41.11419, 41.11406, and 41.09688°, Longitude: -76.68572, -76.68566, and -76.68342°.

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

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E5402223-001. PPL Electric Utilities Corporation, 1639 Church Road, Allentown, PA 18104, Butler Township, Schuylkill County. U.S. Army Corps of Engineers Philadelphia District. Application received: February 2, 2023.

To permanently impact 0.01 acre of wetlands PEM for the replacement of the existing Frackville Substation. (Shenandoah SW, PA Quadrangle, Latitude: 40° 46' 38"; Longitude: -76° 14' 43").

E4502223-001. Maureen Garrido, 777 North Marquesten Pkwy., Apt. 306, Mount Vernon, NY 10552, Smithfield Township, Monroe County. U.S. Army Corps of Engineers Philadelphia District. Application received: February 27, 2023.

To construct and maintain a driveway crossing 50 feet of wetlands and 4 feet wide by 35 feet long wooden foot bridge crossing of UNT to Cherry Creek, to gain access to the upland portion of the property. The project is located in Smithfield Township, Monroe County, PA. Quadrangle Latitude: 40° 58' 36.0"; Longitude: -75° 09' 10.0". (Stroudsburg, PA Quadrangle, Latitude: 40° 58' 36"; Longitude: -75° 09' 10").

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

Contact: 717-705-4802.

E0103222-002. JVI Group Inc., 8210 Carlisle Pike, York Springs, PA 17372-9517, Straban Township, **Adams County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 23, 2022.

The applicant proposes to relocate 882 linear feet of a UNT to Rock Creek (WWF, MF), currently conveyed by defined surface channels, subsurface flow, and piping, for the purpose of a residential housing development. The relocated channel is designed to have a natural meander pattern, a natural streambed, grade control structures, and access to a floodway. The project is located northeast of the intersection of Hunterstown Road and Route 30 in Straban Township, Adams County (Latitude: 39.8398; Longitude: -77.2121). No wetland impacts are proposed with the project.

E2203222-007. Highspire Borough Authority, 640 Eshelman Street, Highspire, PA 17034, Highspire Borough, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 16, 2022.

To replace sludge stabilization facilities and dewatering equipment, permanently impacting 0.1 acre of the floodplain of the Susquehanna River (WWF, MF). All project activities are for the purpose of preventing a critical failure of the biosolids system as well as providing a long-term solution to processing and disposal of biosolids that should result in stable sewer costs. The project is located Highspire Wastewater Treatment Facility (40.2066, -76.7897). There are no impacts to wetlands proposed. Latitude: 40.2066°, Longitude: -76.7897°.

E5003223-001. Trout Brothers Dairy, 508 Red Rock Road, Loysville, PA 17047, Jackson Township, **Perry County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 9, 2023.

To 1) Install two (2) 10" manure transfer lines crossing under Sherman's Creek (HQ-CWF, MF). The eastern crossing will temporarily impact 2,345 square feet of Sherman's Creek (HQ-CWF, MF) floodway and watercourse and permanently impact 175 linear feet of Sherman's Creek (HQ-CWF, MF) floodway and watercourse. The western crossing will temporarily impact 1,000 square feet of Sherman's Creek (HQ-CWF, MF) floodway and watercourse and permanently impact 350 linear feet of Sherman's Creek (HQ-CWF, MF) floodway and watercourse. All proposed work is for the purpose of providing easy access to manure for fertilizing agricultural property. The project is located Trout Brothers Farm (Latitude: 40.19394, Longitude: -77.28293) in Jackson Township, Perry County. There are no wetland impacts proposed.

E2203223-001. Pennsylvania American Water Company, 852 Westley Drive, Mechanicsburg, PA 17055, Steelton Borough, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 24, 2023.

To install treatment process systems in the existing water filtration plant building and the construction of the following outside of the filtration plant building: a new backwash water storage tank, a chemical unloading spill containment trench, and a new storage building, permanently impacting 0.1 acre of the floodplain of the Susquehanna River (WWF, MF). All proposed activities are for the purpose of increasing plant resiliency and

reliability and improving safety issues. The project is located at the Steelton Water Treatment Plant. There are no impacts to wetlands proposed. Latitude: 40.2336°, Longitude: -76.8481°.

E2103223-001. Silver Spring Township, 8 Flowers Drive, Mechanicsburg, PA 17050, Silver Spring Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 13, 2023.

To install two pickleball courts at Hidden Creek Park. The project will permanently impact 0.41 acre of the floodplain of Conodoguinet Creek (WWF, MF). All impacts are for the purpose of providing additional recreation area. The project is located at Hidden Creek Park in Silver Spring Township, Dauphin County. There are no impacts to wetlands proposed. Latitude: 40.2557°, Longitude: -76.0105°.

E3803223-001. North Cornwall Township, 320 South 18th Street, Lebanon, PA 17042-5775, North Cornwall Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 13, 2023.

To relocate the pump station building permanently impacting 0.18 acre of the floodplain of Quittaphilla Creek (TSF, MF). All proposed impacts are for the purpose of upgrading the pumping station's total capacity and electric mechanisms. The project is located at the Dairy Road Pumping Station. There are no impacts to wetlands proposed. Latitude: 40.3367°, Longitude: -76.4658°.

E2203223-002. Prologis L.P., 7584 Morris Court, Allentown, PA 18106, West Hanover Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 6, 2023.

To 1.) place and maintain fill in palustrine emergent/scrub shrub/forested wetlands, permanently impacting 0.58 acre of wetlands; and 2.) place and maintain fill in an unnamed tributary to Walnut Run (WWF, MF), permanently impacting 391 linear feet of stream channel, and 1.09 acres of floodway, all for the purpose of constructing a proposed warehouse. The project is located near the intersection of Quality Road and Linglestown Road (Latitude: 40° 21' 27" N; Longitude: 76° 44' 21" W) in West Hanover Township, Dauphin County. To compensate for the proposed impacts, the applicant proposes to purchase 0.71 wetland credit and 494 stream credits from the Codorus Creek Mitigation Bank (DEP Permit # MB990367-001) in York County, PA.

E0103222-001. Joseph Myers, 160 Ram Drive, Hanover, PA 17331, Abbottstown Borough, Berwick Township, **Adams County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 18, 2022.

The applicant proposes to: 1) construct and maintain a 56.0-foot long 3.0-foot by 6.0-foot open bottomed box culvert roadway crossing with endwalls with an associated 113.0-linear foot stream relocation and an 8.0-inch water line installation in the roadway footprint all across a UNT to Beaver Creek (WWF, MF), permanently impacting 0.23 acre of forested and emergent wetland, 2) to install and maintain an 8.0-inch sanitary sewerline across Beaver Creek (WWF, MF), permanently impacting 24 linear feet of stream channel and 0.05 acre of emergent wetland, and 3) construct a stormwater management facility in the floodway of Beaver Creek (WWF, MF), permanently impacting 0.03 acre of floodway. The purpose of the project is to build out a residential housing development. The project is located along Sutton Road in Abbottstown Borough and Berwick Township, Adams

County (Latitude: 39.8781; Longitude: -76.9897). The project proposes 0.6 acre of on-site wetland creation as compensatory mitigation.

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

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

E1501223-005. Borough of Kennett Square, 600 South Broad Street, Suite 110, Kennett Square, PA 19348, Kennett Square Borough, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 22, 2023.

To construct and maintain the following listed water obstruction and encroachment activities associated with Red Clay Park Phase I. Kennett Square Borough is seeking permitting for the construction of a 300 ft long by 12 ft wide at-grade asphalt trail along East Branch of Red Clay Creek (TSF, MF). The proposed work will also include a creek access feature which will be constructed of boulders along the streambank, and a stormwater management system which includes the construction of sub-surface gravel storage bed and new outfall structure. The site is located near the intersection of Dalmation and Cypress Streets (Kennett Square, PA USGS Map) in Kennett Square Borough, Chester County. Latitude: 39.846106°, Longitude: -75.705938°.

E4601223-008. Upper Providence Township, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 23, 2023.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 116 Jacob Street and 104, 153, 159, 163, and 236 Walnut Street, Mont Clare (Phoenixville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.136594 and 40.134911°, Longitude: -75.507762 and -75.504751°.

E4601223-010. Montgomery County, One Montgomery Plaza, P.O. Box 311, Norristown, PA 19404, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 24, 2023.

To construct and maintain the following listed water obstruction and encroachment activities associated with the Schuylkill Canal dredging at Lock 60 Recreation Area. Montgomery County Division of Parks, Trails, & Historic Sites is proposing to dredge the forebay to the Schuylkill Canal at Lock 60 to its pre-existing condition of elevation 6.5-foot-deep. The proposed work will also include 175 LF of bank stabilization upstream from the outlet which will include R-6 riprap. The existing retaining walls along the canal will be rehabilitated by using shotcrete concrete finishing to match the existing walls which include dewatering the canal. The site is located near the intersection of SR-29 South and Tow Path Road, (Phoenixville, PA USGS map) in Upper Providence Township, Montgomery County. Latitude: 40.145976°, Longitude: -75.507102°.

E4601223-012. Upper Providence Township, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 7, 2023.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 726, 745, 811, and 820 Port Providence Road and 305 Hollow Road in Phoenixville, and 110, 127, and 129 Walnut Street in Mont Clare (Phoenixville, PA, USGS Quadrangle and Collegeville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.135647 and 40.140634°, Longitude: -75.506312 and -75.527002°.

E4601223-013. Upper Providence Township, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 7, 2023.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 320, 415, 444, and 460 Port Providence Road in Phoenixville (Phoenixville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.146647°, Longitude: -75.517312°.

E4601223-014. Upper Providence Township, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 9, 2023.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 215 & 259 Canal Street and 109 Store Street in Phoenixville and 248 & 258 Walnut Street, Mont Clare (Phoenixville, PA, USGS Quadrangle and Collegeville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.125647 and 40.190634°, Longitude: -75.596312 and -75.617002°.

E4601223-015. Upper Providence Township, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 9, 2023.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 206, 300, and 304 Hollow Road and 805 and 905 Port Providence Road, Phoenixville (Collegeville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.210634°, Longitude: -75.427902°.

E1501223-002. Somerset Lake Service Corporation, P.O. Box 7368, Wilmington, DE 19803, New Garden Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 18, 2023.

E1501223-002. Somerset Lake Service Corporation, P.O. Box 7368, Wilmington, DE 19803, New Garden Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: January 18, 2023.

To shift the thalweg to its historic alignment for a portion of Broad Run Creek to reduce streambank erosion, and to stabilize the streambank along the floodplain of Broad Run Creek (CWF). The site is located at 32-36 Southampton Parish Road, Landenberg, Kennett Square (Kennett Square, PA, USGS Quadrangle) in New Garden Township, Chester County. Latitude: 39.783538°, Longitude: -75.741878°.

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

Contact: Dana Drake, Program Manager, 412-442-4000.

E1105122-005. PennDOT District 12-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648, Summerhill Borough, **Cambria County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: December 16, 2022.

The applicant proposes to: Remove accumulated sediment within Laurel Run (CWF) under the existing, single span composite pre-tensioned adjacent box beam bridge, with a normal clear span of 27'-2 1/4", which carries SR 53 over Laurel Run, and regrade the streambed profile approximately 36 LF upstream and 76 LF downstream of the structure, and construct and maintain a widened stream channel cross-section downstream of the aforementioned structure, by regarding the stream banks, to increase the hydraulic opening of the existing structure from approximately 127.02 sq. ft, to approximately 153.57 sq. ft. Cumulatively, the project will have a permanent impact of 172 LF and a temporary impact of 33 LF, on Laurel Run. Mitigation will be achieved through the restoration of temporary impacts. The project site is located on Railroad St., between Main St. and Tunnel St. (Geistown, PA, USGS topographic quadrangle; N: 40°, 22', 26.8"; W: -78°, 45', 26.5"; Sub-basin 18E; ACOE Pittsburgh District), in the Borough of Summerhill, Cambria County. Latitude: 40° 22' 26.8", Longitude: -78° 45' 26.5".

E5605221-006. Carrie Morchesky, 1111 Mechling Road, Greensburg, PA 15601, Indian Lake Borough, **Somerset County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: December 16, 2021.

The applicant has been given consent to: 1. To excavate an area (approximately 50-ft x 30-ft, depth of 6.8-ft) in and along Indian Lake (CWF), 2. Construct and maintain two boat slips and an associated boat house (40-ft long x 30-ft wide), within the aforementioned excavated area, for the purpose of creating recreational boat slips and a boat house. The project will permanently affect 30 LF of Indian Lake shoreline. The project is located at 1263 Peninsula Drive, Central City, PA 15926 (Stoystown, PA USGS topographic quadrangle; Latitude: 40° 02' 21.43"; Longitude: -78° 52' 32.22"; Subbasin 18E; ACOE: Pittsburgh District), in Indian Lake Borough, Somerset County. Latitude: 40° 02' 21.43", Longitude: -78° 52' 32.22".

ENVIRONMENTAL ASSESSMENTS

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: James Cassidy, Senior Civil Engineer, 570-855-9764.

EA4104223-001. Joshua Sheetz, 1816 Carlisle Road, Camp Hill, PA 17011, Pine Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 7, 2023.

The applicant is submitting a request for a Chapter 105 Waiver 16 Site Restoration. The project consists of an existing seasonal trailer building, utility building addition, cold cellar and pavilions located on a 38.5-acre parcel. The project is located at 17158 Route 287 Highway in Pine Township, Lycoming County. The project area consists of open, maintained lawn area. The project consists of the removal of the existing seasonal trailer building, building addition, and cold cellar. The trailer building and building addition are located within the FEMA regulatory floodway. The existing open pavilions (carport and storage pavilion) will remain in place. Following removal, a new stick-built seasonal building will be installed outside of the FEMA regulatory floodway. The proposed building will follow all local and county floodplain regulations regarding seasonal homes in a floodplain. The proposed building will be a 56' x 26' one-story structure. Latitude: 41° 26' 52.9225" N, Longitude: -77° 16' 40.5758" W.

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

Contact: 717-705-4802.

EA6703223-001. Working Lands Investment Partners LLC, 109 West Clearview Drive, Camp Hill, PA 17011-4023, City of York, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 8, 2023.

The applicant proposes to restore 1,200 linear feet of Willis Run (WWF, MF) by way of bank grading, floodplain reconnection, toe wood protection, rock J-hooks and a cross rock vane, all for the purpose of restoring natural stream and floodplain function to the stream channel. The project is located in Lincoln Park (Latitude: 39.9698; Longitude: -76.7503) and Noonan Fields (Latitude: 39.9693; Longitude: -76.7472) in York City, York County. No wetland impacts are proposed with the project. Latitude: 39.9693°, Longitude: -76.7503°.

EA0703221-001. US Fish and Wildlife Service, 110 Radnor Road, Suite 101, State College, PA 16801-7987, Blair Township, **Blair County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 14, 2023.

The U.S. Fish and Wildlife Service proposes a Major Amendment to its Environmental Assessment approval, EA0703221-001, which authorized the construction and maintenance of a stream restoration project realigning approximately 2,400 linear feet of Frankstown Branch Juniata River. The project included installation of 9 log vane structures, 270-feet of mudsill cribbing, stabilization and channel blocks to restore the stream alignment to historic location and dimension and stabilize channel (WWF, MF). The Major Amendment proposes the addition of 650 linear feet of restoration activities within and along a receiving tributary, McDonald Run that includes the installation and maintenance of seven log vanes, resulting in 285 linear feet of permanent impact, the installation and maintenance of mudsill cribbing, resulting in 40 linear feet of permanent impact, the excavation and maintenance within the stream channel to remove an existing gravel bar, resulting in 70 linear feet of permanent impact to McDonald Run (WWF, MF), and the installation and maintenance of riparian plantings. The project is located near 120 Standish Lane, approximately 0.4 mile East of intersection with Dunning Highway. (Hollidaysburg, PA Quadrangle, Latitude: 40.374932; Longitude: -78.426349) in Freedom Township, Blair County.

ACTIONS

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.

