

# PENNSYLVANIA BULLETIN

Volume 53

Number 29

Saturday, July 22, 2023 • Harrisburg, PA

Pages 3811—3960

## Agencies in this issue

The Courts  
Board of Coal Mine Safety  
Department of Banking and Securities  
Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Transportation  
Environmental Quality Board  
Executive Board  
Governor's Office  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Conservation Commission  
State Employees' Retirement Board  
Susquehanna River Basin Commission  
**Detailed list of contents appears inside.**



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

**No. 584, July 2023**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

If information on mailing label is incorrect, please email changes to [info@pabulletin.com](mailto:info@pabulletin.com) or mail to:

**FRY COMMUNICATIONS, INC.**  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 45 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$87.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 2340  
(800) 334-1429 ext. 2340 (toll free, out-of-State)  
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2023 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE COURTS

### LOCAL COURT RULES

#### Bradford County

Booking center processing fee; No. 2023IR0045 . . . . . 3825

#### Perry County

Local rules of criminal court procedure; No. AD-44-2023 . . . . . 3826

Local rules of juvenile court procedure; No. AD-45-2023 . . . . . 3828

### MINOR COURT CIVIL RULES

Proposed amendment of Pa.R.Civ.P.M.D.J. 209 and adoption of Pa.R.Civ.P.M.D.J. 504.1 . . . . . 3822

### RULES OF CRIMINAL PROCEDURE

Proposed amendment of Pa.R.Crim.P. 462 and 1010 . . 3818

## EXECUTIVE AND INDEPENDENT AGENCIES

### BOARD OF COAL MINE SAFETY

#### Notices

Meeting rescheduled . . . . . 3836

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications . . . . . 3836

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Conservation and Natural Resources Advisory Council public meeting . . . . . 3837

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices . . . . . 3837

### DEPARTMENT OF GENERAL SERVICES

#### Statements of Policy

Public works employment verification—statement of policy . . . . . 3833

### DEPARTMENT OF HEALTH

#### Notices

Long-term care nursing facilities; requests for exception . . . . . 3904

### DEPARTMENT OF TRANSPORTATION

#### Notices

Public-Private Partnerships Board meeting . . . . . 3904

State Transportation Innovation Council business meeting . . . . . 3905

### ENVIRONMENTAL QUALITY BOARD

#### Notices

Meeting cancellation . . . . . 3905

### EXECUTIVE BOARD

#### Statements of Policy

Reorganization of the Department of Human Services . . . . . 3829

Reorganization of the Department of Transportation . . . . . 3829

### GOVERNOR'S OFFICE

#### Notices

Regulatory agenda . . . . . 3905

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

Notice of comments issued . . . . . 3950

### INSURANCE DEPARTMENT

#### Notices

Pennsylvania 2022 private passenger automobile data call . . . . . 3953

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Service of notice of motor carrier applications . . . . . 3953

Service of notice of motor carrier formal complaints . . . . . 3954

### PHILADELPHIA PARKING AUTHORITY

#### Notices

Service of notice of motor carrier applications in the City of Philadelphia . . . . . 3955

### STATE CONSERVATION COMMISSION

#### Notices

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 . . . . . 3955

### STATE EMPLOYEES' RETIREMENT BOARD

#### Notices

Hearing scheduled . . . . . 3956

### SUSQUEHANNA RIVER BASIN COMMISSION

#### Notices

Grandfathering registration notice . . . . . 3956

Projects approved for consumptive uses of water . . . 3957

Public hearing . . . . . 3957

---

Available Online at <http://www.pacodeandbulletin.gov>

---

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

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

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

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

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

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

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

**Subscription Information: (717) 766-0211**  
**General Information and Finding Aids: (717) 783-1530**

### 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).

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish information except as provided by 1 Pa. Code § 3.44:

#### § 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the [Legislative Reference] Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

## 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.

### 4 Pa. Code (Administration)

#### Adopted Rules

1	930
5	596, 930, 1156, 2688, 3531
6	7, 704, 2688, 3534, 3536, 3539, 3542, 3545, 3547
7	705, 821, 3550
7a	7, 3550
93	3082
95	3082
97	3082
99	3082
101	3082
103	3082
105	3082

#### Statements of Policy

9	611, 1177, 1511, 1946, 2738, 2834, 2966, 3200, 3829
66	3833

### 12 Pa. Code (Commerce, Trade and Local Government)

#### Adopted Rules

145	830
-----	-----

### 16 Pa. Code (Community Affairs)

#### Adopted Rules

41	3188
----	------

### 25 Pa. Code (Environmental Protection)

#### Adopted Rules

92a	3309
93	3311
109	333, 943
121	465, 2418
129	465
218	3324
901	830
903	830

#### Proposed Rules

1021	3193
------	------

### 28 Pa. Code (Health and Safety)

#### Adopted Rules

1113	1275
1141	1275
1141a	1275
1151	1275
1151a	1275
1161	1275
1161a	1275
1171	1275
1171a	1275
1181	1275
1181a	1275
1191	1275
1191a	1275
1211	1275
1211a	1275
1230	1275
1230a	1275