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>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA210001D	Chapter 102 Individual NPDES Permit	Issued	PPL Electric Utilities Corp 827 Hausman Road Genn4 Allentown, PA 18104-9392	Lower Allen Township Cumberland County	SCRO
PA520001D	Chapter 102 Individual NPDES Permit	Issued	PPL Electric Utilities Corp 827 Hausman Road Genn4 Allentown, PA 18104-9392	Lackawaxen Township Pike County	NERO
PAD020062	Chapter 102 Individual NPDES Permit	Issued	Suncap Property Group 6101 Carnegie Boulevard Charlotte, NC 28209-4644	Stowe Township Allegheny County	SWRO
PAD070014	Chapter 102 Individual NPDES Permit	Issued	M&G Realty Inc. 2100 North George Street York, PA 17404	Antis Township Blair County	SCRO
PAD090015	Chapter 102 Individual NPDES Permit	Issued	Thomas Crews 242 S Sugan Road New Hope, PA 18938-1241	New Hope Borough Bucks County	SERO
PAD150017	Chapter 102 Individual NPDES Permit	Issued	Gladwyne BH Investments LLC 1356 Monk Road Gladwyne, PA 19035	East Bradford Township Chester County	SERO
PAD210082	Chapter 102 Individual NPDES Permit	Issued	Hamilton Commons LLP 322 S Hanover Street Carlisle, PA 17013-3915	Carlisle Borough Cumberland County	SCRO
PAD210086	Chapter 102 Individual NPDES Permit	Issued	Reiff Harlan O 240 Mountain View Road Shippensburg, PA 17257-9635	South Newton Township Cumberland County	SCRO
PAD360097	Chapter 102 Individual NPDES Permit	Issued	Quarryville Resorts LP 340 Blackburn Road Quarryville, PA 17566-9697	East Drumore Township Lancaster County	SCRO
PAD450114	Chapter 102 Individual NPDES Permit	Issued	Sanofi Pasteur Discovery Drive State Route 611 P.O. Box 187 Swiftwater, PA 18370	Pocono Township Monroe County	NERO
PAD460076	Chapter 102 Individual NPDES Permit	Issued	SEPTA 1234 Market Street Philadelphia, PA 19107-3727	Conshohocken Borough Montgomery County	SERO
PAD510212	Chapter 102 Individual NPDES Permit	Issued	Penrose Properties Investor 6800 Bishop Road Plano, TX 75024-4274	Philadelphia City Philadelphia County	SERO
PAD510223	Chapter 102 Individual NPDES Permit	Issued	University of PA 3101 Walnut Street Philadelphia, PA 19104-3437	Philadelphia City Philadelphia County	SERO
0713801	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
0713802	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Antis Township Blair County	SCRO
0713803	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Tyrone Township Blair County	SCRO

NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0713804	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
0713805	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
0713806	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
0713807	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Logan Township Blair County	SCRO
0713808	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Juniata Township Blair County	SCRO
0713809	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Antis Township Blair County	SCRO
0713810	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Antis Township Blair County	SCRO
0913963	Joint DEP/PFBC Pesticides Permit	Issued	Villas At Regents Glen 975 Easton Road Suite 102 Warrington, PA 18976-1858	Bensalem Township Bucks County	SERO
1023801	Joint DEP/PFBC Pesticides Permit	Issued	Arden Wood HOA 4900 Perry Highway Bldg 1 Suite 300 Pittsburgh, PA 15229-2220	Lancaster Township Butler County	NWRO
1518810	Joint DEP/PFBC Pesticides Permit	Issued	Distefano Landscape Service Inc. 181 Robbins Road Downingtown, PA 19335	Uwchlan Township Chester County	SERO
3513814	Joint DEP/PFBC Pesticides Permit	Issued	Newton Lake Association 332 Washington Street Greenfield Township, PA 18407-3833	Greenfield Township Lackawanna County	NERO
3522803	Joint DEP/PFBC Pesticides Permit	Issued	Matrone Alphonse 136 Carbondale Road Waverly Township, PA 18414-8902	Waverly Township Lackawanna County	NERO
3613861	Joint DEP/PFBC Pesticides Permit	Issued	Obrochta James 3752 Purple Lake Drive Columbia, PA 17512-9769	West Hempfield Township Lancaster County	SCRO
3623801	Joint DEP/PFBC Pesticides Permit	Issued	Shaub Rick 2419 Harrisburg Pike Lancaster, PA 17601-1719	East Hempfield Township Lancaster County	SCRO
3813822	Joint DEP/PFBC Pesticides Permit	Issued	Greater Lebanon Refuse Authority 1610 Russell Road Lebanon, PA 17046-1425	North Lebanon Township Lebanon County	SCRO
3813823	Joint DEP/PFBC Pesticides Permit	Issued	Greater Lebanon Refuse Authority 1610 Russell Road Lebanon, PA 17046-1425	North Lebanon Township Lebanon County	SCRO
4016805A-1	Joint DEP/PFBC Pesticides Permit	Issued	Harveys Lake Borough Luzerne County 4875 Memorial Highway Suite 101 P.O. Box 60 Harveys Lake, PA 18618-2186	Harveys Lake Borough Luzerne County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4613856	Joint DEP/PFBC Pesticides Permit	Issued	Asplundh Chris 3700 Buck Road Huntingdon Valley, PA 19006-2201	Lower Moreland Township Montgomery County	SERO
4623801	Joint DEP/PFBC Pesticides Permit	Issued	White Tail Farm 1543 N Trooper Road Worcester, PA 19490	Worcester Township Montgomery County	SERO
5413801	Joint DEP/PFBC Pesticides Permit	Issued	Schuylkill Haven Borough Schuylkill County 333 Center Avenue Schuylkill Haven, PA 17972-1007	Schuylkill Haven Borough Schuylkill County	NERO
5813802	Joint DEP/PFBC Pesticides Permit	Issued	Acre Lake Improvement Association 248 Nancy Drive Scranton, PA 18505-2943	Lenox Township Susquehanna County	NERO
5813825	Joint DEP/PFBC Pesticides Permit	Issued	Lake Walter Water Co. P.O. Box 75 Springville, PA 18844-0075	Springville Township Susquehanna County	NERO
5822802	Joint DEP/PFBC Pesticides Permit	Issued	Lake Side Cottages Association 16070 Dimock to Nicholson Road Hop Bottom, PA 18824-7774	Lathrop Township Susquehanna County	NERO
1507406	Land Application and Reuse of Sewage Individual WQM Permit	Issued	East Brandywine Township Municipal Authority Chester County 1214 Horseshoe Pike Downingtown, PA 19335-1132	East Brandywine Township Chester County	SERO
3522402	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Scranton City Lackawanna County	NERO
3523401	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Scranton City Lackawanna County	NERO
2122203	Manure Storage and Wastewater Impoundments Individual WQM Permit	Issued	Dickinson College P.O. Box 1773 Carlisle, PA 17013-2896	South Middleton Township Cumberland County	SCRO
PA0056898	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	To Jo Mushrooms Inc. 947 Penn Green Road P.O. Box 687 Avondale, PA 19311	New Garden Township Chester County	SERO
PA0263664	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Tri County Ind Inc. 159 TCI Park Drive Grove City, PA 16127-4347	Liberty Township Mercer County	NWRO
PA0080527	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Hershey Estates & Storage LLC 135 W Central Boulevard Suite 730 Orlando, FL 32801-2430	South Londonderry Township Lebanon County	SCRO
PA0061034	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Waverly Township Lackawanna County Lake Henry Drive P.O. Box 8 Waverly, PA 18471-0008	Waverly Township Lackawanna County	NERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1506402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Northwestern Chester County Municipal Authority Chester County P.O. Box 308 5277 Horseshoe Pike Honey Brook, PA 19344-0308	Honey Brook Township Chester County	SERO
3876401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Hershey Estates & Storage LLC 135 W Central Boulevard Suite 730 Orlando, FL 32801-2430	South Londonderry Township Lebanon County	SCRO
5309401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Galeton Borough Authority Potter County 24 West Main Street Galeton, PA 16922-1264	Galeton Borough Potter County	NCRO
6707406	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Wrightsville Borough Municipal Authority York County 601 Water Street Wrightsville, PA 17368-1646	Wrightsville Borough York County	SCRO
NOEXNW162	No Exposure Certification	Issued	Ferrellgas LP 1028 Stevenson Road Grove City, PA 16127-7918	Barkeyville Borough Venango County	NWRO
NOEXNW226	No Exposure Certification	Issued	FedEx Supply Chain 1200 S Noah Drive Saxonburg, PA 16056-9700	Saxonburg Borough Butler County	NWRO
NOEXNW228	No Exposure Certification	Issued	3025 West 17 LLC 3025 W 17th Street Erie, PA 16505-3930	Millcreek Township Erie County	NWRO
NOEXSE178	No Exposure Certification	Issued	CAES System LLC 305 Richardson Road Lansdale, PA 19446-1495	Montgomery Township Montgomery County	SERO
PAG030069	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	CFD Next LLC 529 Cedar Lane Florence, NJ 08518	Bristol Township Bucks County	SERO
PAG030077	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Smyrna Ready Mix Concrete 1000 Hollinghead Circle Murfreesboro, TN 37129	Darby Township Delaware County	SERO
PAG032246	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ball Metal Beverage Container Corporation 140 Industrial Drive Pittston, PA 18640-6145	Jenkins Township Luzerne County	NERO
PAG036276	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Mostoller Landfill Inc. 7095 Glades Pike Somerset, PA 15501-4213	Somerset Township Somerset County	SWRO
PAG036306	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gen Alloys Inc. 135 W Wylie Avenue Washington, PA 15301-2205	Canton Township Washington County	SWRO
PAG036310	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kantner Iron & Steel Inc. 365 Bassett Road Hooversville, PA 15936-7608	Quemahoning Township Somerset County	SWRO
PAG045046	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Croft Dorcas 1317 Parkview Drive Clearfield, PA 16830-1121	Bradford Township Clearfield County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG049343	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Glen and Robyn Hempfling 169 Kelly Road Portersville, PA 16051-2107	Lancaster Township Butler County	NWRO
PAG049599	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Donald and Sara Campbell 151 Forestview Lane Edinboro, PA 16412-1763	Washington Township Erie County	NWRO
PAG134815	PAG-13 NPDES General Permit for MS4s	Waived	Mifflin Township Columbia County P.O. Box 359 Mifflinville, PA 18631-0359	Mifflin Township Columbia County	NCRO
PAG136168	PAG-13 NPDES General Permit for MS4s	Waived	Haysville Borough Allegheny County 36 South Avenue Sewickley, PA 15143-2108	Haysville Borough Allegheny County	SWRO
5123402	Sewer Extensions Individual WQM Permit	Issued	Philadelphia Water Department 1101 Market Street 6th Floor Philadelphia, PA 19107-2994	Philadelphia City Philadelphia County	SERO
5123403	Sewer Extensions Individual WQM Permit	Issued	Philadelphia Water Department 1101 Market Street 6th Floor Philadelphia, PA 19107-2934	Philadelphia City Philadelphia County	SERO
5123404	Sewer Extensions Individual WQM Permit	Issued	Philadelphia Water Department 1101 Market Street 6th Floor Philadelphia, PA 19107-2934	Philadelphia City Philadelphia County	SERO
PA0265055	Single Residence STP Individual NPDES Permit	Issued	Ireland Bruce C 131 N Branch Road Eldred, PA 16731-3903	Eldred Township McKean County	NWRO
PA0266531	Single Residence STP Individual NPDES Permit	Issued	Curtis Fred 1561 Weisstown Road Boyertown, PA 19512	Colebrookdale Township Berks County	SCRO
PA0287857	Single Residence STP Individual NPDES Permit	Issued	Angela and Robert Blayney 23 Tanner Road Greenville, PA 16125-9205	West Salem Township Mercer County	NWRO
0722402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Shane Noye 714 Lower Riggles Gap Road Altoona, PA 16601-8836	Antis Township Blair County	SCRO
1794404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Croft Dorcas 1317 Parkview Drive Clearfield, PA 16830-1121	Bradford Township Clearfield County	NCRO
4319412	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Angela and Robert Blayney 23 Tanner Road Greenville, PA 16125-9205	West Salem Township Mercer County	NWRO
4692417	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Taylor Paul 132 Middle Creek Road Gilbertsville, PA 19525-8601	Douglass Township Montgomery County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0056731	Small Flow Treatment Facility Individual NPDES Permit	Issued	Historic Salem Village Homeowners Association 2193 Yellow Springs Road Malvern, PA 19355	Tredyffrin Township Chester County	SERO
PA0065129	Small Flow Treatment Facility Individual NPDES Permit	Issued	Holbert David R. 125 Rocky Rift Farm Road Lackawaxen, PA 18435-9727	Lackawaxen Township Pike County	NERO
WQG018547	WQG-01 WQM General Permit	Issued	Glen and Robyn Hempfling 169 Kelly Road Portersville, PA 16051-2107	Lancaster Township Butler County	NWRO
WQG018767	WQG-01 WQM General Permit	Issued	Donald and Sara Campbell 151 Forestview Lane Edinboro, PA 16412-1763	Washington Township Erie County	NWRO
PAD410024	NPDES Individual Permit for Stormwater Discharge	NPDES Individual New	Lycoming Supply Inc. 801 Beeber Street Williamsport, PA 17701	McIntyre Township Lycoming County	NCRO
PAD410019	NPDES Individual Permit for Stormwater Discharge	NPDES Individual New	First Community Foundation Partnership of PA 201 West Fourth Street Williamsport, PA 17701	Gamble Township Lycoming County	NCRO
PAD410018	NPDES Individual Permit for Stormwater Discharge	NPDES Individual New	ALDI Inc. 2700 Saucon Valley Rd Center Valley, PA 18034	Old Lycoming Township Lycoming County	NCRO
PA0244198	Single Residence STP Individual NPDES Permit	Issued	Campbell David J. and Fang Z. 2565 Wayland Road Berwyn, PA 19312-2146	Easttown Township Chester County	SERO
WQG010013	WQG-01 WQM General Permit	Issued	Campbell David J. and Fang Z. 2565 Wayland Road Berwyn, PA 19312-2146	Easttown Township Chester County	SERO

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 & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC480163	PAG-02 General Permit	Issued	Andrew Lavelle 6278 Glen Rd. Coopersburg, PA 18036	Williams Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@pa.gov
PAC230247	PAG-02 General Permit	Issued	William Penn School District 100 Green Avenue Lansdowne, PA 19050-1449	Yeadon Borough Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@pa.gov
PAC090571	PAG-02 General Permit	Issued	Edward Clinton 707 Dublin Road Perkasie, PA 18944-3033	Plumstead Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901 215-345-7577 x110 RA-EPNPDES_SERO@pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150077	PAG-02 General Permit	Issued	Creek LLC 227 Granite Run Rd Suite 100 Lancaster, PA 17601	Franklin Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150331	PAG-02 General Permit	Issued	Cheyney University 1837 University Circle P.O. Box 200 Cheyney, PA 19319	Thornbury Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150070	PAG-02 General Permit	Issued	Brandywine Regional Airport, Inc. 1205 Ward Avenue West Chester, PA 19380	West Goshen Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC380276	PAG-02 General Permit	Issued	Bayer Corporation 400 West Stoever Avenue Myerstown, PA 17067	Jackson Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717-277-5275 Receiving Stream— Tulpehocken Creek, CWF
PAC010227	PAG-02 General Permit	Issued	Utz Quality Foods LLC 900 High Street Hanover, PA 17331	Conewago Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC310019A-1	PAG-02 General Permit	Issued	Alexandria Borough Water Authority 7561 Bridge Street P.O. Box 336 Alexandria, PA 16611	Porter Township Alexandria Borough Huntingdon County	Huntingdon County Conservation District 10506 Raystown Road Huntingdon, PA 16652 814-627-1626
PAC010065A-1	PAG-02 General Permit	Issued	Woodhaven Building & Development Inc 4175 Hanover Pike Manchester, MD 21102	Straban Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC210299	PAG-02 General Permit	Issued	1852 Camp Hill LLC 28 Thorndal Circle Darien, CT 06820	Lower Allen Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670477A-1	PAG-02 General Permit	Issued	ALDI Inc. 8751 Gas House Pike Frederick, MD 21701	Windsor Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670604	PAG-02 General Permit	Issued	Cindy Garbrick and Brandi Lambert 6170 Souvenir Drive Enola, PA 17025	Franklin Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670589	PAG-02 General Permit	Issued	The York Water Company 130 East Market Street York, PA 17401	Springfield Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC050061	PAG-02 General Permit	Issued	Jeff Simmerman 409 Short Road Clearville, PA 15535	Monroe Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814-310-3279
PAC200092	PAG-02 General Permit	Issued	National Fuel Gas Distribution Corporation 1100 State Street Erie, PA 16501	Vernon Township Sadsbury Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC100290	PAG-02 General Permit	Issued	ALDI Inc. 6000 N Noah Drive Saxonburg, PA 16056	Clinton Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC200093	PAG-02 General Permit	Issued	MC Meadville LLC 361 Summit Boulevard Birmingham, AL 35243	Vernon Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC100281	PAG-02 General Permit	Issued	Giant Eagle Inc. 101 Kappa Drive Pittsburgh, PA 15238	Franklin Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100287	PAG-02 General Permit	Issued	Boyers Solar LLC 1400 Broadway Suite 2810 New York, NY 10022	Cherry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100288	PAG-02 General Permit	Issued	Boyers Solar LLC 1400 Broadway Suite 2810 New York, NY 10022	Cherry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC100289	PAG-02 General Permit	Issued	Twin Oaks Development LLC P.O. Box 297 Wexford, PA 15090	Buffalo Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100291	PAG-02 General Permit	Issued	Thoroughbred Development LLC 222 Main Street Prospect, PA 16052	Muddycreek Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100284	PAG-02 General Permit	Issued	MDS Storage LLC 411 Perry Highway Pittsburgh, PA 15229	Slippery Rock Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC610022	PAG-02 General Permit	Issued	Cranberry Area School District 3 Education Drive Seneca, PA 16346	Cranberry Township Venango County	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC510279	PAG-02 General Permit	Issued	Aegis Property Group 1600 Market Street Suite 1700 Philadelphia, PA 19103	City of Philadelphia Philadelphia County	DEP, SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@ pa.gov
PAC100256	PAG-02 General Permit	Issued	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 15250	Jackson Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC630271	PAG-02 General Permit	Issued	Peters Township Sanitary Authority 111 Bell Drive McMurray, PA 15317	Peters Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC040081A-2	PAG-02 General Permit	Issued	Beaver County Corporation for Economic Development 250 Insurance Street Suite 300 Beaver, PA 15009	Big Beaver Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701
PAC630253A-1	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Chartiers Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC630276	PAG-02 General Permit	Issued	West Penn Power Company 217 Three Springs Drive Weirton, WV 26062	Carroll Township Fallowfield Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD360094	PAG-02 General Permit	Issued	Washington Place Equities fbo College Avenue Property Holdings 701 Cathedral Street # 10 Baltimore, MD 21201-5223	City of Lancaster Lancaster County	SCRO

**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>
BDS Farm, LLC— Lamar Troup 282 Troup Road Beaver Springs, PA 17812	Snyder County	285.41	565.07	Swine/ Beef	NA	Approved
Jeremy Woodling 12547 Stage Road McClure, PA 17841	Snyder County	246	946.15	Swine Finishing	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. 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. 6718506, Public Water Supply.

Applicant	Wrightsville Borough Municipal Authority
Address	601 Water Street P.O. Box 187 Wrightsville, PA 17368
Municipality	Wrightsville Borough
County	York County
Consulting Engineer	C.S. Davidson, Inc. 38 North Duke Street York, PA 17401
Application Received	February 24, 2023
Permit Issued	March 2, 2023
Description	Operation of the replacement quarry pumps and wastewater pumps.

Operation Permit No. 0621506, Public Water Supply.

Applicant	Giorgi Mushroom Co.
Address	P.O. Box 96 Temple, PA 19560
Municipality	Maidencreek Township
County	Berks County
Consulting Engineer	Liberty Environmental, Inc. 505 Penn Street Suite 400 Reading, PA 19601
Application Received	March 2, 2023
Permit Issued	March 2, 2023
Description	Operation of nitrate removal treatment, softening, cartridge filtration, and ultraviolet disinfection.

Operation Permit No. 3620521 MA, Public Water Supply.

Applicant	Columbia Water Company
Address	220 Locust Street P.O. Box 350 Columbia, PA 17512
Municipality	Columbia Borough
County	Lancaster County
Consulting Engineer	Buchart Horn, Inc. 2009 North Atherton Street Suite 200 State College, PA 16803
Application Received	February 28, 2023
Permit Issued	March 1, 2023

Description	Partial Operation permit for operation of the two new river intakes, air burst system, and frazil ice protection system.
Construction Permit No. 2822520 MA , Public Water Supply.	
Applicant	Mercersburg Water Authority
Address	113 South Main Street Mercersburg, PA 17236
Municipality	Peters Township
County	Franklin County
Consulting Engineer	Glace Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011
Application Received	November 14, 2022
Permit Issued	February 24, 2023
Description	Installation of a PRV station at the intersection of Buchanan Trail West and the entrance to Buchanan State Forest.

Contact: Joseph M. Mattucci, Program Manager, 717-705-4708.

Emergency Permit No. 0623502 E, Public Water Supply.

Applicant	Reading Area Water System
Address	1801 Kutztown Road Reading, PA 19604
Municipality	Jefferson Township North Heidelberg Township
County	Berks County
Consulting Engineer	Darryl A. Jenkins SSM, Inc. 1047 North Park Road P.O. Box 6307 Reading, PA 19610
Application Received	March 3, 2023
Permit Issued	March 3, 2023
Description	Emergency operation permit for the temporary use of a 21,000-gallon temporary water storage tank, temporary 90 gpm pump, and bulk water hauling to transport water to the Reading Area Water Authority North Heidelberg Water System.

Operation Permit No. 0520503, Major Amendment, Public Water Supply.

Applicant	Snake Spring Valley Christian Academy—Foundations Christian Academy
Address	377 Upper Snake Spring Road Everett, PA 15537
Municipality	Snake Spring Township
County	Bedford County

Consulting Engineer Dave Pedersen Gwin, Dobson, & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Application Received August 1, 2022

Permit Issued March 2, 2023

Description Operation permit for the designation of water quality parameters for Lead and Copper Rule optimal corrosion control treatment.

Transfer Permit No. 3060683, Public Water Supply.

Applicant **White Bear Properties, LLC**

Address 5 Riga Lane
Birdsboro, PA 19508

Municipality Douglass Township

County **Berks County**

Consulting Engineer Karen Pollock Systems Design Engineering, Inc.
1032 James Drive
Leesport, PA 19533

Application Received December 7, 2022

Permit Issued February 28, 2023

Description Comprehensive operation permit for the transfer of ownership of PWSID 3060683 from Proto-Cast, LLC to White Bear Properties, LLC.

Construction/Operation Permit No. 3122506 MA, Minor Amendment, Public Water Supply.

Applicant **Saltillo Municipal Water Works**

Address 20542 Main Street
P.O. Box 89
Saltillo, PA 17253

Municipality Saltillo Borough

County **Huntingdon County**

Consulting Engineer Kerry Tyson
Century Engineering a
Kleinfelder Company
2836 Earlytown Road
Suite 1
PA 16828

Application Received December 12, 2022

Permit Issued February 28, 2023

Description Combined construction/operation permit for the replacement of the existing sodium hypochlorite diaphragm feed pump and the old well pump.

Transfer Permit No. 3060839, Public Water Supply.

Applicant **Carmine Street, LLC—Community Health and Dental Care**

Address P.O. Box 20021
New York, NY 10014

Municipality Washington Township

County **Berks County**

Consulting Engineer Harry E. Garman, Barry Issett & Associates, Inc.
85 South Route 100
Allentown, PA 18106

Application Received December 2, 2022

Permit Issued February 28, 2023

Description Comprehensive Operation permit to transfer the ownership of PWSID 3060839 water system from Bally Investors to Carmine Street, LLC. The system name will be changed to Community Health and Dental Care.

Transfer Permit No. 3060015, Public Water Supply.

Applicant **The Acorns, LLC**

Address 247 Merwood Drive
Morgantown, PA 19543

Municipality Earl Township

County **Berks County**

Application Received January 6, 2023

Permit Issued February 28, 2023

Description Comprehensive Operation Permit issued to transfer the ownership of PWSID 3060015 from Acorns Mobile Home Park, LLC to The Acorns, LLC.

Transfer Permit No. 3060118, Public Water Supply.

Applicant **Regal Mountain Springs, LLC—Mountain Springs MHP**

Address 48 Lyncrest Drive
Monsey, NY 10952

Municipality Upper Bern Township

County **Berks County**

Consulting Engineer Karen Pollock Systems Design Engineering, Inc.
1032 James Drive
Leesport, PA 19533

Application Received December 2, 2022

Permit Issued February 17, 2023

Description Comprehensive Operation Permit for the transfer of ownership of PWSID 3060118 from Mountain Springs Investors, LLC to Regal Mountain Springs, LLC. The name of the system will change to Mountain Springs MHP.

Construction/Operation Permit No. 3122505 MA, Minor Amendment, Public Water Supply.

Applicant **Three Springs Borough Water Company**

Address P.O. Box 361
Three Springs, PA 17264

Municipality Three Springs Borough

County **Huntingdon County**
 Consulting Engineer Kevin Nester GHD, Inc.
 225 Grandview Avenue
 Suite 403
 Camp Hill, PA 17011

Application Received December 2, 2022
 Permit Issued February 3, 2023
 Description Combine construction/operation permit for the replacement of an existing chemical feed pump which was completed without prior approval from the Department.

Transfer Permit No. 3060108, Public Water Supply.

Applicant **The Village at Summit Crest Management, LLC**
 Address 2846 Main Street
 Box 12A
 Morgantown, PA 19543

Municipality Maiden creek Township
 County **Berks County**
 Consulting Engineer Charles A. Kehew, II, PE
 James R. Holley &
 Associates, Inc.
 18 South George Street
 York, PA 17401

Application Received December 29, 2022
 Permit Issued January 31, 2023
 Description Comprehensive operation permit for the transfer ownership of PWSID 3060108 from Christopher Bradley to Frank Perano and changing the name of the water system to The Village at Summit Crest Management, LLC.

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.

Operation Permit Consolidated Permit 4410169. PWSID No. **4410169. Vali-View Estates, LLC**, 5899 Broadway Rd, Danville, PA 17821, Fairfield Township, **Lycoming County**. Application received: January 31, 2023. Permit Issued: March 7, 2023. The following permits have been consolidated into one transferred system-wide Permit No. 4410169: Permit Nos. 4189517, MA-GWR and 4122505MA. For the Vali-View Estates, LLC public water system in Fairfield Township, Lycoming County.

Operation Permit 5919502MA. PWSID No. **2590033. Blossburg Municipal Authority**, 241 Main Street, Blossburg, PA 16912, Hamilton Township, **Tioga County**. Application received: February 22, 2023. Permit Issued: March 9, 2023. This permit authorizes the authority to operate a new water transmission line between the existing line along Ogdensburg Road (S.R. 2017) and the proposed finished water storage tank in Hamilton Township, Tioga County.

Operation Permit 5921501. PWSID No. **2590033. Blossburg Municipal Authority**, 241 Main Street,

Blossburg, PA 16912, Hamilton Township, **Tioga County**. Application received: February 22, 2023. Permit Issued: March 9, 2023. This permit authorizes operation of a 1-million-gallon precast concrete post tensioned finished water storage tank that measures 65 feet in diameter by 42 feet high and a prefabricated concrete building will eventually house the gas chlorination and control facilities.

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.

Construction/Operation Permit 6722517 MA. PWSID No. **7670100. The York Water Company**, 130 East Market Street, York, PA 17401, North Codorus Township, **York County**. Application received: December 19, 2022. Permit Issued: March 8, 2023. Install a tank mixer at the Lynwood Standpipe in the York Water Company's distribution system.

Emergency Permit 2223505 E. PWSID No. **7220017. Pennsylvania-American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Derry Township, **Dauphin County**. Application received: March 10, 2023. Permit Issued: March 14, 2023. Issuance of a limited-duration emergency permit for the Hershey System to perform an emergency leak repair at the South Hershey Reservoir.

NCWSA Operation Permit 7671115. PWSID No. **7671115. Cool Creek Joint Venture**, 4193 English Way, York, PA 17402, Hellam Township, **York County**. Application received: March 6, 2023. Permit Issued: March 14, 2023. This permit approves operation of cartridge filtration and three UV units.

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

Contact: RA-EPSWSDW@pa.gov.

Operation Permit 6523503. PWSID No. **5650080. Ligonier Township Municipal Authority**, 1 Municipal Park Drive, Ligonier, PA 15501, Ligonier Township, **Westmoreland County**. Application received: February 28, 2023. Permit Issued: March 3, 2023. Issuance of Operation Permit No. 6523503 for the operation of approximately 5720' of 8" waterline along Robb Road in Ligonier Township.

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

Operation Permit 6322503WMP1. PWSID No. **5630068. Donegal Township**, 34 North Liberty Avenue, West Alexander, PA 15376, Donegal Township, **Washington County**. Application received: February 14, 2023. Permit Issued: March 7, 2023. Bulk loading station located at the Donegal Township Sewage Treatment Plant maintenance building.

Operation Permit 2623504. PWSID No. **5260009. Municipal Authority of the Township of Washington**, 1390 Fayette Avenue, Belle Vernon, PA 15012, Washington Township, **Fayette County**. Application received: March 7, 2023. Permit Issued: March 9, 2023. Use of the flow-weighted average of the individual filter effluent (IFE) turbidities to report the combined filter effluent (CFE) turbidity at the Municipal Authority of the Township of Washington Water Treatment Plant.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as Amended, 35 P.S. § 750.5.

Southcentral Region: Clean Water Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Noah D. Niedererr, Sewage Planning Specialist 717-705-4768.

Plan Location:

Municipality	Address	County
Lower Frankford Township	1205 Easy Road Carlisle, PA 17015	Cumberland County

Plan Description:

Keith Jones, A3-21913-138-3s. Approval of a revision to the official plan of Lower Frankford Township, **Cumberland County**. The project is known as the Keith Jones Small Flow Treatment Facility (SFTF) proposal. The plan provides a SFTF to serve an existing single-family residential dwelling on 113 acres with total estimated sewage flows of 400 gpd. There will be a proposed stream discharge to an unnamed tributary of Conodoguinet Creek. The proposed development is located at 424 Old Mill Road in Lower Frankford Township, Cumberland County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21913-138-3s and the APS ID is 1078293. Any permits must be obtained in the name of the property owner.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department 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.

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

Contact: Eric Supey, Environmental Program Manager.

Former H. John Davis Oil Company, Primary Facility ID # **858977**, 1180 Corporate Center Drive, Tobyhanna, PA 18466, Coolbaugh Township, **Monroe County**. Environmental Consulting Inc., 2002 Renaissance Blvd, Suite 110, King of Prussia, PA 19406, on behalf of IRPG-MP, LLC, 1611 Pond Road, Suite 200, Allentown, PA 18104, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

100 Benedict Street, Primary Facility ID # **832085**, 100 Benedict Street, Pittston, PA 18640, City of Pittston, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of City of Pittston, 35 Broad Street, Pittston, PA 18640, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with semi-volatile organic compounds and metals from historic site operations. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Lindsey Oil, Primary Facility ID # **863382**, 104 Montrose Street, New Milford, PA 18834, New Milford Borough, **Susquehanna County**. GeoLogic NY, P.O. Box 350, Homer, NY 13077, on behalf of Lindsey Oil Company, P.O. Box 277, New Milford, PA 18834, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

Contact: Benjamin Weaver, Geoscientist, 814-350-5132.

Ceriani Transport Accident Site, Primary Facility ID # **824614**, 4300, 4315, and 4322 Route 219, Brockport, PA 15823, Snyder Township, **Jefferson County**. LaBella Associates, P.C., 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Ceriani Transportation, Inc., 1274 Toby Road, Brockport, PA 15823, submitted a Final Report concerning remediation of soil and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene (Cumene), MTBE, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

West Mahoning Township Maintenance Building, Primary Facility ID # **863004**, 112 Chestnut Street, Smicksburg, PA 16256, Smicksburg Borough, **Indiana**

County. Compliance Environmental Services, 2700 Kirila Boulevard, Hermitage, PA 16148, on behalf of West Mahoning Township, 24062 Route 954 Highway North, Smicksburg, PA 16256, submitted a Final Report concerning remediation of soil contaminated with Benzene, Ethylbenzene, Isopropylbenzene (Cumene, Naphthalene, Toluene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)-fluoranthene, Benzo(g,h,l)perylene, Chrysene, Indeno(1,2,3-cd)pyrene, Pyrene, Lead. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Contact: Chris Schiappa, Licensed Professional Geologist, 724-598-2206.

Amphenol Thermometrics, Primary Facility ID # **809890**, 967 Windfall Road, Saint Marys, PA 15857, City of Saint Marys, **Elk County.** Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of Baker Hughes, 13200 Bay Park Road, Pasadena, TX 77507, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with Soil: Trichloroethene; Groundwater: Chloroform, 1,1-Dichloroethane, 1,1-Dichloroethene, Trichloroethene. The Risk Assessment is intended to document remediation of the site to meet the site-specific standards.

Contact: Peter Wheiland, 814-332-6189.

Polaris Well Site, Primary Facility ID # **862111**, 520 Pine Tract Road, West Sunbury, PA 16016, Oakland Township, **Butler County.** Justin Paul, P.G./ARM Group LLC, 1129 W Governor Road, Hershey, PA 15317, on behalf of Kevin Eshbaugh/LOLA Energy Petroco LLC, P.O. Box 360, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with Chloride, Manganese, Strontium, Vanadium. The Final Report is intended to document remediation of the site to meet the Statewide health and background 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.

Phoenix French Creek Manor, Primary Facility ID # **804650**, 121 Bridge Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County.** Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Greg Lingo, Rockwell French Creek TH LP, 126 East State Street, Media, PA 19063, submitted a Final Report concerning remediation of soil contaminated with VOCs and metals. The Final Report is intended to document remediation of the site to meet the site-specific standards.

Philadelphia Union Sports Complex, Primary Facility ID # **861634**, 2501 Seaport Drive (Between Highland Avenue and Commodore Barry Bridge), Chester, PA 19103, City of Chester Edison, **Delaware County.** Nevin Diehl, Weston Solutions, 205 Campus Drive, Edison, NJ 08837, on behalf of Dave Debusschere, Keystone Sports and Entertainment, LLC, 2501 Seaport Drive, BH, Suite 100, Chester, PA 19013, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs, naphthalene, benzene, toluene, ethylbenzene, xylenes and benzo(a)pyrene. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

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

Phoenixville Crossing LP, Primary Facility ID # **833749**, 622 Hares Hill Road, Phoenixville, PA 19460, East Pikeland Township, **Chester County.** Stephen D. Brower, PG, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19842, on behalf of Kenneth Gibson, Phoenixville Area School District, 386 City Line Avenue, Phoenixville, PA 19460, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with arsenic. The Risk Assessment is intended to document remediation of the site to meet the site-specific 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.

EQT Carpenter Well Pad, Primary Facility ID # **773351**, 104 Butternut Hollow Road, Holbrook, PA 15341, Center Township, **Greene County.** Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

55 27th Street, Primary Facility ID # **863426**, 55 27th Street, Pittsburgh, PA 15222, City of Pittsburgh, **Allegheny County.** Langan Engineering & Environmental Services, Inc., 2400 Ansys Drive, Suite 403, Canonsburg, PA 15317, on behalf of Action 2.0, LP, 2545 Railroad Street, Suite 300, Pittsburgh, PA 15222, submitted a Baseline Workplan concerning remediation of soil and groundwater contaminated with benzo(a)pyrene, benzo(a)anthracene, benzo(b)fluoranthene, dibenz(a,h)-anthracene, benzo(k)fluoranthene, indeno(1,2,3-c,d)pyrene, antimony, arsenic, beryllium, cadmium, copper, cobalt, iron, lead, manganese, and tetrachloroethene. The Baseline Workplan is intended to document remediation of the site to meet the special industrial area provision of act 2.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department 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

tion 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.

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

Contact: Eric Supey, Environmental Program Manager.

Angie Well Pad 1, Primary Facility ID # **855531**, 1219 South King Road, Laceyville, PA 18623, Auburn Township, **Susquehanna County**. Creston Environmental, 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 production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: March 7, 2023.