#### Statements of Policy

1171a	1179
-------	------

### 31 Pa. Code (Insurance)

#### Proposed Rules

89	2046
----	------

### 34 Pa. Code (Labor and Industry)

#### Proposed Rules

123	2165
-----	------

### 37 Pa. Code (Law)

#### Proposed Rules

301	2590
-----	------

#### Statements of Policy

471	20
-----	----

### 40 Pa. Code (Liquor)

#### Adopted Rules

13	501
----	-----

#### Proposed Rules

5	2735, 3577
15	3111
17	3111

### 49 Pa. Code (Professional and Vocational Standards)

#### Adopted Rules

16	14, 2961
17	14
18	16, 713, 2961
19	370
25	2963

#### Proposed Rules

23	2306
45	2316, 2830

#### Statements of Policy

21	1806
----	------

### 55 Pa. Code (Human Services)

#### Adopted Rules

1101	376
------	-----

#### Proposed Rules

15	2169
----	------

#### Statements of Policy

1101	3704
------	------

### 58 Pa. Code (Recreation)

#### Adopted Rules

65	1385
131	1668
133	3084
135	1668, 3085
137	3088
139	3090, 3100
141	1669, 3103, 3105
143	3106
147	1670, 3109
631b	1671
635b	1671

#### Proposed Rules

63	2048
93	1176, 1679
133	1680



135 ..... 1932  
 137 ..... 1938  
 139 ..... 1681, 1690  
 141 ..... 1692  
 143 ..... 1940  
 147 ..... 1695

**201 Pa. Code (Rules of Judicial Administration)**  
**Adopted Rules**  
 19 ..... 2560

**204 Pa. Code (Judicial System General Provisions)**  
**Adopted Rules**  
 33 ..... 1394  
 81 ..... 2162  
 209 ..... 2693  
 213 ..... 2035, 2702

**Proposed Rules**  
 303a ..... 125  
 307 ..... 256  
 307a ..... 256  
 311 ..... 260, 321

**207 Pa. Code (Judicial Conduct)**  
**Adopted Rules**  
 1 ..... 2039

**210 Pa. Code (Appellate Procedure)**  
**Adopted Rules**  
 3 ..... 2940  
 5 ..... 2940  
 9 ..... 2940  
 69 ..... 1397, 3553

**Proposed Rules**  
 21 ..... 2725  
 23 ..... 2725

**225 Pa. Code (Rules of Evidence)**  
**Adopted Rules**  
 Art. II ..... 1051

**231 Pa. Code (Rules of Civil Procedure)**  
**Adopted Rules**  
 200 ..... 322  
 1915 ..... 824  
 1920 ..... 1161  
 Part II ..... 1052, 3305

**Proposed Rules**  
 200 ..... 1160  
 1910 ..... 3400  
 1915 ..... 2560, 3696

**234 Pa. Code (Rules of Criminal Procedure)**  
**Adopted Rules**  
 1 ..... 1053  
 3 ..... 3403  
 4 ..... 3403  
 7 ..... 3403

**Proposed Rules**  
 1 ..... 1790, 3553  
 4 ..... 3818  
 5 ..... 3553  
 6 ..... 1660  
 7 ..... 3553  
 10 ..... 3818

**237 Pa. Code (Juvenile Rules)**  
**Adopted Rules**  
 1 ..... 1055  
 11 ..... 1055, 1791  
 12 ..... 1791  
 13 ..... 1791  
 14 ..... 1791  
 15 ..... 1791  
 16 ..... 1791

**Proposed Rules**  
 1 ..... 2582  
 11 ..... 2039, 2582  
 14 ..... 2582  
 15 ..... 2582  
 16 ..... 2582

**246 Pa. Code (Minor Court Civil Rules)**  
**Adopted Rules**  
 200 ..... 1056  
 300 ..... 1057

**Proposed Rules**  
 200 ..... 3822  
 500 ..... 2947, 3822  
 1000 ..... 2947  
 1200 ..... 707

**249 Pa. Code (Philadelphia Rules)**  
 Unclassified ..... 11, 1162, 1169, 1171

**252 Pa. Code (Allegheny County Rules)**  
 Unclassified ..... 2041

**255 Pa. Code (Local Court Rules)**  
 Unclassified . . . 11, 12, 322, 323, 324, 326, 464, 600, 601, 604, 608, 609, 610, 712, 827, 1060, 1061, 1064, 1398, 1509, 1664, 1665, 1800, 1804, 1928, 2045, 2162, 2292, 2296, 2297, 2304, 2416, 2829, 3076, 3079, 3080, 3186, 3306, 3413, 3572, 3573, 3575, 3702, 3825, 3826, 3828

# THE COURTS

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CHS. 4 AND 10 ]

### Proposed Amendment of Pa.R.Crim.P. 462 and 1010

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the proposed amendment of Pa.R.Crim.P. 462 (Trial *De Novo*) and 1010 (Procedures for Trial *De Novo*) 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 August 21, 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 J. SALAVANTIS,  
*Chair*

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 4. PROCEDURES IN SUMMARY CASES

#### PART F. Procedures in Summary Cases for Appealing to Court of Common Pleas for Trial *De Novo*

*(Editor's Note: Rule 462 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")*

#### Rule 462. Trial *De Novo*.

[ (A) ] (a) When a defendant appeals after the entry of a guilty plea or a conviction by an issuing authority in any summary proceeding, upon the filing of the transcript and other papers by the issuing authority, the case shall be heard *de novo* by the judge of the court of common pleas sitting without a jury.

[ (B) ] (b) The attorney for the Commonwealth may appear and assume charge of the prosecution. When the

violation of an ordinance of a municipality is charged, an attorney representing that municipality, with the consent of the attorney for the Commonwealth, may appear and assume charge of the prosecution. When no attorney appears on behalf of the Commonwealth, the affiant may be permitted to ask questions of any witness who testifies.