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

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

Sharswood Development, 2015-2077 Ridge Avenue, Philadelphia, PA 19121, City of Philadelphia, Primary Facility ID # **846210**, 2015-2077 Ridge Avenue, Philadelphia, PA 19121, City of Philadelphia, **Philadelphia County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Second Floor, Philadelphia, PA 19142, on behalf of Leslie Smallwood-Lewis, Sharswood Partners, LP, 3525 I Street, Philadelphia, PA 19134, submitted a Final Report concerning remediation of soil contaminated with benzo(a)pyrene, benzo(b)fluoranthene, indeno(1,2,3-cd)pyrene, arsenic and vanadium. The Final Report demonstrated attainment of the site-specific standards. Approved: March 2, 2023.

1399 Piedmont Drive, Primary Facility ID # **853007**, 1399 Piedmont Drive, Downingtown, PA 19335, West Bradford Township, **Chester County**. Susan A. Green, EnviroSure, Inc., LLC, 1 Bacton Hill Road, Malvern, PA 19355, on behalf of Virginia Feathers, 1399 Piedmont Drive, Downingtown, PA 19335, submitted a Final Report concerning remediation of soil contaminated with benzene and 1,2,4-trimethylbenzene. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: March 6, 2023.

Fawley Residence, Primary Facility ID # **774839**, 69 2nd Avenue, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Daniel W. Eshete, GeoStructures Inc., 1000 West 9th Avenue, King of Prussia, PA 19406, on behalf of Paul Basso, Milro Group, 9 Hanse Avenue, Freeport, NY 11520, submitted a Final Report concerning remediation of contaminated soil. The Final Report did not demonstrate attainment of the Statewide health standards. Issued an administrative deficiency letter: March 7, 2023.

6800 Essington Avenue, Primary Facility ID # **853185**, 6800 Essington Avenue, Philadelphia, PA 19142, City of Philadelphia, **Philadelphia County**. Julie Baniewicz, Apex Companies, LLC, 100 Arrandale Boulevard, Suite 203, Exton, PA 19153, on behalf of Liam Sullivan, 6800 Essington Partners, LLC, 414 South 16th Street, Suite 100, Philadelphia, PA 19146, submitted a Remedial Investigation Report concerning remediation of contaminated soil and groundwater. The Report demonstrated attainment of the site-specific standards. Approved: March 1, 2023.

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.

EQT King Hippo Well Pad, Primary Facility ID # **863588**, 684 Poland Run Road, Graysville, PA 15337, Richhill Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: March 13, 2023.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

Contact: Anthony Rathfon, Program Manager.

PAD010154045. Envirite of Pennsylvania, Inc., 730 Vogelsong Road, York, PA 17404, City of York, **York County**. Class 2 Permit Modification to Envirite of Pennsylvania, Inc.'s hazardous waste permit was issued to provide for changes to a previously approved new indoor container management unit (CMA 1) and associ-

ated changes and the addition of a groundwater detection monitoring module to the permit. Application received: February 19, 2021. Issued: March 7, 2023.

Persons interested in reviewing the permit may contact John L. Oren, P.E., Permits Chief, Waste Management Program, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and 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.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

WMGR123SW033. EQT CHAP LLC, 400 Woodcliff Drive, Canonsburg, PA 15317, Sewickley Township, **Westmoreland County**. A modification to General Permit WMGR123SW033 was approved which authorizes a permittee name and a change to the tank system used at the Herminie North Centralized Water Facility located at Herminie West Newton Road, Herminie, PA 15637. General permit WMGR123 authorizes the processing, transfer and beneficial use of oil and gas liquid waste to develop or hydraulically fracture an oil or gas well. Application received: March 4, 2022. Approved: March 7, 2023.

Persons interested in reviewing the permit may contact Regional Files (412-442-4100), Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR123SW059. EQT Production Company, LLC, 400 Woodcliff Drive, Canonsburg, PA 15317, Whiteley Township, **Greene County**. Coverage under General Permit No. WMGR123 for the processing, transfer and beneficial use of oil and gas liquid waste to develop or hydraulically fracture an oil or gas well at the Polecat Aboveground Storage Tank facility, located at 122 Polecat Hollow Road, Waynesburg, PA 15370 was approved. Application received: February 7, 2022. Issued: March 7, 2023.

Persons interested in reviewing the permit may contact Regional Files (412-442-4100), Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northwest Region: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

101449. Waste Management of Pennsylvania, Inc., 88 Ohl Street, Greenville, PA 16125, Greenville Borough, **Mercer County**. The permit is renewed to allow the continuation of the municipal waste transfer station operations. The permit is renewed for a 10-year term. Application received: August 10, 2022. Renewal issued: March 14, 2023.

Persons interested in reviewing the permit may contact Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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.

AG5-41-00019B: EQT ARO, LLC, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222, Cummings Township, **Lycoming County**. The company received authorization for the construction and operation of new sources and continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Larry's Creek Compressor Station. The authorized sources are three (3) 1380 bhp Caterpillar model G3516B four-stroke lean-burn natural gas-fired compressor engines equipped with oxidation catalysts, one (1) 50 MMscf/day J.W. Williams dehydration unit equipped with a 1.0 MMBtu/hr natural gas-fired reboiler and flash tank, one (1) 35 MMscf/day J.W. Williams dehydration unit equipped with a 0.75 MMBtu/hr natural gas-fired reboiler and flash tank, two (2) COMM Engineering Combustor Model 2 enclosed flares for still vent and flash tank control, one (1) 203 bhp Caterpillar G3306TA four-stroke lean-burn natural gas-fired emergency engine equipped with oxidation catalyst, two (2) 87 bhp Capstone model C65 Microturbine generators, two (2) 16,800-gallon produced water tanks, two (2) 2,100-gallon still vent condensate tanks, two (2) 500-gallon lube oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank, one (1) 1,000-gallon waste oil tank. Application received: February 15, 2023. Authorized: March 7, 2023. Expiration date: March 6, 2028.

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

Contact: Shailesh Patel, Air Quality Engineer 570-826-2341.

GP13-39-001: New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664,

Lower Macungie Township, **Lehigh County**. The general Operating Permit GP13 reissued for the operation of an asphalt plant at the facility located in Lower Macungie Township, Lehigh County. Application received: March 3, 2023. Issued: March 14, 2023.

AG5-58-00038A: Regency Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Lathrop Township, **Susquehanna County**. The general Operating Permit GP5 reissued for the operation of natural gas compressor station at the facility located in Lathrop Township, Susquehanna County. Application received: February 22, 2023. Issued: March 13, 2023.

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.

GP1-36-03148A: UPMC Lititz, 1500 Highland Drive, Lititz, PA 17543-7694, Warwick Township, **Lancaster County**. For two existing natural gas/No. 2 oil-fired boilers under GP1, at the hospital facility. The general permit authorization was renewed. Application received: February 3, 2023. Issued: March 7, 2023.

GP14-06-03154: Henninger Funeral Home, Inc., 229 North 5th Street, Reading, PA 19601, City of Reading, **Berks County**. For the existing human crematory, under GP14, at the facility. The general permit authorization was renewed. Application received: February 16, 2023. Issued: March 8, 2023.

GP1-36-03222: Shanks Extracts, LLC, 350 Richardson Drive, Lancaster, PA 17603, East Hempfield Township, **Lancaster County**. For two new 10.6 MMBtu/hr Cleaver Brooks natural gas-fired boilers under GP1, at the flavor extracts manufacturing facility. Application received: February 23, 2023. Issued: March 9, 2023.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

GP10-46-0042: Alcom Printing Group Inc., 140 Christopher Lane, Harleysville, PA 19438-2034, Lower Salford Township, **Montgomery County**. This action is for a new non-heatset web offset lithographic printing press (Press 13) at an existing facility. Application received: February 1, 2023. Issued: March 6, 2023.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

GP1-63-00917C: WestRock USC, Inc., 400 Technology Drive, Coal Center, PA 15423, California Borough, **Washington County**. To continue operation of the existing 14.288 MMBtu/hr natural gas-fired combustion unit at the Coal Center located in California Borough, Washington County. Application received: December 21, 2022. Issued: February 27, 2023. Expiration date is February 27, 2028.

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.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-16-00134B: Car Mate Trailers, Inc. Manufacturers of Truck/Car Trailers, 32591 Route 66, Leeper, PA 16233, Farmington Township, **Clarion County**. An Air Quality Plan Approval (PA-16-00134B) issued to Car Mate Trailers, Inc. (Car Mate) to authorize the installation and operation of two (2) new Surface Coating Booths equipped with new spray guns, two (2) new Air Make Up Units each rated at 2.178 MMBtu/hr to provide heated air to the surface coating booths, and one (1) new Paint Mix Room at their facility located in Farmington Township, Clarion County. The new equipment will replace the old paint booths; however, the existing Manual Application activity will remain a part of this plan approval. Application received: October 7, 2022. Accepted: December 6, 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.

06-05160A: EPP Renewable Energy, LLC, 1605 North Cedar Crest Boulevard, Allentown, PA 18104-2351, Cumru Township, **Berks County**. For the installation of an on-site landfill gas (LFG) to energy plant at the Western Berks Landfill (WBLF). The energy plant will consist of a gas treatment system and two (2) 2,233 bhp (1,600 kW) Caterpillar G3520C engines. Leftover gas present at a flow of 500 scfm or less from one or more of the engines will be combusted in the candlestick flare, owned and operated by WBLF. Application received: July 5, 2022. Issued: March 7, 2023.

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.

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.

37-00331E: RWE Holding Company, 535 Rundle Road, New Castle, PA 16101, Taylor Township, **Lawrence County**. The Department has issued a plan approval extension to allow time for the facility to submit an administrative amendment for DEP inspection and plan approval roll-in. This is a State Only facility. Application received: January 30, 2023. Extension: February 28, 2023. Expiration date: June 28, 2023.

42-00004K: American Refining Group, 77 North Kendall Avenue, Bradford, PA 16701, City of Bradford, **McKean County**. The Department has issued a plan approval extension to allow continued project shakedown activities. This is a Title V facility. Application received: January 19, 2023. Extension: February 28, 2023. Expiration date: August 28, 2023.

62-00032P: Ellwood National Crankshaft permitted as Ellwood National Forge Company, 1 Front Street, Irvine, PA 16329-1801, Brokenstraw Township, **Warren County**. The Department has issued a plan approval extension to allow the facility to continue to operate & more time to submit a new plan approval application to correct flawed emission limits in the exist-

ing plan approval. This is a Title V facility. Application received: January 10, 2023. Extension: February 28, 2023. Expiration date: August 28, 2023.

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.

34-03011A: Champion Home Builders Inc., Liverpool Plant 41, 755 West Big Beaver Road, Suite 1000, Troy, MI 48084, Liverpool Township, **Juniata County**. For an existing modular home manufacturing facility, including adhesives and coating operations. The plan approval was extended. Application received: February 16, 2023. Issued: March 8, 2023.

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

36-05014M: Arconic Lancaster Corporation, 1480 Manheim Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. For 1) the installation of a fourth rolling mill stand to the existing 3-stand 72" Hot Mill (Source ID 125), 2) the replacement of the 72" Hot Mill Rotoclon (Control ID C10) with a new Progressive Mist Elimination System, 3) the upgrade of the hot mill scalper's (Source ID GP118) crusher chip handling system and 4) the installation of a new 32 mmBtu/hr natural gas fired slab furnace (Source ID 149J) at their secondary aluminum production facility. The proposed installations and modifications are estimated to increase the 72" Hot Mill's throughput capacity by 48%. Additionally, due to the increased production capacity on the 72" Hot Mill, Arconic expects an increase in production from the 80" Hot Mill (Source ID 147) since the 72" Hot Mill will be able to handle 2" slabs as opposed to the current 1" slabs being transferred. The plan approval was extended. Application received: February 24, 2023. Issued: March 8, 2023.

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.

09-0196K: Abington Reldan Metals, LLC, 550 Old Bordentown Road, Fairless Hills, PA 19030-4510, Falls Township, **Bucks County**. This action is for the replacement of existing Acid Room NO_x Scrubber (Source ID C10) with a new NO_x Scrubber (Source ID C21). Application received: February 23, 2023. Issued: March 7, 2023.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-56-00323A: Rockwood Manufacturing Company, 258 Beacon Street, Somerset, PA 15501, Somerset Borough, **Somerset County**. For initiation of period of temporary operation at the Rockwood North facility located in Somerset Borough, Somerset County. Application received: February 10, 2023. Issued: March 10, 2023. Expiration date: July 28, 2023

PA-63-00999A: EQM Gathering Opco, LLC, 2200 Energy Drive, Canonsburg, PA 15317, West Pike Run Township, **Washington County**. To extend the period for installation of five compressor engines, two tri ethylene glycol dehydrators, four produced water tanks, three low pressure pig receivers, one high pressure pig launcher, miscellaneous lubrication oil tanks, and piping components in natural gas service at Blue Moon Compressor

Station. Temporary operation of five compressor engines, two tri ethylene glycol dehydrators, four produced water tanks, miscellaneous lubrication oil tanks, and piping components in natural gas service previously authorized under GP5-63-00999A is also extended. Application received: March 3, 2023. Issued: March 8, 2023. Effective March 28, 2023. Expiration date: September 28, 2023

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.

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

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

39-00069: Victaulic Co., 8023 Quarry Rd, Alburtis, PA 18011, Alburtis Borough, **Lehigh County**. The Department issued a Title V Operating Permit for operation of sources at their Gray and Ductile large iron foundries facility. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: April 19, 2022. Accepted: April 19, 2022. Issued: February 22, 2023.

48-00009: Victaulic Co., 4901 Kesslersville Rd, Easton, PA 18040, Forks Township, **Northampton County**. The Department issued a Title V Operating Permit for operation of sources at their Gray and Ductile large iron foundries facility. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: April 19, 2022. Accepted: April 19, 2022. Issued: February 22, 2023.

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

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

OP22-000052: Cardone Industries, Inc., 5660 Rising Sun Avenue, Philadelphia, PA 19120, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal Title V Operating Permit for the operation of an automotive parts re-manufacturing facility in the City of Philadelphia, Philadelphia County. The facility's air emissions' sources include the following: • six (6) spray booths, • sixty-six (66) natural gas combustion units, each less than 5 MMBtu/hr, • eighteen (18) burn out ovens firing natural gas or propane, each rated 4 MMBtu/hr or less, • one (1) 500kw diesel emergency generator, and • Two (2) shot blasting units, each with a dust collector. Application received: October 20, 2022. Issued: March 9, 2023.

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.

67-05027: York Wallcoverings, Inc., 750 Linden Avenue, York, PA 17404, City of York, **York County**. For the wallpaper manufacturing facility. The Title V permit was renewed. Application received: February 3, 2022. Issued: March 7, 2023.

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.

23-00004: Covanta Delaware Valley, LP, 10 Highland Avenue, Chester, PA 19013, City of Chester, **Delaware County**. This action is a renewal of the Title V Operating Permit for operation of six municipal waste combustion units and their associated processing and emission control devices. Included in the OP renewal application is a modification to change the Nitrogen Oxides (NO_x) emission limit on each municipal waste combustor (MWC) to comply with presumptive RACT II requirements. Application received: December 22, 2020. Issued: March 10, 2023.

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.

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.

04-00519: Columbia Gas of Pennsylvania, Inc., 801 E 86th Avenue, Merrillville, IN 46410, South Beaver Township, **Beaver County**. Issued a State Only (Synthetic Minor) Operating Permit for continued operation of their Blackhawk Compressor Station. All applicable Federal and State regulatory requirements are contained within the renewal air quality minor source Operating Permit, including testing, monitoring, recordkeeping, reporting, and work practice conditions as determined necessary to verify compliance. Application received: December 26, 2017. Issued: March 1, 2023.

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

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

20-00310: Reed Oil Company/Harned Bulk Oil Plant, 511 Montgomery Avenue, New Castle, PA 16102, Sadsbury Township, **Crawford County**. The Department issued the renewal State Only Synthetic Minor Operating Permit for the bulk gasoline plant. The facility's primary emission sources include the gasoline storage tanks and truck loading. The facility is a synthetic minor, taking a throughput limit of 20,000 gallons per day of gasoline, which maintains the facility's emissions at 40.620 TPY VOC and 2.390 TPY total HAP per its plan approval (20-310A). The facility is subject to 40 CFR 63 Subpart BBBBBB, NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: December 16, 2022. Renewal issued: March 7, 2023.

25-00958: Ridg U Rak Gay Road, 12340 Gay Road, North East, PA 16428, North East Township, **Erie County**. The Department issued the renewal State Only Natural Minor Operating Permit for the facility. The primary sources at the facility include natural gas-fueled space heaters, a 3-stage surface preparation system, a dry-off oven, a powder cure oven, a fluidized cleaning system, and an emergency generator. Potential emissions

are as follows: 13.69 TPY NO_x, 8.86 TPY CO, 0.06 TPY SO_x, 0.38 TPY VOC, and 0.20 TPY PM₁₀ and PM_{2.5}; thus, the facility is a Natural Minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: March 7, 2022. Renewal issued: March 7, 2023.

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

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

OP21-000039: Ryder Truck Rental, Inc., 9751 Blue Grass Road, Philadelphia, PA 19114, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued an initial Natural Minor Operating Permit (NMOP) for the operation of a truck rental and leasing facility. The facility's major emission sources include: one 0.3 MMBtu/hr natural gas-fired warm air furnace and one paint spray booth with one paint booth filter. Application received: July 12, 2021. Issued: February 23, 2023.