[ (C) ] (c) In appeals from summary proceedings arising under the Vehicle Code or local traffic ordinances, other than parking offenses, the law enforcement officer who observed the alleged offense [ **must** ] **shall** appear and testify. The failure of a law enforcement officer to appear and testify shall result in the dismissal of the charges unless:

(1) the defendant waives the presence of the law enforcement officer in open court on the record;

(2) the defendant waives the presence of the law enforcement officer by filing a written waiver signed by the defendant and defense counsel, or the defendant if [ **proceeding pro se** ] **self-represented**, with the clerk of courts; or

(3) the trial judge determines that good cause exists for the law enforcement officer's unavailability and grants a continuance.

[ (D) ] (d) If the defendant fails to appear, the trial judge may dismiss the appeal and enter judgment in the court of common pleas on the judgment of the issuing authority.

[ (E) ] (e) If the defendant withdraws the appeal, the trial judge shall enter judgment in the court of common pleas on the judgment of the issuing authority.

[ (F) ] (f) If the defendant has petitioned the trial judge to permit the taking of an appeal *nunc pro tunc* and [ **this** ] **the** petition is denied, the trial judge shall enter judgment in the court of common pleas on the judgment of the issuing authority.

[ (G) ] (g) The verdict and sentence, if any, shall be announced in open court immediately upon the conclusion of the trial, or, in cases in which the defendant may be sentenced to intermediate punishment, the trial judge may delay the proceedings pending confirmation of the defendant's eligibility for intermediate punishment.

[ (H) ] (h) At the time of sentencing, the trial judge shall:

(1) if the defendant's sentence includes restitution, a fine, or costs, state:

[ (a) ] (i) the amount of the fine and the obligation to pay costs;

[ (b) ] (ii) the amount of restitution ordered, including

[ (i) ] (A) the identity of the payee(s),

[ (ii) ] (B) to whom the restitution payment shall be made, and

[ (iii) ] (C) whether any restitution has been paid and in what amount; and

[ (c) ] (iii) the date on which payment is due.

If the defendant is without the financial means to pay the amount in a single remittance, the trial judge may



provide for installment payments and shall state the date on which each installment is due;

(2) advise the defendant of the right to appeal to the Superior Court within 30 days of the imposition of sentence, and that, if an appeal is filed, the execution of sentence [ **will** ] **shall** be stayed and the trial judge may set bail;

(3) if a sentence of imprisonment has been imposed, direct the defendant to appear for the execution of sentence on a date certain unless the defendant files a notice of appeal within the 30-day period; and

(4) issue a written order imposing sentence, signed by the trial judge. The order shall include the information specified in [ **paragraphs (H)(1) through (H)(3)** ] **subdivisions (h)(1) through (h)(3)**, and a copy of the order shall be given to the defendant.

[ **(I)** ] **(i)** After sentence is imposed by the trial judge, the case shall remain in the court of common pleas for the execution of sentence, including the collection of any fine and restitution, and for the collection of any costs.

**(j) Suppression Motion.**

**(1) A motion to suppress evidence shall be made in the first instance in the court of common pleas on appeal from a summary conviction.**

**(2) The motion shall comply with subdivisions (C) through (J) of Rule 581 and shall be filed with the clerk of courts within 30 days of the filing of the notice of appeal.**

**Comment:**

This rule is derived from former Rule 86(G) and former Rule 1117(c).

[ **This rule was amended in 2000 to make it clear in** ] **In** a summary criminal case, [ **that the** ] **a** defendant may file an appeal for a trial *de novo* following the entry of a guilty plea.

“Entry,” as used in [ **paragraph (A) of this rule** ] **subdivision (a)**, means the date on which the issuing authority enters or records the guilty plea, the conviction, or other order in the magisterial district judge computer system.

The procedures for conducting the trial *de novo* in the court of common pleas set forth in [ **paragraphs (B), (G), and (H)** ] **subdivisions (b), (g), and (h)** are comparable to the summary case trial procedures in Rule 454 (Trial in Summary Cases).

Pursuant to [ **paragraph (B)** ] **subdivision (b)**, the decision whether to appear and assume control of the prosecution of the trial *de novo* is solely within the discretion of the attorney for the Commonwealth. When no attorney appears at the trial *de novo* on behalf of the Commonwealth or a municipality, the trial judge may ask questions of any witness who testifies, and the affiant may request the trial judge to ask specific questions. In the appropriate circumstances, the trial judge also may permit the affiant to question Commonwealth witnesses, cross-examine defense witnesses, and make recommendations about the case to the trial judge.

[ **The provisions of paragraph (C) that permit the court to continue the case if there is good cause for the officer’s unavailability were added in response to** *Commonwealth v. Hightower*, 652 A.2d 873 (Pa. Super. 1995).

**Paragraph (D) makes it clear that the trial judge may dismiss a summary case appeal when the judge determines that the defendant is absent without cause from the trial *de novo*. If the appeal is dismissed, the trial judge should enter judgment and order execution of any sentence imposed by the issuing authority.**

**New paragraph (F) was added in 2017 to clarify** [ **Subdivision (f) clarifies** that in a case in which a defendant seeks to file an appeal *nunc pro tunc*, and the common pleas judge denies that petition, the case will remain at the court of common pleas. This is consistent with the long-standing policy under the rules that once a case has moved from the minor judiciary to the court of common pleas, the case remains at common pleas.