OP21-000060: SEPTA Frankford Transportation Complex, 1400 Bridge St, Philadelphia, PA 19124, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) a renewal Natural Minor Operating Permit (NMOP) for the operation of a transportation complex. The facility's major emission sources include the following: two (2) 2.0 MMBtu/hr natural gas boilers; two (2) 3.98 MMBtu/hr boilers firing natural gas or No. 2 oil; one (1) 0.72 MMBtu/hr natural gas pressure washer; two (2) 2.403 MMBtu/hr boilers firing natural gas or No. 2 oil; two (2) emergency generators firing gas rated at 134 hp each; one (1) emergency generator firing natural gas rated at 201 Hp; degreasing operations; and a gasoline dispensing facility. Application received: November 4, 2021. Issued: March 8, 2023.

OP21-000073: PECO Electric Shop-Oregon, 2610 Columbus Boulevard, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) on 03/16/issued a renewal Natural Minor Operating Permit (NMOP) for the operation of transportation. The facility's major emission sources include the following: two (2) spray booths, • nineteen (19) natural gas combustion units, each less than 5 MMBtu/hr, one (1) 505kw No. 2 oil emergency generator, and one (1) gasoline storage tank. Application received: March 10, 2023. Issued: March 6, 2023.

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.

36-05108: International Paper Co., 801 Fountain Avenue, Lancaster, PA 17601-4532, Manheim Township, **Lancaster County**. For the laminate solid shipping fiber container manufacturing facility. The State-Only permit was renewed. Application received: August 25, 2022. Issued: March 6, 2023.

22-03091: Harrisburg Mall LP, 3501 Paxton Street, Harrisburg, PA 17111-1403, Swatara Township, **Dauphin County**. For the boilers and generator at the Harrisburg Mall. The State-Only permit was renewed. Application received: September 14, 2022. Issued: March 6, 2023.

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.

15-00142: Lavazza Professional North America, LLC, 1301 Wilson Drive, West Chester, PA 19380, East Goshen Township, **Chester County**. This action is for a renewal of a State-Only Natural Minor Operating Permit and change of ownership. Lavazza operates a coffee roasting and packaging plant. Application received: August 2, 2021. Issued: March 8, 2023.

15-00021: Glasgow, Inc.—Catanach Quarry, 660 N Morehall Road, Malvern, PA 19355, East Whiteland Township, **Chester County**. This action is for the renewal of a State Only Synthetic Minor Operating Permit. The facility produces crushed stone and hot mix asphalt (HMA) for use in heavy and highway construction. No changes have occurred at the facility since the previous renewal. Application received: July 30, 2021. Issued: March 7, 2023.

46-00154: Eye Designs LLC, 220 W 5th Ave, Trappe, PA 19426, Trappe Borough, **Montgomery County**. This action is a renewal of a State Only Synthetic Minor Operating Permit. Eye Designs manufactures wood office furniture for optical retail environments. Application received: August 27, 2021. Issued: March 13, 2023.

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.

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.

09-00007: Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Rd, Morrisville, PA 19067-3704, Falls Township, **Bucks County**. This amendment will incorporate the applicable requirements of Subpart OOO and the revised Subpart AAAA regulations into their Operating Permit. Application received: December 22, 2022. Issued: March 6, 2023.

46-00012: 800 River Owner LLC, 800 River Rd, Conshohocken, PA 19428, Lower Merion Township, **Montgomery County**. This action is for an Administrative Amendment on a Synthetic Minor Operating Permit (SMOP) for a Change of Ownership performed in accordance with 25 Pa. Code § 127.450(a)(4). The Administrative Amendment includes changes in the Responsible Official Contact and Permit Contact to Mr. Michael K. Bennett, Vice President—Head of Development. Application received: February 1, 2023. Issued: March 13, 2023.

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

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.

25-00920: Waste Management PA, Lake View Landfill, 851 Robison Road East, Erie, PA 16509-5339, Summit Township, **Erie County**. The facility seeks approval of installation of a portable odor neutralizer system to address the potential intermittent transient odors

from the removal of approximately 40,000 cubic yards of waste from Cells 4 South and 5 South and replacement of this waste in the active landfill area. This is required to allow construction of Cell 9 as part of the southern expansion at the landfill. VOCs emitted from the odor neutralizer system are expected to be less than 0.09 TPY which is less than the de minimis VOC increase allowed by Condition # 019 found in Section B of the Title V Permit as well as 25 Pa. Code Section 127.449(b)(5). The VOCs are based on 125 gallons per month of product used over 6 months and a VOC content of 0.115 lb/gallon. The Department has reviewed the proposal and agrees with the increase. The odor neutralizer system shall be installed and operated in accordance with the proposal, the manufacturer's recommendations, and with good air pollution control practices. The facility shall keep a record of the quantity of odor neutralizing material used each month and an estimate of the VOCs emitted from the neutralizing system for each month.

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.

06-05007: Carpenter Technology Corporation, Reading Plant, 101 Bern Street, Reading, PA 19601-1203, City of Reading, **Berks County**. For a de minimis emissions increase of 0.09 tpy VOC (ethylene glycol monoethyl ether) resulting from the expansion of a pilot project for developing prototype parts for the soft magnetic market, originally approved by the Department in 2019 at the Reading Plant. This is the first de minimis emissions increase at the facility during the term of the current Operating Permit.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the 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).

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. 03871303. NPDES No. PA0213667. Rosebud Mining Company, 301 Market

Street, Kittanning, PA 16201, Plumcreek Township, **Armstrong County**. To renew the permit and related NPDES Permit. Application received: April 26, 2022. Accepted: June 27, 2022. Issued: March 7, 2023.

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

Contact: Melanie Ford-Wigfield, 814.472.1900, ra-ep@cambria@pa.gov.

Mining Permit No. 56210103. NPDES No. PA0279838. Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Somerset Township, **Somerset County**. Commencement, operation and restoration of a bituminous surface and auger mine affecting 249.6 acres. Receiving stream: Kimberly Run and unnamed tributaries to Wells Creek classified for the following use: CWF & CWF. Application received: September 3, 2021. Issued March 6, 2023.

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

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17070114. NPDES No. PA0256480. Swisher Contracting, Inc., P.O. Box 1223, Clearfield, PA 16830, Girard Borough, **Clearfield County**. Renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine affecting 58.2 acres. Receiving stream(s): Bald Hill Run and UNTs to Bald Hill Run classified for the following use(s): CWF, MF. Application received: October 7, 2022. Issued: March 13, 2023.

Mining Permit No. 17160104. NPDES No. PA0269778. RES Coal LLC, 51 Airport Road, Clearfield, PA 16830, Decatur Township, **Clearfield County**. Renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine affecting 91.4 acres. Receiving stream(s): UNTs to Shimel Run and UNTs to Little Laurel Run classified for the following use(s): CWF. Application received: September 23, 2022. Issued: March 10, 2023.

Mining Permit No. 17140101. NPDES No. PA0269701. RES Coal LLC, 51 Airport Road, Clearfield, PA 16830, Bradford Township, **Clearfield County**. Renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine affecting 261.7 acres. Receiving stream(s): Unnamed tributaries to West Branch Susquehanna River classified for the following use(s): CWF. Application received: September 12, 2022. Issued: March 13, 2023.

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. 25220301. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. Commencement, operation, and restoration of a large industrial minerals mine. Receiving streams, 10 unnamed tributaries to Walnut Creek. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. GP-104 No. PAM622001. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. General NPDES

Permit for stormwater discharges associated with mining activities on permit number 25220301. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-003. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. Application for a stream encroachment to construct the tie-in of Stream By-Pass Channel B to Unnamed Tributary No. 1 to Walnut Creek (Permit Site). Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-004. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. Application for a stream encroachment to construct the tie-in of Stream Mitigation Channel 4B to Unnamed Tributary No. 1 to Walnut Creek (Mitigation Site). Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-005. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. Application for a stream encroachment to relocate 347 feet of Unnamed Tributary No. 1 to Walnut Creek (Permit Site) and to construct a permanent stream crossing over Unnamed Tributary No. 1 to Walnut Creek (Permit Site). Mitigation for the proposed stream impacts will take place in accordance with the plans outlined in Module 14. The proposed mitigation site is located approximately 1.5 miles southeast of the proposed permit area, west of Donation Road, and on the north and south sides of East Zwilling Road. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-007. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. Application for a stream encroachment to construct a temporary bridge crossing over Unnamed Tributary No. 6 to Walnut Creek. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-008. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. Application for a stream encroachment to construct a temporary bridge crossing over Unnamed Tributary No. 9 to Walnut Creek. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-009. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County**. Application for a stream encroachment to mine through and relocate 1,424 feet of Unnamed Tributary No. 6 to Walnut Creek. Mitigation for the proposed stream im-

pacts will take place in accordance with the plans outlined in Module 14. The proposed mitigation site is located approximately 1.5 miles southeast of the proposed permit area, west of Donation Road, and on the north and south sides of East Zwilling Road. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-010. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County.** Application for a stream encroachment to mine through and relocate 1,337 feet of Unnamed Tributary No. 9 to Walnut Creek. Mitigation for the proposed stream impacts will take place in accordance with the plans outlined in Module 14. The proposed mitigation site is located approximately 1.5 miles southeast of the proposed permit area, west of Donation Road, and on the north and south sides of East Zwilling Road. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-011. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County.** Application for a stream encroachment to mine through and relocate 30 feet of Unnamed Tributary No. 10 to Walnut Creek. Mitigation for the proposed stream impacts will take place in accordance with the plans outlined in Module 14. The proposed mitigation site is located approximately 1.5 miles southeast of the proposed permit area, west of Donation Road, and on the north and south sides of East Zwilling Road. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. E2524222-012. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County.** Application for a stream encroachment to mine through and relocate 30 feet of Unnamed Tributary No. 11 to Walnut Creek. Mitigation for the proposed stream impacts will take place in accordance with the plans outlined in Module 14. The proposed mitigation site is located approximately 1.5 miles southeast of the proposed permit area, west of Donation Road, and on the north and south sides of East Zwilling Road. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. 25220301-E-11. Waste Management Disposal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County.** Application for a stream encroachment to conduct support activities and reclamation slope construction up to 25 feet of Unnamed Tributaries Nos. 1, 7 and 8 to Walnut Creek. Application for a stream encroachment to conduct mining activities up to 50 feet of Unnamed Tributaries Nos. 1, 7 and 8 to Walnut Creek. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

Mining Permit No. 25220301. Stream Encroachment No. 25220301-E-12. Waste Management Dis-

posal Services of PA, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, Summit Township, **Erie County.** Application for a stream encroachment to conduct support activities and reclamation slope construction up to 25 feet of Unnamed Tributaries Nos. 3—6 to Walnut Creek. Application for a stream encroachment to conduct mining activities up to 50 feet of Unnamed Tributaries Nos. 3—6 to Walnut Creek. Receiving streams: Unnamed Tributaries to Walnut Creek, classified for the following uses: CWF, MF. Application received: March 30, 2022. Issued: March 8, 2023.

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. 40234102. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Pittston Township, **Luzerne County.** Construction blasting for the renewal of Centerpoint West Lot 4. Application received: March 10, 2023. Permit issued: March 13, 2023. Expiration date: March 10, 2024.

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.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOPRG@pa.gov.

E5829222-014. Williams Field Services Company LLC, 310 State Route 29 North, Tunkhannock, PA 18657, Jessup Township and Rush Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 14, 2022. Issued: March 10, 2023.

To construct, operate, and maintain:

1. a temporary workspace impacting 4,946 square feet (0.11 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.822110°, Long. -76.070468°),
2. a temporary timber bridge/mat crossing impacting 543 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.822108°, Long. -76.069050°),
3. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 124 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.822274°, Long. -76.068020°),
4. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 7,303 square feet (0.17 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.822327°, Long. -76.066911°),
5. a 16-inch diameter natural gas pipeline and a temporary timber bridge/mat crossing impacting 4,036 square feet (0.09 acre) of a palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.823934°, Long. -76.065029°),
6. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 144 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.823854°, Long. -76.065024°),
7. a 16-inch diameter natural gas pipeline and a temporary timber bridge crossing impacting 87 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.823952°, Long. -76.065031°),
8. a temporary timber bridge/mat crossing impacting 676 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.824579°, Long. -76.065076°),
9. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 130 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.825022°, Long. -76.064830°),
10. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 3,674 square feet (0.08 acre) of a palustrine emergent wetlands (PEM), 14,680 square feet (0.34 acre) of a palustrine scrub-shrub wetlands (PSS), and 5,816 square feet (0.13 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.825450°, Long. -76.062213°),
11. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,540 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) and 3,729 square feet (0.09 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.817764°, Long. -76.055089°),
12. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 111 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.817725°, Long. -76.055022°),
13. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 216 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.819151°, Long. -76.052280°),
14. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 175 lineal feet of the Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.819126°, Long. -76.052177°),
15. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 8,902 square feet (0.20 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.818934°, Long. -76.051291°),
16. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 55 lineal feet of an unnamed tributary of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.818925°, Long. -76.051222°),
17. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 234 square feet (0.01 acre) of palustrine emergent wetlands (PEM) and 19,334 square feet (0.44 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.819237°, Long. -76.049353°),
18. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 22,080 square feet (0.51 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.816543°, Long. -76.038950°),
19. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,363 square feet (0.05 acre) of palustrine scrub-shrub wetlands (PSS) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.816878°, Long. -76.037958°),

20. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 7,368 square feet (0.17 acre) of palustrine scrub-shrub wetlands (PSS) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.814220°, Long. -76.033155°),

21. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 84 lineal feet of an unnamed tributary of East Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.814306°, Long. -76.033281°),

22. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 798 square feet (0.02 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.810565°, Long. -76.030330°),

23. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 11,691 square feet (0.27 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.809901°, Long. -76.028431°),

24. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 130 lineal feet of an unnamed tributary of East Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.809702°, Long. -76.027982°),

25. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 88 lineal feet of an unnamed tributary of East Branch Wyalusing Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.809625°, Long. -76.027809°),

26. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,076 square feet (0.05 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.809590°, Long. -76.027730°),

27. a temporary workspace crossing impacting 647 square feet (0.01 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.809051°, Long. -76.026783°),

28. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 17,027 square feet (0.39 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.809244°, Long. -76.020962°),

29. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 100 lineal feet of Devel Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.809022°, Long. -76.020450°),

30. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 4,668 square feet (0.11 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.808724°, Long. -76.019760°),

31. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 871 square feet (0.11 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.808724°, Long. -76.019760°),

32. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 115 lineal feet of unnamed tributary to Devel Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.810332°, Long. -76.016361°),

33. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,424 square feet (0.06 acre) of palustrine forested wetlands (PFO) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.810654°, Long. -76.009307°),

34. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 157 lineal feet of Snell Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.810571°, Long. -76.008822°),

35. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 399 square feet (0.01 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.808870°, Long. -76.006030°),

36. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 1,827 square feet (0.04 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.808880°, Long. -76.005555°),

37. a 16-inch diameter natural gas pipeline and timber bridge crossing impacting 117 lineal feet of an unnamed tributary of Snell Creek (CWF, MF) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.808970°, Long. -76.002643°),

38. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 2,183 square feet (0.05 acre) of palustrine emergent wetlands (PEM) (Lawton, PA, 7.5 minute Quadrangle; Lat. 41.808980°, Long. -76.000063°),

39. a 16-inch diameter natural gas pipeline and timber bridge/mat crossing impacting 1,453 square feet (0.05 acre) of palustrine emergent wetlands (PEM) (Lawton/Montrose West, PA, 7.5 minute Quadrangles; Lat. 41.809023°, Long. -75.999351°).

The 16-inch Housenick Pipeline project located in Rush and Jessup Townships, Susquehanna County, PA involves the construction of approximately 26,608 linear feet of 16-inch natural gas pipeline.

The project will result in 923 lineal feet of stream impacts, 98,277 square feet of floodway impacts, 71,438 square feet (1.64 acres) of PEM wetlands impacts, 24,411 square feet (0.56 acre) of PSS wetlands impacts, and 58,655 square feet (1.35 acres) of PFO wetlands impacts for the purpose of conveying natural gas gathering line for conveyance to market.

E4129223-001. Highland Field Services, LLC, 51 Zents Boulevard, Brookville, PA 15825, Gamble Township and Lewis Creek Township, **Lycoming County.** U.S. Army Corps of Engineers Baltimore District. Application received: January 13, 2023. Issued: March 14, 2023.

To construct, operate and maintain temporary above ground waterline (TAGWL). The temporary 16-inch HDPE waterline will be placed on existing ground surface except where it crosses roadways/driveways where either a boring or an open trench crossing will be used.

There is no permanent stream, wetland and/or floodway impacts associated with this authorization. The project will result in a total of 87 LF (273 SF) of temporary stream impacts, 10,088 SF (0.2316 acre) of temporary wetland impacts and 2,934 SF (0.0674 acre) of temporary floodway impacts all for the purpose of constructing an natural gas pipeline for Marcellus Shale well development.

STREAM IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Chap. 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Crossing # 1B Mill Creek	Gamble Trout Run	Waterline and Timber Mats	HQ; EV	Wild	12	20			41.403901° 77.000668°
Crossing # 2 UNT to Shoemaker Run	Gamble Bodines	Waterline and Timber Mats	HQ; EV	Wild	16	42			41.408959° 76.992516°
Crossing # 4 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	HQ; EV	Wild	13	66			41.418191° 76.970496°
Crossing # 6 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	HQ; EV	Wild	12	44			41.419301° 76.969827°
Crossing # 7 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	HQ; EV	Wild	12	77			41.419633° 76.969279°
Crossing # 10 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	HQ; EV	Wild	22	24			41.420848° 76.966639°
TOTAL IMPACTS					87	273			

FLOODWAY IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Crossing # 1B Mill Creek	Gamble Trout Run	Waterline and Timber Mats	66	516			41.403901° 77.000668°
Crossing # 2 UNT to Shoemaker Run	Gamble Bodines	Waterline and Timber Mats	166	503			41.408959° 76.992516°
Crossing # 4 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	103	365			41.418191° 76.970496°
Crossing # 6 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	79	815			41.419301° 76.969827°
Crossing # 7 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	62	223			41.419633° 76.969279°
Crossing # 7 UNT to WB Murry Run	Gamble Bodines	Waterline and Timber Mats	90	512			41.420848° 76.966639°
TOTAL IMPACTS			566	2,934			

WETLAND IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Crossing # 1A Wetland 1	Gamble Trout Run	Waterline and Timber Mats	PEM; EV	Wild	33	428			41.403271° 77.001891°

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Crossing # 1B Wetland 1	Gamble Trout Run	Waterline and Timber Mats	PEM; EV	Wild	48	616			41.403271° 77.001891°
Crossing # 3 Wetland 3	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	28	225			41.415613° 76.971932°
Crossing # 5 Wetland 5	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	150	1,839			41.418745° 76.970373°
Crossing # 6 Wetland 6	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	76	977			41.419301° 76.969827°
Crossing # 6 Wetland 6	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	38	214			41.419301° 76.969827°
Crossing # 7 Wetland 7	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	64	917			41.419633° 76.969279°
Crossing # 8 Wetland 7	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	91	1,119			41.419794° 76.968758°
Crossing # 9 Wetland 9	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	209	2,896			41.420196° 76.967387°
Crossing # 10 Wetland 10	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	15	110			41.420848° 76.966639°
Crossing # 11 Wetland 11	Gamble Bodines	Waterline and Timber Mats	PEM; EV	Wild	61	747			41.421145° 76.966452°
TOTAL IMPACTS					797	10,088			

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Stephen Kardoheley, Project Manager, 814-342-8216.

E1804222-004. Aaron and Nicole Yohn, 404 Sunnyside Rd, Newmanstown, PA 17073, Green Township, **Clinton County**. U.S. Army Corps of Engineers Baltimore District.

The Department of Environmental Protection has issued a Chapter 105 water obstruction and encroachment permit to Aaron and Nicole Yohn to install and maintain a permanent bank-to-bank bridge over Pepper Run for permanent private access to their property on the west side of the stream. This project was initially authorized and installed under a GP-8 in September 2022. At that time, approximately 2,300 sq. ft. of earth disturbance occurred along the stream and within the floodway. An

additional 10,000 sq. ft. of earth disturbance occurred to construct the access roadway into the crossing site and on the far side of the stream. No new disturbance will occur as part of this permit action. The bridge is a single span 30-foot-long x 12-foot-wide steel beam with a timber deck on precast foundations. There are no anticipated adverse impacts to waters of the U.S. or aquatic resources from this crossing project. No wetlands will be impacted. The drainage area at the crossing site is 1.93 square miles. Pepper Run is listed in the Pa. Code chapter 93 designation as a High Quality, Cold Water Fishery (HQ-CWF) with Migratory Fish (MF). Latitude: 41° 2' 46.90", Longitude: -77° 19' 41.59". Application received: December 20, 2022. Issued: March 2, 2023.

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

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E3502222-002. Geisinger Health System, 100 N. Academy Ave., Danville, PA 17822, Dickson City Borough, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District.

To fill 0.04 acre of wetlands for the construction of a 55,000 square foot medical facility. Latitude: 41° 27' 21", Longitude: -75° 38' 32". Application received: February 2, 2022.

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

Contact: 717-705-4802.

E3603222-006. West Cocalico Township, P.O. Box 244, Reinholds, PA 17569, West Cocalico Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to 1.) install and maintain a 32.0-foot long 38.0-inch by 24.0-inch concrete elliptical pipe with flared end sections in an unnamed tributary to Little Cocalico Creek (WWF, MF); 2.) relocate and maintain an 8.0-inch diameter PVC sanitary sewer pipe in unnamed tributary to Little Cocalico Creek (WWF, MF) and palustrine emergent wetlands impacting 0.002 acre of wetland; 3.) construct and maintain two cross rock vanes in an unnamed tributary to Little Cocalico Creek (WWF, MF) and 4.) install and maintain a 6.0 inch TRNC water line under and across an unnamed tributary to Little Cocalico Creek (WWF, MF), all for the purposes of replacing a deteriorated structure and protecting an exposed sewer line. The project is located near the intersection of SR 897 and Meadow Road in West Cocalico Township, Lancaster County. Wetland impacts are de minimus and replacement is not required. Latitude: 40° 16' 16.58" N, Longitude: -76° 7' 47.79" W. Application received: June 10, 2022. Issued: March 6, 2023.

E3803222-005. Pennsylvania Department of General Services, Arsenal Building, 1800 Herr Street, Harrisburg, PA 17125, East Hanover Township, **Lebanon County**. U.S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to construct and maintain a 30.0-foot long by 31.9-foot wide precast open bottom concrete arch culvert with wingwalls across Indiantown Run (CWF, MF), permanently impacting 0.007 acre of palustrine emergent exceptional value wetlands all for the purpose of providing better traffic access to Marquette Lake and Keystone Conference Center. The project is located at the intersection of Asher Miner Road and Lake Road in East Hanover Township, Lebanon County. Wetland impacts are de minimus and replacement is not required. Latitude: 40.4390°N, Longitude: -76.5986°W. Application received: March 14, 2023. Issued: August 24, 2022.

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

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

E4601222-018. Wings Field Preservation Association, LLP, 1501 Narcissa Road, Blue Bell, PA 19422, Whitpain Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To perform the following-listed water obstruction and encroachment activities associated with The Wings Field Airport—West Itinerant Apron, for Wings Field Preservation Association, LLP. The project is proposing to place a permanent fill in 0.04 acre of isolated wetland (PEM) for the purpose of constructing a new aircraft parking apron south of the existing Taxiway A. The site is located in the Wings Field Airport at 1501 Narcissa Road (Lansdale, PA USGS Map) in Whitpain Township, Montgomery County. Latitude: 40.137157°, Longitude: -75.267128°. Application received: August 3, 2022. Issued: March 10, 2023.

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

Contact: Dana Drake, Program Manager.

E0205221-020. Traditions of America, 1235 Westlakes Drive, Suite 300, Berwyn, PA 19312, West Deer Township, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given permission to: 1. Place and maintain fill in within a 0.01-acre wetland, Wetland W001 (PEM); 2. Place and maintain fill in within a 0.04-acre wetland, Wetland W003 (PEM); 3. Place and maintain fill in within 0.12 acre of Wetland W008 (PEM); 4. Place and maintain fill in within 0.14 acre of Wetland W009 (PEM); 5. Place and maintain fill in within 0.01 acre of Wetland W010 (PEM); 6. Place and maintain fill in within a 0.01-acre wetland, Wetland W011 (PEM); 7. Place and maintain fill in within a 0.008-acre wetland, Wetland W012 (PEM); 8. Place and maintain fill in within a 0.006-acre wetland, Wetland W013 (PEM); 9. Place and maintain fill in within a 0.01-acre wetland, Wetland W014 (PEM); 10. Place and maintain fill in within a 0.04-acre wetland, Wetland W015 (PEM); 11. Place and maintain fill in within a 0.09-acre manmade pond, Pond L001; 12. Excavate a 0.03-acre portion of a manmade pond, Pond L003; 13. Excavate a 0.26-acre manmade pond, Pond L004; 14. Place and maintain fill in multiple unnamed tributaries (UNTs) of Deer Creek (CWF) which have drainage areas less than 100 acres: a. UNT R004A/4B (CWF) which will result in 0.2 acre of permanent floodway impact and 96 LF of permanent watercourse impact; b. UNT R005 (CWF) which will result in 0.04 acre of permanent floodway impact and 306 LF of permanent watercourse impact; c. UNT R007 (CWF) which will result in 0.2 acre of permanent floodway impact and 177 LF of permanent watercourse impact; d. UNT R007A (CWF) which will result in 0.54 acre of permanent floodway impact and 431 LF of permanent watercourse impact; e. UNT R008 (CWF) which will result in 0.13 acre of permanent floodway impact and 101 LF of permanent watercourse impacts. f. UNT R010 (CWF) which will result in 0.001 acre of permanent floodway impacts and 60 LF of permanent watercourse impacts; g. UNT R012 (CWF) which will result in 0.001 acre of permanent floodway impacts and 85 LF of permanent watercourse impacts; 15. Place and maintain fill along Deer Creek (CWF; R001) for a permanent floodway impact of 0.01 acre and permanent watercourse

impact of 25 LF; 16. Construct, operate, and maintain an irrigation crossing of Deer Creek (CWF; R001) which will result in 0.03 acre of permanent floodway impacts and 25 LF of permanent watercourse impacts; 17. Construct, operate, and maintain utility crossings of UNT R005 consisting of an 8-inch DIP waterline, a 42-inch SLCPP storm sewer line, an 8-inch PVC sanitary sewer line, a 6-inch HDPE gas line, and a 4-inch PVC electric line; 18. Construct, operate, and maintain utility crossings of UNT R007 consisting of an 8-inch DIP waterline, a 6-inch HDPE gas line, and a 4-inch PVC electric line; 19. Construct, operate, and maintain utility crossings of UNT R008 consisting of an 8-inch DIP waterline, a 6-inch HDPE gas line, and a 4-inch PVC electric line; For the purpose of developing an 89-acre golf course into a 248-unit residential subdivision. The project will permanently impact 0.39 acre of wetland, 1,191 linear feet of watercourse, 0.38 acre of ponds, and 1.18 acres of floodways. Permanent impacts to streams will be mitigated on-site through riparian buffer plantings (948 feet along the left descending bank of the UNT to Deer Creek, 1,126 feet along the right descending bank of the UNT to Deer Creek) as well as in-stream structures installed off-site (379 feet of root wads along the left descending bank of Pine Creek, 335 feet of root wads along the right descending bank of Pine Creek, and 822 feet of half-log structures along the left descending bank of Pine Creek). Permanent impacts to wetlands will be mitigated through 1.36 acres of onsite wetland mitigation. The project site is located at 4769 Gibsonia Road, Allison Park, PA 15101 (Glenshaw, PA USGS topographic quadrangle; N: 40° 36' 06"; W: -79° 53' 13"; Sub-basin 18A; USACE Pittsburgh District), in West Deer Township, Allegheny County. Latitude: 40° 36' 09", Longitude: -79° 53' 13". Application received: August 30, 2021. Issued: March 9, 2023.

E5605221-005. People's Natural Gas Company, 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212, Jenner Township, **Somerset County.** U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: 1. Construct, operate, and maintain 9 utility line wetland crossings (PEM/PSS/PFO) associated with the construction of approximately 16,300 linear feet of a replacement 16-inch steel natural gas pipeline, within the existing right of way and within additional permanent easements; 2. Construct, operate, and maintain a utility line stream crossing of an Unnamed Tributary (UNT) to Quemahoning Creek (CWF, MF); 3. Construct, operate, and maintain a utility line stream crossing of a UNT to Twomile Run (CWF, MF); 4. Construct, operate, and maintain a utility line stream crossing of Quemahoning Creek (CWF, MF); 5. Abandon in place, the existing pipeline crossings of regulated waters of the commonwealth, along the approximately 16,300 linear feet of existing 14-inch natural gas pipeline; 6. Construct, operate, and maintain temporary road crossings of the same 9 wetlands and 3 watercourses. For the purpose of replacing approximately 16,300 LF of existing deteriorated 14-inch bare steel natural gas pipeline with 16,300 LF of 16-inch steel natural gas pipeline along an existing right-of-way. Cumulative, permanent impacts are to 0.139 acre of wetlands including a de minimus area of vegetative conversion to 0.01 acre of PFO wetland, 55 linear feet of stream, and 0.096 acre of floodway. Cumulative, temporary impacts are to 3.32 acres of wetlands, 57 linear feet of streams, and 0.491 acre of floodway. Utility line wetland crossing impacts will be restored following construction. Latitude: 40.134158°, Longitude: -79.033316°. Application received: December 10, 2021. Issued: March 9, 2023.

E0205122-033. PennDOT District 11-0, 45 Thomas Run Road, Bridgeville, PA 15017, Independence Township, **Beaver County.** U.S. Army Corps of Engineers Pittsburgh District.

To: Construct and maintain a 30-foot long by 33-foot wide, two-lane, cast-in-place, rigid frame, concrete culvert, within Potato Garden Run (WWF), to replace the previously existing 25-foot long by 19-foot wide, single span, single lane, stone arch bridge (aka Frankfort Road Bridge). Removal of the previously existing Frankfort Road Bridge was authorized by GP110405122-034, on December 20, 2022. The upstream face of the concrete culvert will be shifted approximately 18.5 feet upstream from the existing structure to improve the horizontal alignment and provide two traffic lanes; 2. Construct and maintain grouted R-7 streambank protection at each corner of the concrete culvert, along the wingwalls; For the purpose of replacing the Frankfort Road Bridge, which carries SR 3082, Section A10 over Potato Garden Run, which was damaged and closed, as a result of a truck wreck, in September 2022. The project will permanently impact 990 square feet of Potato Garden Run (WWF) and 5,980 square feet of floodplain. Temporary impacts include 3,395 square feet to Potato Garden Run and 30,800 square feet of floodplain. The project site is located on SR 3082, Section A10 approximately 0.3 mile north of the intersection of Sunnyhill Road and Clinton Frankfort Road (Clinton, PA Quadrangle; N: 40° 28' 59.77"; W: -80° 21' 27.41"; Sub-basin 20D; USACE Pittsburgh District), in Independence Township, Beaver County. Application received: August 3, 2022. Issued: March 9, 2023.

E2605122-008. PennDOT District 12-0, 825 North Gallatin Avenue Ext, Uniontown, PA 15401, City of Uniontown, **Fayette County.** U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: 1. remove an existing single-span, masonry arch bridge over Redstone Creek (WWF) with a hydraulic opening of 386 sq ft and out-to-out length of 48', and construct and maintain a single-span, precast concrete arch culvert over Redstone Creek on the same alignment with a hydraulic opening of 533 sq ft and an out-to-out length of 51'4", with precast wingwalls upstream of the structure and cast-in-place wingwalls downstream of the structure, including scour protection along the abutments and wingwalls consisting of R-8 rock choked with R-4 rock, 2. construct and maintain a temporary bridge consisting of a single, 12' vehicular traffic lane and 5' sidewalk during construction activities, placed on an alignment just downstream of the existing structure, on top of the cast-in-place wingwalls previously described that will serve as the abutments for this temporary bridge, 3. construct and maintain a temporary stream crossing over Redstone Creek consisting of R-6 rock choked with R-3 rock and five (5) 36" diameter drainage pipes, 4. place and maintain fill in approximately 572 LF of Redstone Creek and construct and maintain 350 LF of relocated channel constructed with natural channel design concepts and floodplain reconnection, to better direct stream flow through the replacement structure, 5. construct and maintain a temporary stream diversion, consisting of a pump by-pass of standard concrete roadway barriers supplemented with sandbags and adequate pumps and hoses/pipes to maintain normal streamflow, during structural removal, channel relocation, and in-channel work, 6. construct and maintain a temporary stream diversion, after the preceding diversion is no longer needed and removed, consisting of cofferdams of standard concrete roadway barriers supplemented with

sandbags during construction of temporary traffic detour bridge and permanent replacement structure, 7. construct and maintain two permanent stormwater outfalls, consisting of 15" and 36" pipes, discharging onto riprap aprons in the Redstone Creek floodway approximately 50' upstream of the replacement structure, 8. construct and maintain a permanent stormwater outfall, consisting of an 18" pipe, constructed into the abutment of the replacement structure, discharging onto the aforementioned scour protection, in the Redstone Creek floodway, 9. construct and maintain one temporary pipe outfall in the Redstone Creek floodway, consisting of an 18" pipe discharging onto a riprap apron, approximately 80' downstream of the replacement structure, for the purpose of replacing a dilapidated structure carrying SR 2040 over the Redstone Creek. Cumulatively, the project will have a permanent impact of 716 LF, including 222 LF of channel loss, and a temporary impact of 494 LF, on Redstone Creek. Mitigation will be achieved through the restoration of temporary impacts and on-site channel and floodplain restoration, including the construction of the relocated reach of Redstone Creek as a natural stream channel with in-channel habitat structures and stabilized streambanks with riparian vegetation and bioengineered structures. The project site is located on Main St., between E Church St. and Pennsylvania Ave. (Uniontown, PA USGS topographic quadrangle; Latitude N: 39°, 39', 59.85"; Longitude W: -79°, 43', 11.54"; Sub-basin 19C; ACOE Pittsburgh District), in the City of Uniontown, Fayette County. Application received: August 3, 2022. Issued: March 9, 2023.