[ **Paragraph (G) was amended in 2008 to permit** ] **Subdivision (g) permits** a trial judge to delay imposition of sentence in order to investigate a defendant’s eligibility for intermediate punishment for certain offenses, including summary violations of 75 Pa.C.S. § 1543(b) (driving while license is under a DUI-related suspension), but only if [ **he or she** ] **the defendant** meets certain eligibility requirements, such as undergoing a drug and alcohol assessment. Potentially this information may not be available to the trial judge following a trial *de novo* at the time of sentencing.

Pursuant to [ **paragraph (H)** ] **subdivision (h)**, if the defendant is convicted, the trial judge [ **must** ] **shall** impose sentence, and advise the defendant of the payment schedule, if any, and the defendant’s appeal rights. See Rule 704(A)(3) and Rule 720(D). No defendant may be sentenced to imprisonment or probation if the right to counsel was not afforded at trial. See *Alabama v. Shelton*, 535 U.S. 654 (2002)[ , ]; *Scott v. Illinois*, 440 U.S. 367 (1979)[ , and ]; *Argersinger v. Hamlin*, 407 U.S. 25 (1972).

Certain costs are mandatory and must be imposed. See, e.g., [ **Section 1101 of the Crime Victims Act,** ] 18 P.S. § 11.1101.

Once sentence is imposed, [ **paragraph (I)** ] **subdivision (i)** makes it clear that the case is to remain in the court of common pleas for execution of the sentence and collection of any costs, and the case may not be returned to the magisterial district judge. The execution of sentence includes the collection of any fines and restitution.

**Pursuant to subdivision (j), motions to suppress evidence are not to be made before the issuing authority at a summary trial but are to be filed with the clerk of courts no later than 30 days after a notice of appeal has been filed pursuant to Rule 460.**

For the procedure to dismiss upon satisfaction or by agreement a summary case, as defined in Rule 103, that has been appealed to the court of common pleas, see Rule 463.

For the procedures concerning sentences that include restitution in court cases, see Rule 705.1.

For the procedures for appeals from the Philadelphia Municipal Court Traffic Division, see Rule 1037.

[ **Note: Former Rule 86 adopted July 12, 1985, effective January 1, 1986; revised September 23, 1985, effective January 1, 1986; the January 1, 1986 effective dates extended to July 1, 1986; amended February 2, 1989, effective March 1, 1989; amended**

March 22, 1993, effective January 1, 1994; amended October 28, 1994, effective as to cases instituted on or after January 1, 1995; amended February 27, 1995, effective July 1, 1995; amended October 1, 1997, effective October 1, 1998; amended May 14, 1999, effective July 1, 1999; rescinded March 1, 2000, effective April 1, 2001, and paragraph (G) replaced by Rule 462. New Rule 462 adopted March 1, 2000, effective April 1, 2001; amended March 3, 2000, effective July 1, 2000; amended February 28, 2003, effective July 1, 2003; *Comment* revised March 26, 2004, effective July 1, 2004; amended January 18, 2007, effective August 1, 2007; amended December 16, 2008, effective February 1, 2009; *Comment* revised October 16, 2009, effective February 1, 2010; *Comment* revised May 7, 2014, effective immediately; amended March 9, 2016, effective July 1, 2016; amended December 29, 2017, effective April 1, 2018; *Comment* revised January 27, 2021, effective June 1, 2021.

*Committee Explanatory Reports:*

**FORMER RULE 86:**

Final Report explaining the March 22, 1993 amendments to former Rule 86 published with the Court's Order at 23 Pa.B. 1699 (April 10, 1993).

Final Report explaining the October 28, 1994 amendments to former Rule 86 published with the Court's Order at 24 Pa.B. 5843 (November 26, 1994).

Final Report explaining the February 27, 1995 amendments to former Rule 86 published with the Court's Order at 25 Pa.B. 935 (March 18, 1995).

Final Report explaining the October 1, 1997 amendments to former Rule 86 concerning stays published with the Court's Order at 27 Pa.B. 5408 (October 18, 1997).

Final Report explaining the May 14, 1999 amendments to former Rule 86, paragraph (G), concerning the police officer's presence published with the Court's Order at 29 Pa.B. 2776 (May 29, 1999).

**NEW RULE 462:**

Final Report explaining the reorganization and renumbering of the rules and the provisions of Rule 462 published at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the March 3, 2000 amendments concerning appeals from guilty pleas published with the Court's Order at 30 Pa.B. 1508 (March 18, 2000).

Final Report explaining the February 28, 2003 amendments published with the Court's Order at 33 Pa.B. 1326 (March 15, 2003).

Final Report explaining the March 26, 2004 Comment revision published with the Court's Order at 34 Pa.B. 1931 (April 10, 2004).

Final Report explaining the January 18, 2007 amendment to paragraph (G)(2) published with the Court's Order at 37 Pa.B. 523 (February 3, 2007).

Final Report explaining the December 16, 2008 amendments to permit delay in sentencing for determination of intermediate punishment status published with the Court's Order at 39 Pa.B. 8 (January 3, 2009).

Final Report explaining the October 16, 2009 Comment revision regarding new Rule 1037 and procedures for the appeal from the Philadelphia

Traffic Court published with the Court's Order at 39 Pa.B. 6327 (October 31, 2009).

Final Report explaining the May 7, 2014 Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3056 (May 24, 2014).