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 **ESG295822019-00**
Applicant Name **Coterra Energy, Inc.**
Contact Person Kenneth Marcum
Address 8207 State Route 29
City, State, Zip Montrose, PA 18801
Township(s) Lathrop Township
County **Susquehanna County**
Receiving Stream(s) and Classification(s) Martins Creek (CWF)
Application received: August 9, 2022
Issued: March 7, 2023

ESCGP # 3 **ESG294123005-00**
Applicant Name **Seneca Resources Co, LLC**
Contact Person Doug Kepler
Address 51 Zents Boulevard
City, State, Zip Brookville, PA 15825-2701
Township(s) Lewis Township
County **Lycoming County**
Receiving Stream(s) and Classification(s) UNT to Grays Run (HQ-CWF, MF), UNT to Lycoming Creek (HQ-CWF, MF)
Application received: February 6, 2023
Issued: March 7, 2023

ESCGP # 3 **ESG295822036-00**
Applicant Name **Williams Field Services Co, LLC**
Contact Person Barry Mahar
Address 30351 Route 6
City, State, Zip Wysox, PA 18854
Township(s) Bridgewater Township
County **Susquehanna County**
Receiving Stream(s) and Classification(s) UNT 29453 to Meshoppen Creek (CWF, MF)
Application received: December 13, 2022
Issued: March 7, 2023

ESCGP # 3 **ESG295822032-00**
Applicant Name **Coterra Energy, Inc.**
Contact Person Kenneth Marcum
Address 2000 Park Lane, Suite 300
City, State, Zip Pittsburgh, PA 15725
Township(s) Bridgewater Township
County **Susquehanna County**
Receiving Stream(s) and Classification(s) UNT to Meshoppen Creek (CWF, MF)
Application received: November 10, 2022
Issued: March 8, 2023

ESCGP # 3 **ESG294123006-00**
Applicant Name **EQT ARO, LLC**
Contact Person Stephen Barondeau
Address 2462 Lycoming Creek Road
City, State, Zip Williamsport, PA 17701
Township(s) Cummings Township
County **Lycoming County**
Receiving Stream(s) and Classification(s) Ott Fork (HQ-CWF), First Branch Ott Fork (HQ-CWF), UNT Lower Pine Bottom Run (HQ-CWF)
Application received: February 8, 2023
Issued: March 9, 2023

ESCGP # 3 **ESG294121014-01**
Applicant Name **PA General Energy Co, LLC**
Contact Person Nathan Harris
Address 120 Market Street
City, State, Zip Warren, PA 16365
Township(s) Plunketts Creek Township
County **Lycoming County**

Receiving Stream(s) and Classification(s) UNT to Little Bear Creek (CWF, MF), UNT to Little Mill Creek (TSF, MF)

Secondary: Little Bear Creek (CWF, MF), Little Mill Creek (TSF, MF)

Application received: January 25, 2023

Issued: March 10, 2023

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.

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

Contact: Eric Supey, Environmental Program Manager.

Carriage Stop Plaza Sunoco, Storage Tank Facility ID # **40-38017**, 2500 East End Boulevard, Wilkes-Barre, PA 18702, Plains Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Anup Patel, 2500 East End Boulevard, Wilkes-Barre, PA 18702 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health standards.

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

Contact: Greg Bowman, Environmental Group Manager.

Point Service Station, Storage Tank Facility ID # **34-02980**, 802 Market St, Port Royal, PA 17802, Port Royal Borough, **Juniata County**. Converse Consultants, 2738 W College Ave, State College, PA 16801, on behalf of Brian Ehrenzeller, 802 Market St, Port Royal, PA 17802 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum Products. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

Sac Shop Wolfsburg, Storage Tank Facility ID # **05-32020**, 6934 Lincoln Hwy, Bedford, PA 15522, Bedford Township, **Bedford County**. Gary C Calvert LLC, P.O. Box 504, Hollidaysburg, PA 16648, on behalf of SAC Incorporated, 488 Business 220, Bedford, PA 15522 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Products. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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.

Belmont Pump Sta, Storage Tank Facility ID # **46-35908**, 113 Belmont Ave., Bala Cynwyd, PA 19004, Lower Merion Township, **Montgomery County**. Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Lower Merion Township, 75 E. Lancaster Ave., Ardmore, PA 19003 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with fuel oil No. 2. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Dileos Auto SVC, Storage Tank Facility ID # **46-22320**, 2233 W. Main St., Norristown, PA 19403, West Norriton Township, **Montgomery County**. August Mack Environmental, LLC, 806 Fayette Street, Conshohocken, PA 19428, on behalf of HTAS, Inc., 2233 W. Main St., Norristown, PA 19403 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific 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.

Squeeze N Go Gas, Storage Tank Facility ID # **26-83253**, 495 Gun Club Road, Uniontown, PA 15401, North Union Township, **Fayette County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of MO Common Properties LLC—Squeeze N Go, 495 Gun Club Road, Uniontown, PA 15401 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, 570-826-2511.

Convenient Food Mart, Storage Tank Facility ID # **40-08918**, 340 Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 18702, Wilkes-Barre Township, **Luzerne County**. Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, on behalf of CDG 320 Inc., 304 North Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 18702 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was not acceptable to meet the Statewide health and site-specific standards and was disapproved by DEP on March 8, 2023.

Arlo's Country Store, Storage Tank Facility ID # **58-38535**, 10340 PA-171, Union Dale, PA 18470, Ararat Township, **Susquehanna County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Arlo's Country Store, Inc., 10340 PA-171, Union Dale, PA 18470 submitted a Remedial Action Completion Report concerning remediation of soil and

groundwater contaminated with gasoline. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on March 8, 2023.

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

Contact: Ellen Roberts, 814-332-6648.

Dharmanandan, Storage Tank Facility ID # **10-09186**, 225 S Main St, Zelienople, PA 16063, Zelienople Borough, **Butler County**. Letterle & Associates, 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Dharmanandan, 225 S Main St, Zelienople, PA 16063 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on March 8, 2023.

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.

Shockley Oldsmobile, Storage Tank Facility ID # **15-24073**, 315 W. Lancaster Avenue, Devon, PA 19333, Easttown Township, **Chester County**. Penn Environmental & Remediation, Inc., 400 Old Dublin Pike, Doylestown, PA 18901, on behalf of The Beans Family Partnership, 876 N Easton Road, Doylestown, PA 18901 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on March 10, 2023.

SPECIAL NOTICES

WATER PROGRAMS

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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment 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) 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.

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.

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.

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(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Applicant: Eastern Gas Transmission & Storage, Inc., 6603 West Broad Street, Richmond, VA 23230, TL-342 Hildenbrand Road Exposure Project. To construct and maintain a stream restoration project in approximately 60-feet of a tributary to Sewickley Creek (WWF) for the purposes of protecting an exposed existing 24-inch diameter natural gas pipeline. The work includes the installation of in-stream grade control structures (4 rock cross clusters and 1 log vane) and bank stabilization structures (bank boulders and live stake plantings).

The project is located approximately 250 feet from the intersection of Apples Mill Road and Hildenbrand Road (Smithton, PA Quadrangle Latitude: 40.2398°; Longitude: -79.7433°) in Sewickley Township, **Westmoreland County**.

PUBLIC COMMENTS FOR WATER OBSTRUCTIONS AND ENCROACHMENTS, STATE WATER QUALITY CERTIFICATION AND EROSION AND SEDIMENT CONTROL

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department office during the 30-day public comment period.

Following the 30-day comment period, the program manager from the appropriate Department office will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination

may be appealed to United States Court of Appeals for the 3rd Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790.

More information regarding the permit applications related to this proposed project may be available online (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.

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.

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

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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment 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) 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.

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.

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.

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(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Applicant: Eastern Gas Transmission & Storage, Inc., 6603 West Broad Street, Richmond, VA 23230, TL-461 West of Bieler Run Road Exposure Project.

To construct and maintain a stream relocation project of approximately 173 feet of a tributary to Bieler Run (WWF) for purposes of protecting an existing 14-inch diameter natural gas pipeline. The work includes the installation of in-stream grade control structures (4 J-hooks and 7 log vanes) and bank stabilization structures (bank boulders and live state plantings).

The project is located approximately 70 feet from Bieliers Run Road (Midland, PA Quadrangle Latitude: 40.6941°; Longitude: -80.4977°) in Ohioville Borough, **Beaver County**.

PUBLIC COMMENTS FOR WATER OBSTRUCTIONS AND ENCROACHMENTS, STATE WATER QUALITY CERTIFICATION AND EROSION AND SEDIMENT CONTROL

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department office during the 30-day public comment period.

Following the 30-day comment period, the program manager from the appropriate Department office will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to United States Court of Appeals for the 3rd Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790.

More information regarding the permit applications related to this proposed project may be available online (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.

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.

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

WASTE, AIR, RADIATION AND REMEDIATION

Public Notice of Proposed Consent Order and Agreement; Hazardous Sites Cleanup Act, Vallimont Site, Erie County.

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

Contact: Colin Kosinski, 814-332-6837.

The Department of Environmental Protection (DEP) under the authority of the Hazardous Sites Cleanup Act (HSCA), Act of October 18, 1988, P.L. 756, No. 108, 35 P.S. §§ 6020.101—6020.1305, has entered into a Consent Order and Agreement (CO&A) with American Tinning & Galvanizing Company (American Tinning) concerning a cleanup of a wheelabrator dust pile at the Vallimont Site (Site).

The Site is located on a 29.22-acre property located at 9266 Kuhl Road, Erie, PA 16510. The wheelabrator dust pile is an approximately 40 feet x 40 feet, exposed pile of reddish-brown colored solid material in the western area of the Site (Operable Unit 1). The wheelabrator dust, which was disposed in Operable Unit 1, was generated at American Tinning's facility in Erie, PA.

Since the 1980s, sampling events of various media have been completed by the U.S. Environmental Protection Agency and DEP. The wheelabrator dust disposed in Operable Unit 1 includes elements, chemical compounds or materials, including cadmium, chromium, vanadium, iron, arsenic, and lead, which are "hazardous substances" as defined in Section 103 of the HSCA, 35 P.S. § 6020.103. The presence of these hazardous substances in the Site waste and soil constitute a "release" and "threatened release" of hazardous substances at the Site pursuant to Section 103 of the HSCA, 35 P.S. § 6020.103.

American Tinning, as a generator of wheelabrator dust, is a "responsible person" as defined in Sections 103 and 701 of HSCA, 35 P.S. §§ 6020.103 and 6020.701. DEP has determined that it is practicable and in the public interest to enter into a CO&A with American Tinning, pursuant to Section 505(g) of HSCA, 35 P.S. § 6020.505(g). The terms of the CO&A require American Tinning, at Operable Unit 1, to perform a "response," as defined in Section 103 of the HSCA, 35 P.S. § 6020.103, to resolve its liability and to minimize or eliminate the release in order to protect the present or future public health, safety or welfare, or the environment. In exchange, DEP has agreed to provide American Tinning with protections against certain future liabilities, which are more fully described in the CO&A.

This notice is provided under Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, "settlement shall become final upon the filing of DEP's response to significant written comments." DEP has reserved the right to withdraw its consent to the CO&A if comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. A person adversely affected by the settlement may file an appeal with the Pennsylvania Environmental Hearing Board. A public comment period on the CO&A will extend for 60 days from the date of this notice. Persons may submit written comments regarding this CO&A, within 60 days from today's date, by submitting them to Colin Kosinski in the Environmental Cleanup and Brownfields Program by email at ckosinski@pa.gov or at 230 Chestnut Street Meadville PA 16335.

The CO&A is available for public review and comment from 8 a.m. to 4 p.m. at DEP's Meadville Regional Office, located at 230 Chestnut Street, Meadville PA 16335, by contacting either the Regional Project Officer, Colin Kosinski, at 814-332-6848, or Regional Program Attorney, David R. Hull, at 814-332-6695 or davhull@pa.gov.

[Pa.B. Doc. No. 23-408. Filed for public inspection March 24, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sewage Advisory Committee Meeting Cancellation

The March 29, 2023, meeting of the Sewage Advisory Committee (Committee) is cancelled. If the Committee decides to schedule another meeting before its September 13, 2023, meeting, the date for that meeting will be published in a future issue of the *Pennsylvania Bulletin*.

Information about Committee meetings, including agendas, meeting materials and in-person and remote participation options, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water," then "Sewage Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Committee can be directed to Janice Vollerero at jvollerero@pa.gov or (717) 772-5157.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 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.

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-409. Filed for public inspection March 24, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Addition of Mucopolysaccharidosis Type II to the Supplemental Conditions Mandated for Screening in this Commonwealth

The Department of Health's (Department) Division of Newborn Screening and Genetics, with support of the Newborn Screening and Follow-up Technical Advisory Board (Board) and its lysosomal storage disorder subcommittee, is adding Mucopolysaccharidosis Type II Disorder (MPS II) screening effective July 1, 2023, to the supplemental conditions mandated for screening and follow-up by Commonwealth submitters and follow-up by the Commonwealth newborn screening program.

The United States Secretary of Health and Human Services approved the Advisory Committee on Heritable

Disorders in Newborns and Children recommendation to add MPS II to the Recommended Uniform Screening Panel on August 2, 2022.

MPS II, also referred to as Hunter Syndrome, is an X-linked lysosomal storage disorder caused by the deficiency of the enzyme iduronate 2- sulfatase, which is needed to break down complex sugars, glycosaminoglycans within the lysosomes. The severe form is characterized by progressive intellectual disability, the development of characteristic facial features, progressive joint stiffness that can limit mobility and progressive involvement of the liver, spleen and heart.

Under section 3 of the Newborn Child Testing Act (35 P.S. § 623(d)), the Department, with the approval of the Board, shall establish, by transmitting notice to the Legislative Reference Bureau (LRB) for periodic publication in the *Pennsylvania Bulletin*, changes to the lists under subsection (a)(1) and (2) of those diseases for which newborn children shall be screened and laboratory screening results reported. Prior to making any change, the Department and Board shall jointly transmit a notice to the LRB for publication in the *Pennsylvania Bulletin* that establishes a public comment period of at least 30 days. A notice was published at 53 Pa.B. 907 (February 11, 2023). The Department did not receive any comments.

The addition of MPS II to the Commonwealth's supplemental mandated screening panel will increase the cost of the supplemental mandated panel by an estimated \$6.52 per newborn and will be invoiced to submitters by PerkinElmer Genetics.

For additional information, contact Jordan Shover, Public Health Program Manager, Division of Newborn Screening and Genetics, at (717) 783-8143. Speech and/or hearing-impaired persons use V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-410. Filed for public inspection March 24, 2023, 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 (k) (relating to prevention, control and surveillance of tuberculosis (TB)):

Bradford Manor
50 Langmaid Lane
Bradford, PA 16701
FAC ID # 282702

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Similac Adv Pwd 12.4 oz.	1	\$26.49
Similac Isomil Pwd 12.4 oz.	1	\$26.47
Tortilla (16 oz.)	1	\$3.98
Whole Wheat Pasta (16 oz.)	1	\$2.25

Competitive Prices for Peer Group 2 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 2 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2023, through June 30, 2023, the Competitive Prices for WIC Authorization for Peer Group 2 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread (16 oz.)	2	\$5.16
Brown Rice (16 oz.)	2	\$1.95
Canned Beans (15.5-16 oz. can)	2	\$1.85
Cereal (per oz.)	2	\$0.44
Cheese—16 oz.	2	\$8.55
Cheese—Kosher—16 oz.	2	\$17.86
Dried Beans/peas (1 pound)	2	\$2.76
Fresh shell eggs (dozen)	2	\$5.27
Infant Cereal (8 oz. container)	2	\$3.92
Infant Fruits (4 oz. or 2—2 oz. pack)	2	\$1.48
Infant Meats (2 oz. container)	2	\$1.70
Infant Vegetables (4 oz. or 2—2 oz. pack)	2	\$1.52
Juice 11.5/12 oz.	2	\$3.69
Juice 48 oz.	2	\$5.60
Juice 64 oz.	2	\$5.64
Light Tuna (5 oz. can)	2	\$1.82
Milk—Kosher—Low Fat 1/2 gallon	2	\$5.79
Milk—Low Fat 1/2 gallon	2	\$3.09
Milk—Whole—Kosher 1/2 gallon	2	\$5.98
Milk—Whole 1/2 gallon	2	\$3.42
Oats (16 oz.)	2	\$2.48
Peanut Butter (16—18 oz.)	2	\$4.11
Salmon (6 oz. can)	2	\$3.59
Sardines (3.75 oz. can)	2	\$2.05
Similac Adv Conc 13 oz.	2	\$8.52
Similac Adv Pwd 12.4 oz.	2	\$29.58
Similac Isomil Pwd 12.4 oz.	2	\$29.48

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Tortilla (16 oz.)	2	\$4.65
Whole Wheat Pasta (16 oz.)	2	\$2.55

Competitive Prices for Peer Group 3 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 3 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2023, through June 30, 2023, the Competitive Prices for WIC Authorization for Peer Group 3 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread (16 oz.)	3	\$5.28
Brown Rice (16 oz.)	3	\$2.12
Canned Beans (15.5-16 oz. can)	3	\$1.92
Cereal (per oz.)	3	\$0.47
Cheese—16 oz.	3	\$8.91
Cheese—Kosher—16 oz.	3	\$19.64
Dried Beans/peas (1 pound)	3	\$3.11
Fresh shell eggs (dozen)	3	\$5.70
Infant Cereal (8 oz. container)	3	\$4.24
Infant Fruits (4 oz. or 2—2 oz. pack)	3	\$1.52
Infant Meats (2 oz. container)	3	\$1.83
Infant Vegetables (4 oz. or 2—2 oz. pack)	3	\$1.63
Juice 11.5/12 oz.	3	\$3.77
Juice 48 oz.	3	\$5.45
Juice 64 oz.	3	\$5.68
Light Tuna (5 oz. can)	3	\$2.02
Milk—Kosher—Low Fat 1/2 gallon	3	\$6.29
Milk—Low Fat 1/2 gallon	3	\$3.30
Milk—Whole—Kosher 1/2 gallon	3	\$6.46
Milk—Whole 1/2 gallon	3	\$3.48
Oats (16 oz.)	3	\$2.59
Peanut Butter (16—18 oz.)	3	\$4.28
Salmon (6 oz. can)	3	\$3.90
Sardines (3.75 oz. can)	3	\$2.09
Similac Adv Conc 13 oz.	3	\$9.06
Similac Adv Pwd 12.4 oz.	3	\$31.49
Similac Isomil Pwd 12.4 oz.	3	\$32.56
Tortilla (16 oz.)	3	\$4.76
Whole Wheat Pasta (16 oz.)	3	\$2.66