Final Report explaining the March 9, 2016 amendments to paragraph (G) concerning required elements of the sentence published with the Court's Order at 46 Pa.B. 1532 (March 26, 2016).

Final Report explaining the December 29, 2017 amendments regarding appeals *nunc pro tunc* published with the Court's Order at 48 Pa.B. 224 (January 13, 2018).

Final Report explaining the January 27, 2021 Comment revisions regarding dismissal by agreement of summary cases in the common pleas court pursuant to Rule 458 published with the Court's Order at 51 Pa.B. 688 (February 6, 2021). ]

**CHAPTER 10. RULES OF CRIMINAL PROCEDURE  
FOR THE PHILADELPHIA MUNICIPAL COURT  
AND THE PHILADELPHIA MUNICIPAL COURT  
TRAFFIC DIVISION**

**PART A. Philadelphia Municipal Court Procedures**

*(Editor's Note: Rule 1010 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")*

**Rule 1010. Procedures for Trial *De Novo*.**

[ (A) ] (a) When a defendant appeals after conviction by a Municipal Court judge,

(1) in a non-traffic summary case, upon the filing of the transcript and other papers, the case shall be heard *de novo* by the judge of the Court of Common Pleas sitting without a jury.

(2) In a Municipal Court case, the attorney for the Commonwealth, upon receiving the notice of appeal, shall prepare an information and the matter shall thereafter be treated in the same manner as any other court case.

[ (B) ] (b) If the defendant fails to appear for the trial *de novo*, the Common Pleas Court judge may dismiss the appeal and thereafter shall enter judgment in the Court of Common Pleas on the judgment of the Municipal Court judge.

[ (C) ] (c) *Withdrawals of Appeals.*

(1) If the defendant withdraws the appeal, the Common Pleas Court judge shall enter judgment in the Court of Common Pleas on the judgment of the Municipal Court judge.

(2) In a Municipal Court case, the defendant may withdraw the appeal only with the written consent of the attorney for the Commonwealth.

[ (D) ] (d) At the time of sentencing, the Common Pleas Court judge shall:

(1) if the defendant's sentence includes restitution, a fine, or costs, state:

[ (a) ] (i) the amount of the fine and the obligation to pay costs;

[ (b) ] (ii) the amount of restitution ordered, including

[ (i) ] (A) the identity of the payee(s),

[ (ii) ] **(B)** to whom the restitution payment shall be made, and

[ (iii) ] **(C)** whether any restitution has been paid and in what amount; and

[ (c) ] **(iii)** the date on which payment is due.

If the defendant is without the financial means to pay the amount in a single remittance, the Common Pleas Court judge may provide for installment payments and shall state the date on which each installment is due;

(2) advise the defendant of the right to appeal to the Superior Court within 30 days of the imposition of sentence, and that, if an appeal is filed, the execution of sentence [ **will** ] **shall** be stayed and the Common Pleas Court judge may set bail;

(3) if a sentence of imprisonment has been imposed, direct the defendant to appear for the execution of sentence on a date certain unless the defendant files a notice of appeal within the 30-day period; and

(4) issue a written order imposing sentence, signed by the Common Pleas Court judge. The order shall include the information specified in [ **paragraphs (D)(1) through (D)(3)** ] **subdivisions (d)(1) through (d)(3)**, and a copy of the order shall be given to the defendant.

[ **(E)** ] **(e)** After entry of judgment pursuant to [ **paragraphs (B) or (C)(1)** ] **subdivisions (b) or (c)(1)**, or after the trial *de novo* and imposition of sentence, the case shall remain in the Court of Common Pleas for the execution of sentence, including for the collection of any fines and restitution, for the collection of any costs, and for proceedings for violation of probation, intermediate punishment, or parole pursuant to Rule 708.

**(f) Suppression Motion in Summary Cases.**

**(1) A motion to suppress evidence shall be made in the first instance in the Court of Common Pleas on appeal from a summary conviction.**

**(2) The motion shall comply with subdivisions (C) through (J) of Rule 581 and shall be filed with the clerk of courts within 30 days of the filing of the notice of appeal.**

**Comment:**

In any case in which there are summary offenses joined with the misdemeanor charges that are the subject of the appeal, the attorney for the Commonwealth must include the summary offenses in the information. See *Commonwealth v. Speller*, 458 A.2d 198 (Pa. Super. 1983).

[ **Paragraph (B)** ] **Subdivision (b)** makes it clear that the Common Pleas Court judge may dismiss an appeal when the judge determines that the defendant is absent without cause from the trial *de novo*. If the appeal is dismissed, the Common Pleas Court judge [ **must** ] **shall** enter judgment and order execution of any sentence imposed by the Municipal Court judge. Nothing in this rule is intended to preclude the judge from issuing a bench warrant when the defendant fails to appear.

Certain costs are mandatory and must be imposed. See, e.g., [ **Section 1101 of the Crime Victims Act**, ] 18 P.S. § 11.1101.

For the procedures concerning sentences that include restitution in court cases, see Rule 705.1.

Once a judgment is entered and sentence is imposed, [ **paragraph (E)** ] **subdivision (e)** makes it clear that

the case is to remain in the Court of Common Pleas for execution of the sentence and collection of any costs, and the case may not be returned to the Municipal Court judge. The execution of sentence includes the collection of any fines and restitution and any proceedings for violation of probation, intermediate punishment, or parole as provided by Rule 708.

**Pursuant to subdivision (f), motions to suppress evidence are not to be made before the Municipal Court judge at a summary trial but are to be filed with the clerk of courts no later than 30 days after a notice of appeal has been filed pursuant to Rule 1008.**

[ *Note:* Rule 6010 adopted December 30, 1968, effective January 1, 1969; amended July 1, 1980, effective August 1, 1980; amended August 28, 1998, effective immediately; renumbered Rule 1010 March 1, 2000, effective April 1, 2001; Comment revised March 9, 2006, effective September 1, 2006; amended February 12, 2010, effective April 1, 2010; amended September 21, 2011, effective November 1, 2011; amended March 9, 2016, effective July 1, 2016.

**Committee Explanatory Reports:**

Final Report explaining the August 28, 1998 amendment published with the Court's Order at 28 Pa.B. 4627 (September 12, 1998).

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 March 9, 2006 Comment revision concerning joinder of summary offenses with misdemeanor charges published with the Court's Order at 36 Pa.B. 1385 (March 25, 2006).

Final Report explaining the February 12, 2010 amendments to paragraph (B) concerning the disposition of summary offenses at the court of common pleas published with the Court's Order at 40 Pa.B. 1068 (February 27, 2010).

Final Report explaining the September 21, 2011 amendments to paragraphs (A)—(C) and adding new paragraphs (D) and (E) concerning the procedures for trials *de novo* in the Court of Common Pleas published with the Court's Order at 41 Pa.B. 5353 (October 8, 2011).

Final Report explaining the March 9, 2016 amendments to paragraph (D) concerning required elements of the sentence published with the Court's Order at 46 Pa.B. 1540 (March 26, 2016). ]

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

**PUBLICATION REPORT**

**Proposed Amendment of Pa.R.Crim.P. 462 and 1010**

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pa.R.Crim.P. 462 and 1010 to provide for the filing of suppression motions when a summary conviction is appealed to the court of common pleas.<sup>1</sup>

The Committee received a request to consider incorporating procedures into the rules for filing a suppression motion in summary cases. As the requester noted,

<sup>1</sup> Stylistic amendments have also been made to conform to the Supreme Court of Pennsylvania Style and Rulemaking Guide for Procedural and Evidentiary Rules.



Pa.R.Crim.P. 581 (Suppression of Evidence) is contained in Chapter 5 of the rules, which is titled “Pretrial Procedures in Court Cases.” Pa.R.Crim.P. 103 defines “court case” as “a case in which one or more of the offenses charged is a misdemeanor, felony, or murder of the first, second, or third degree.” Consequently, a case only involving a summary charge is not a court case and thus outside the scope of Pa.R.Crim.P. 581. To accommodate summary suppression motions, the amendment of Rules 462 and 1010 is being proposed.

When considering the request, the Committee needed to determine in which court a motion to suppress in a summary case should be heard. The Committee concluded that suppression motions in summary cases should be heard in the first instance in the court of common pleas on appeal from a summary conviction. The Committee reasoned that magisterial district courts have no motions practice and magisterial district judges are not currently trained with regard to suppression issues and the relevant jurisprudence. Additionally, the need to devise an appropriate appellate procedure, which does not currently exist, to accommodate appeals from summary suppression motions decided in magisterial district courts also weighed against this option. To create consistency in the First Judicial District, the Committee decided suppression motions in summary cases in the First Judicial District should also be heard in the first instance in the court of common pleas on appeal, even though a motions practice does exist in Philadelphia Municipal Court. The Committee is specifically seeking comment on this aspect of the proposal, particularly from the bench and bar of the First Judicial District.<sup>2</sup>

As this proposal requires summary suppression motions to be filed in the court of common pleas on appeal in all judicial districts, both Rule 462 and Rule 1010 would be amended to include a new subdivision, subdivision (j) (Suppression Motion) in Rule 462 and subdivision (f) (Suppression Motion in Summary Cases) in Rule 1010. Proposed Rule 462(j)(1) and Proposed Rule 1010(f)(1) would both provide that motions to suppress evidence “shall be made in the first instance” in the court of common pleas on appeal from a summary conviction. Proposed Rule 462(j)(2) and Proposed Rule 1010(f)(2) would then require such motions to “comply with subdivisions (C) through (J) of Rule 581” and to be filed with “the clerk of courts within 30 days of the filing of the notice of appeal.” Thirty days was chosen to mirror the timing requirement for a suppression motion in a court case. See Pa.R.Crim.P. 579 (Time for Omnibus Pretrial Motion and Service).

The following two paragraphs would be removed from the Comment, the first for being merely historical and the second for simply being a restatement of the rule text:

The provisions of paragraph (C) that permit the court to continue the case if there is good cause for the officer’s unavailability were added in response to *Commonwealth v. Hightower*, 652 A.2d 873 (Pa. Super. 1995).

Paragraph (D) makes it clear that the trial judge may dismiss a summary case appeal when the judge determines that the defendant is absent without

cause from the trial *de novo*. If the appeal is dismissed, the trial judge should enter judgment and order execution of any sentence imposed by the issuing authority.

Also, the Comment to each rule would be amended to advise that motions to suppress are not to be made in a magisterial district court or in Philadelphia Municipal Court but are to be filed with the clerk of courts within 30 days of a notice of appeal being filed pursuant to Pa.R.Crim.P. 460 or 1008, respectively.