Competitive Prices for Peer Group 4 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 4 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2023, through June 30, 2023, the Competitive Prices for WIC Authorization for Peer Group 4 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread (16 oz.)	4	\$5.92
Brown Rice (16 oz.)	4	\$2.75
Canned Beans (15.5-16 oz. can)	4	\$2.28
Cereal (per oz.)	4	\$0.56
Cheese—16 oz.	4	\$10.47
Cheese—Kosher—16 oz.	4	\$21.61
Dried Beans/peas (1 pound)	4	\$3.19
Fresh shell eggs (dozen)	4	\$5.80
Infant Cereal (8 oz. container)	4	\$4.64
Infant Fruits (4 oz. or 2—2 oz. pack)	4	\$1.82
Infant Meats (2 oz. container)	4	\$1.96
Infant Vegetables (4 oz. or 2—2 oz. pack)	4	\$1.82
Juice 11.5/12 oz.	4	\$4.65
Juice 48 oz.	4	\$6.32
Juice 64 oz.	4	\$7.27
Light Tuna (5 oz. can)	4	\$2.21
Milk—Kosher—Low Fat 1/2 gallon	4	\$6.94
Milk—Low Fat 1/2 gallon	4	\$4.04
Milk—Whole—Kosher 1/2 gallon	4	\$7.09
Milk—Whole 1/2 gallon	4	\$4.39
Oats (16 oz.)	4	\$3.19
Peanut Butter (16—18 oz.)	4	\$5.50
Salmon (6 oz. can)	4	\$5.07
Sardines (3.75 oz. can)	4	\$2.93
Similac Adv Conc 13 oz.	4	\$12.57
Similac Adv Pwd 12.4 oz.	4	\$37.18
Similac Isomil Pwd 12.4 oz.	4	\$38.97
Tortilla (16 oz.)	4	\$5.04
Whole Wheat Pasta (16 oz.)	4	\$3.58

Competitive Prices for Peer Group 5 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 5 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2023, through June 30, 2023, the Competitive Prices for WIC Authorization for Peer Group 5 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread (16 oz.)	5	\$6.24
Brown Rice (16 oz.)	5	\$4.07
Canned Beans (15.5-16 oz. can)	5	\$2.67
Cereal (per oz.)	5	\$0.61
Cheese—16 oz.	5	\$12.92
Cheese—Kosher—16 oz.	5	\$23.76
Dried Beans/peas (1 pound)	5	\$3.48
Fresh shell eggs (dozen)	5	\$6.00
Infant Cereal (8 oz. container)	5	\$5.76
Infant Fruits (4 oz. or 2—2 oz. pack)	5	\$1.99
Infant Meats (2 oz. container)	5	\$2.33
Infant Vegetables (4 oz. or 2—2 oz. pack)	5	\$2.17
Juice 11.5/12 oz.	5	\$5.08
Juice 48 oz.	5	\$7.19
Juice 64 oz.	5	\$8.72
Light Tuna (5 oz. can)	5	\$2.67
Milk—Kosher—Low Fat 1/2 gallon	5	\$7.65
Milk—Low Fat 1/2 gallon	5	\$5.28
Milk—Whole—Kosher 1/2 gallon	5	\$7.85
Milk—Whole 1/2 gallon	5	\$5.27
Oats (16 oz.)	5	\$3.89
Peanut Butter (16—18 oz.)	5	\$6.67
Salmon (6 oz. can)	5	\$5.54
Sardines (3.75 oz. can)	5	\$3.71
Similac Adv Conc 13 oz.	5	\$17.38
Similac Adv Pwd 12.4 oz.	5	\$43.17
Similac Isomil Pwd 12.4 oz.	5	\$40.96
Tortilla (16 oz.)	5	\$5.60
Whole Wheat Pasta (16 oz.)	5	\$3.66

**United States Department of Agriculture (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, audiotape, 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 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 or (202) 690-7442, Program.Intake@usda.gov.

This institution is an equal opportunity provider.

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, 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 USDA. The USDA is an equal opportunity provider.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-412. Filed for public inspection March 24, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Spinal Cord Research Advisory Committee Meeting Schedule for Calendar Year 2023

The Department of Health's Spinal Cord Research Advisory Committee (Committee), established by section 903.1(b) of the Tobacco Settlement Act (35 P.S. § 5701.903A(b)), will hold public meetings on the following dates and the public may join the meetings in person or by using the Microsoft Teams conference call-in information included as follows:

Monday, April 10, 2023	1 p.m.—2:30 p.m.	Dial (267) 332-8737 Phone Conference ID: 335 707 729#
Wednesday, September 20, 2023	9:30 a.m.—11 a.m.	Dial (267) 332-8737 Phone Conference ID: 484 315 594#

Meetings will be held at Saint John's Evangelical Lutheran Church, 910 Allentown Road, Sellersville, PA 18960.

The purpose of these meetings is to review the work of the Committee, review the status and progress of the current request for applications, reaffirm priorities, evaluate and refine the process to review the next spinal cord research applications and address emerging issues.

For additional information or for persons with disabilities who wish to attend the meetings and require an auxiliary aid, service or other accommodation, contact Will Cramer, Director, Health Research Office or Pamela Brown, Management Technician, Health Research Office at (717) 231-2825, ra-healthresearch@pa.gov. 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).

Check the Department of Health, Health Research Office CURE Spinal Cord Research Advisory Committee web site at <https://www.health.pa.gov/topics/Research/CURE/Pages/Spinal-Cord.aspx> for any changes to these public meetings.

These meetings are subject to cancellation without notice.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-413. Filed for public inspection March 24, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Program Fee Schedule Revisions

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the additions and updates to the Medical Assistance (MA) Program Fee Schedule. These changes are effective for dates of service on and after April 1, 2023.

Background

The Department is adding six new procedure codes to the MA Program Fee Schedule based on stakeholder request and clinical review, some of which will require prior authorization as set forth in this notice. In addition, the Department is updating four procedure codes cur-

rently on the MA Program Fee Schedule, to include provider type (PT), provider specialty (Spec), place of service (POS), modifiers and fee change revisions.

Procedure Codes Being Added

The Department is adding the following procedure codes and procedure code with modifier combinations to the MA Program Fee Schedule. These procedure codes may include the modifiers 80 (assistant surgeon) or SG (ASC/SPU facility support component) as shown as follows:

<i>Procedure Codes and Modifiers</i>			
58674	58674 (SG)	58674 (80)	77520
77522	77523	77525	92229

Prior Authorization Requirements

The following procedure codes being added to the MA Program Fee Schedule require prior authorization, under

section 443.6(b)(7) of the Human Services Code (code) (62 P.S. § 443.6(b)(7)), regarding reimbursement of certain medical assistance items and services:

Procedure Codes			
77520	77522	77523	77525

Updates to Procedure Codes Currently on the MA Program Fee Schedule

Place of Service Additions

The Department is adding combinations PT 01 (Inpatient Hospital)/Spec 183 (Hospital Based Medical Clinic)/POS 22 (Outpatient Hospital Based Clinic) and PT 31 (Physician)/Spec ALL/POS 11 (Office) for the following procedure codes:

Procedure Codes and Modifiers	
52441	52442

Modifier Additions

The Department is adding the rental (RR) modifier, with the RT (right), LT (left) or 50 (bilateral) modifier, for the procedure code indicated as follows. Procedure codes with the RR modifier require prior authorization after 3 months of rental under section 443.6(b)(3) of the code:

Procedure Codes and Modifiers		
E1800 (RR) (RT)	E1800 (RR) (LT)	E1800 (RR) (50)

Fee Revision

The regulation at 55 Pa. Code § 1150.62(a) (relating to payment levels and notice of rate setting changes) provides that the MA fee may not exceed the Medicare Upper Payment Limit. As a result, the Department revised the fee for the following procedure code:

Procedure Code	Procedure Description	Current MA Fee	Revised MA Fee
Q4186	Epifix, per sq cm	\$242.96	\$157.64

Fiscal Impact

The estimated fiscal impact for fiscal year 2022-2023 is \$0.694 million in total funds. The estimated annualized amount is \$8.332 million in total funds.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120, RA-PWMAProgComments@pa.gov. Comments received will be reviewed and considered for any subsequent revision of the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1566. (1) General Fund; (2) Implementing Year 2022-23 is \$299,000; (3) 1st Succeeding Year 2023-24 through 5th Succeeding Year 2027-28 are \$3,784,000; (4) 2021-22 Program—\$644,059,000;

2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 23-414. Filed for public inspection March 24, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Autism Spectrum Disorders Coverage—Maximum Benefit Adjustment; Notice 2023-03

Section 635.2 of The Insurance Company Law of 1921 (40 P.S. § 764h) requires:

After December 30, 2011, the Insurance Commissioner shall, on or before April 1 of each calendar year, publish in the *Pennsylvania Bulletin* an adjustment to the maximum benefit equal to the change in the United States Department of Labor Consumer Price Index for All Urban Consumers (CPI-U) in the preceding year, and the published adjusted maximum benefit shall be applicable to the following calendar years to health insurance policies issued or renewed in those calendar years.

The CPI-U change for the year preceding December 30, 2022, was an increase of 6.5%. Accordingly, the maximum benefit, previously adjusted to \$45,808 per year, is hereby adjusted to \$48,786 for policies issued or renewed in calendar year 2024.

Questions regarding this notice may be directed to the Bureau of Life, Accident and Health, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, ra-rateform@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-415. Filed for public inspection March 24, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Workers' Compensation Security Fund Assessment; Notice 2023-02

The Insurance Department has determined that no contributions will be required during 2023 to maintain the balance of the Workers' Compensation Security Fund (Fund).

Section 1059(1) of the Workers' Compensation Security Fund Act (act) (77 P.S. § 1059(1)) states ". . .If, due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000."

As of the evaluation of December 31, 2022, the balance of the Fund exceeded \$500,000,000. Therefore, insurers

writing workers' compensation insurance in this Commonwealth will not be required to submit contributions to the Fund in 2023.

The act and regulations may be viewed at <https://www.insurance.pa.gov/SpecialFunds/WorkersCompensation/Pages/WCSF.aspx> under "Resources."

No acknowledgement of this notice is required.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-416. Filed for public inspection March 24, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of the Borough of Weatherly for a Declaratory Order Regarding the Provision of Electric Service

P-2023-3038615. The Borough of Weatherly. Petition of the Borough of Weatherly (Borough) for a declaratory order regarding the provision of electric service to three customers adjacent to the Borough's municipal border with Lehigh Township.

The 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) concluding that the Borough's provision of electric service to three customer properties does not constitute the provision of service by a public utility, as defined at 66 Pa.C.S. § 102 (relating to definitions) and that its provision of electric service is not subject to the Commission's jurisdiction under the Public Utility Code (66 Pa.C.S. §§ 101—3316).

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 in support of 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, and at the Borough's business address. Additionally, the documents may be viewed on and downloaded from the Commission's web site at www.puc.pa.gov.

Petitioner: The Borough of Weatherly, 61 West Main Street, Weatherly, PA 18255

Through and By Counsel for the Borough: Isaac P. Wakefield (Attorney ID No. 311909), Idan V. Ghazanfari

(Attorney ID No. 329517), Salzmann Hughes, PC, 1801 Market Street, Suite 300, Camp Hill, PA 17011, (717) 234-6700, jwakefield@salzmannahughes.com, ighazanfari@salzmannahughes.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-417. Filed for public inspection March 24, 2023, 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 April 10, 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 April 10, 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 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-2023-3038492. Alleghenies Unlimited Care Providers, Inc. (119 Jari Drive, Johnstown, Cambria County, PA 15904) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Bedford, Blair, Cambria, Indiana, Somerset and Westmoreland, to points in Pennsylvania, and return.

A-2023-3038849. Rahman786, LLC (1600 Garret Road, Apartment G-103, Upper Darby, Delaware County, PA 19082) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2022-3038880. TBM Health Services, LLC (225 Wilmington West Chester Pike, Chadds Ford, Delaware

County, PA 19317) persons, in paratransit service, limited to nonemergent ambulatory services, from points in Delaware County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-418. Filed for public inspection March 24, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-2023-3038879. Aqua Pennsylvania, Inc. In the matter of the application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of New Britain Township, Bucks County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 10, 2023. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Aqua Pennsylvania, Inc., 762 West Lancaster Avenue, Bryn Mawr, PA 19010

Through and By Counsel for: Frances P. Orth, Esquire, Vice-President and Senior Managing Counsel, Aqua Pennsylvania, Inc., 762 West Lancaster Avenue, Bryn Mawr, PA 19010, (610) 645-1126, FPOrth@aquaaamerica.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-419. Filed for public inspection March 24, 2023, 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 a common carrier in the City of Philadel-

phia 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 April 10, 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 Peter Carnival 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-23-03-01. Expert Limousine Services, LLC (1315 Renshaw Road, Apartment B2, Chester, PA 19013): 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.

RICH LAZER,
Executive Director

[Pa.B. Doc. No. 23-420. Filed for public inspection March 24, 2023, 9:00 a.m.]

PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

Application of Dana Morgan-Buck for Reinstatement of Teaching Certificates; Doc. No. RE-23-002

Notice of Opportunity to Intervene or Protest, or Both

Under the Educator Discipline Act (act) (24 P.S. §§ 2070.1a—2070.18c), the Professional Standards and Practices Commission (Commission) will consider the application of Dana Morgan-Buck for reinstatement of her teaching certificates.

Dana Morgan-Buck filed an application for reinstatement of her teaching certificates under section 16 of the act (24 P.S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Dana Morgan-Buck waived her right to a hearing.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 22 Pa. Code § 233.123(d), the Commission will directly consider the application at a public meeting of the Commission. An interested party wishing to participate in this proceeding must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. A person objecting to the approval of the application may also, within 30 days after publication of this notice

in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protests shall be filed with Shane Crosby, Executive Director of the Professional Standards and Practices Commission, 333 Market Street, 14th Floor, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other

accommodation to participate, should contact April Rivera at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

SHANE F. CROSBY,
Executive Director

[Pa.B. Doc. No. 23-421. Filed for public inspection March 24, 2023, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth’s Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), 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) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action 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.

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Noah W. Kreider and Sons, LLP— Donegal Facility Rick Cramer 1145 Colebrook Road Mount Joy, PA 17552	Lancaster County/ East Donegal Township	5,204.8	Layers	Amended	Approved
Hillandale—Gettysburg, LP— Hillandale Atlantic Layer Facility Jason Sperry—Site Manager 11549 Sperry Road Atlantic, PA 16111	Crawford County/ East Fallowfield Township	5,730.9	Layers	Amended	Approved
Coby and Wayne King—Home Farm 448 Springville Road Quarryville, PA 17566	Lancaster County/ Eden Township	175.1	Broilers	New	Approved
Pine Hurst Acres, LP Richard Crone 3304 Sunbury Road Danville, PA 17821	Northumberland County/ Rush Township	0	Swine	Transfer	Approved
Roaring Creek Egg Farms, LLC— Gas Well Road Farm Nathan Richard 54 Gas Well Road Catawissa, PA 17820	Columbia County/ Locust Township	380.8	Layers	Amended	Approved
Irwin Martin—Farms 1 and 2 231 Brosius Hill Road Mount Pleasant Mills, PA 17853	Snyder County/ Perry Township	399.3	Turkeys	Amended	Approved
Curtis R. Musser—Swine and Turkey Farm 330 Bordner Road Richland, PA 17087	Berks County/ Bethel Township	336.7	Turkey	New	Approved

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Jeffrey H. Zuck—Zuck Family Farm 135 Fox Road Lebanon, PA 17042	Lebanon County/ South Lebanon Township	186.7	Cattle	Amended	Approved
Kevyn Musser—Home Farm 878 South Colebrook Road Manheim, PA 17545	Lancaster County/ Rapho Township	436.88	Swine	New	Approved

RICHARD NEGRIN,
Acting Chairperson

[Pa.B. Doc. No. 23-422. Filed for public inspection March 24, 2023, 9:00 a.m.]

STATE TAX EQUALIZATION BOARD

Final Order for *Gioffre et al. v. State Tax Equalization Board*; Case No. 2022-0004

On March 15, 2023, the State Tax Equalization Board (Board) conducted a meeting and adopted the proposed adjudication and order issued by Chief Hearing Examiner Debra Rand as the final order for *Gioffre et al. v. State Tax Equalization Board* Case No. 2022-0004.

Individuals may obtain a copy of the final order at <https://dced.pa.gov/local-government/boards-committees/tax-equalization-division/>.

This final order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court by the filing of a petition for review with that Court within 30 days after the entry of the order in accordance with Pa.R.A.P 1501—1561. An order is entered on the date it is mailed. If individuals take an appeal to the Commonwealth Court, they must serve the Board with a copy of the petition for review.

PETER R. BARSZ,
Chairperson

[Pa.B. Doc. No. 23-423. Filed for public inspection March 24, 2023, 9:00 a.m.]