[Pa.B. Doc. No. 23-964. Filed for public inspection July 21, 2023, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

#### [ 246 PA. CODE CHS. 200 AND 500 ]

#### Proposed Amendment of Pa.R.Civ.P.M.D.J. 209 and Adoption of Pa.R.Civ.P.M.D.J. 504.1

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 209 and adoption of Pa.R.Civ.P.M.D.J. 504.1. The proposal provides for the promulgation of local rules governing mediation in residential landlord-tenant actions for the reasons set forth in the accompanying Publication Report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

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

All communications in reference to the proposal should be received by September 12, 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 Minor Court Rules Committee

HONORABLE DANIEL E. BUTLER,  
Chair

<sup>2</sup> It is the Committee’s understanding that the appeal of a suppression determination entered in Philadelphia Municipal Court is accomplished via a petition for writ of *certiorari* to the court of common pleas. However, “[c]ertiorari is available in non-summary cases only.” Pa.R.Crim.P. 1006, cmt. Thus creating a parallel procedure for summary cases is not feasible.

**Annex A**  
**TITLE 246. MINOR COURT CIVIL RULES**  
**PART I. GENERAL**  
**CHAPTER 200. RULES OF CONSTRUCTION;**  
**GENERAL PROVISIONS**

**Rule 209. Continuances and Stays.**

[ **A.** ] (a) Continuances may be granted for cause or by agreement.

[ **B.** ] (b) Continuances shall be to a specific time and date. The magisterial district judge shall note continuances on the docket and shall promptly give or mail to the parties written notice of continuances.

[ **C.** ] (c) Except for good cause shown[ , ] or agreement of the parties:

(1) not more than one continuance shall be granted to each party, and

(2) the aggregate of all continuances shall not extend the date of the hearing:

[ (a) ] (i) beyond 90 days from the date of filing the plaintiff's complaint in proceedings commenced pursuant to Rule 303, or

[ (b) ] (ii) beyond 30 days from the date of filing the landlord's complaint in proceedings commenced pursuant to Rule 502, **including in mediation authorized by local rule.**

[ **D.** ] (d) In all proceedings governed by these rules, the following shall constitute cause for granting a continuance:

(1) the scheduling of a party's attorney of record to appear at any proceeding under the Pennsylvania Rules of Disciplinary Enforcement, whether

[ (a) ] (i) as counsel for a respondent-attorney before a hearing committee, special master, the Disciplinary Board, or the Supreme Court;

[ (b) ] (ii) as a special master or member of a hearing committee; or

[ (c) ] (iii) as a member of the Disciplinary Board.

(2) the scheduling of a party's attorney of record to appear at any proceeding involving the discipline of a justice, judge, or magisterial district judge under Section 18 of Article V of the Constitution of Pennsylvania, whether

[ (a) ] (i) as counsel for a justice, judge, or magisterial district judge before the special tribunal provided for in 42 Pa.C.S. § 727, the Court of Judicial Discipline, the Judicial Conduct Board, or any hearing committee or other arm of the Judicial Conduct Board; or

[ (b) ] (ii) as a member of the Court of Judicial Discipline, the Judicial Conduct Board, or any hearing committee or other arm of the Judicial Conduct Board.

[ **E.** ] (e) Continuances and stays shall be granted in compliance with federal or state law, such as the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901 *et seq.*

[ **Official Note** ] **Comment:**

This rule was amended in 2005 to consolidate the provisions of former Rules 320 (relating to continuances in civil actions) and 511 (relating to continuances in

possessory actions) into one general rule governing continuances. The limitations set forth in subdivision [ **C** ] (c) are intended to ensure that these cases proceed expeditiously. The grounds set forth in [ **subdivisions D and E, of course,** ] subdivisions (d) and (e) are not intended to be the only grounds on which a continuance will be granted.

**Subdivision (c)(2)(ii) clarifies that participation in a landlord-tenant mediation program authorized by local rule will not entitle a party to a continuance beyond 30 days from the date the plaintiff filed the complaint unless there has been good cause shown or agreement by the parties. See Pa.R.Civ.P.M.D.J. 504.1 pertaining to landlord-tenant mediation programs authorized by local rule.**

**CHAPTER 500. ACTIONS FOR THE RECOVERY OF  
POSSESSION OF REAL PROPERTY**

The following text is entirely new.

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

**Rule 504.1. Mediation.**

(a) The court of common pleas may promulgate a local rule of procedure pursuant to Pa.R.J.A. 103(d) permitting mediation of residential landlord-tenant actions filed pursuant to Rule 503.

(b) A local rule promulgated pursuant to this rule shall not require mediation as a precondition to filing a complaint.

**Comment:**

As used in this rule, mediation means a process, however labeled, by which a neutral third party assists the parties in attempting to reach a mutually acceptable agreement on issues arising out of a residential landlord-tenant action.

The requirements for the promulgation and amendment of local procedural rules are set forth in Pa.R.J.A. 103(d).

A local rule may address aspects of a mediation program including, but not limited to, whether initial participation in mediation is voluntary or mandatory, types of landlord-tenant actions subject to mediation, *i.e.*, nonpayment of rent, end of lease terms, or breach of conditions of the lease, and entities assisting with mediation or rental assistance programs. See also Pa.R.Civ.P.M.D.J. 209(c)(2)(ii) pertaining to continuances.

This rule does not require a judicial district to create, fund, or staff a mediation program.

**SUPREME COURT OF PENNSYLVANIA  
Minor Court Rules Committee**

**PUBLICATION REPORT**

**Proposed Amendment of Pa.R.Civ.P.M.D.J. 209 and  
Adoption of Pa.R.Civ.P.M.D.J. 504.1**

The Minor Court Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.Civ.P.M.D.J. 209 and the adoption of Pa.R.Civ.P.M.D.J. 504.1 providing for local rules governing mediation in residential landlord-tenant actions in magisterial district courts.

*Background*

The Committee was first asked to consider developing rules to facilitate eviction diversion programs in 2021.



Housing advocates suggested the Committee should consider making rule recommendations that would support local eviction diversion/mediation programs and encourage informal settlement of landlord-tenant disputes by, e.g., requiring or encouraging landlords to seek mediation prior to the filing of an eviction complaint.

In support of local rulemaking, the Committee was informed that court programs across the Commonwealth were encouraging landlords and tenants to resolve their differences prior to the entry of a judgment for possession. The rationale for developing informal resolution procedures for landlord-tenant disputes is that it could remove the stigma on tenants of an eviction judgment when seeking new housing, serving the interest of judicial economy by diverting cases to mediation programs, and addressing a then-anticipated increase in landlord-tenant cases following expiration of COVID-related eviction moratoria. Housing advocates favored local rulemaking, observing that such a change would enable local communities to maximize the impact of resources created to support tenants with rental assistance, aid landlords in actually recouping missed rental income, and ease strain on already over-burdened emergency resources.

Allegheny and Philadelphia Counties both developed landlord-tenant diversion programs. In Allegheny County, such programs operated in Allegheny County during 2020 and 2021 pursuant to orders issued during the judicial emergency. *See, e.g.*, Order of August 6, 2021, No. 23 WM 2020. Representatives from the Allegheny County Department of Human Services attended landlord-tenant hearings and distributed information about emergency rental assistance funds to landlords and tenants. It is the Committee's understanding that magisterial district judges continued cases as necessary to accommodate disbursement of emergency funds.

The Philadelphia Municipal Court ("PMC") has an existing form of mediation, "judgment by agreement," available in civil and landlord-tenant matters. In summary, a judgment by agreement is a judgment entered into by the parties after negotiation or mediation at the time of trial. In addition to judgment by agreement, both PMC and Philadelphia city government took steps to require parties to participate in eviction diversion programs. Following the expiration of the federal moratorium, PMC sought, and the Court granted, interim orders extending the PMC Landlord-Tenant Diversion Program through December 31, 2021. *See* Orders of July 2, 2021, August 16, 2021, October 28, 2021, and November 15, 2021, No. 21 EM 2020. Philadelphia City Council later passed, and the mayor signed, an ordinance requiring a landlord to participate in the eviction diversion program for at least 45 days prior to filing an eviction complaint. *See* Phil. Code § 9-811. The ordinance was originally effective through December 31, 2022 but was later extended through June 30, 2024. Under the amended ordinance, landlord participation in the program is required for at least 30 days, down from 45 days.

Housing advocates also cited pilot programs in other judicial districts intended to refer willing parties to mediation through outside agencies, such as the United Way and other non-profits. While outside the scope of mediation programs, other programs provided tenants with legal representation in possessory actions.

#### Discussion

Initially, the Committee discussed whether a statewide rule permitting mediation of landlord-tenant actions required enabling legislation. The Committee first reviewed

the voluntary mediation rules contained in Pa.R.Civ.P. 1940.1—9 governing child custody actions. Those rules were authorized by 23 Pa.C.S. § 3901(a) ("A court may establish a mediation program for actions brought under this part or Chapter 53 (relating to custody)"). However, mediation in Commonwealth Court pursuant to 210 Pa. Code § 69.501 does not appear to have statutory underpinning.

The Committee was also informed by the relatively recent Pennsylvania Rule of Orphans' Court Procedure 1.6 that authorizes mediation by local rule. *See* Pa.R.O.C.P. 1.6 ("All parties having an interest in a matter may participate by written agreement, or the court by local rule or order in a particular matter may provide for the parties to participate, in private mediation or in court-supervised mediation."). That rule, effective September 1, 2016, was adopted without enabling legislation and has resulted in the promulgation of local mediation rules in several judicial districts.

Accordingly, the Committee was of the opinion that the Court may authorize, by procedural rule, the use of mediation following the commencement of a landlord-tenant action. Yet, the Committee acknowledges that this authority may not be exclusive to the Court. Notwithstanding the lack of a statute, Philadelphia turned to its local government authority to enact ordinances requiring mediation efforts between the parties in landlord-tenant proceedings. The Committee invites further comments on the need for statutory authority for court-based authorized programs or perceived impact on existing statutes.

Preliminarily, the concept of informal resolution is not foreign in magisterial district courts. Judges, in their neutral capacity, often solicit the parties' positions and attempt to facilitate settlement prior to a hearing. The courtroom may be the first opportunity for the parties to calmly meet and discuss after a complaint has been filed. A difference between a settlement conference and mediation is the facilitator. The use of a mediator permits *ex parte* communications with the mediator, unlike communications with a magisterial district judge. Further, successful mediation often will produce agreements that conditionally postpone eviction proceedings provided that the terms are met. Indeed, the "pay and stay" concept is not new to landlord-tenant actions. *See* Pa.R.Civ.P.M.D.J. 518 (Satisfaction of Order by Payment of Rent and Costs).

The potential merits of mediation reported to the Committee are that it generally results in fewer evictions, which reduces homelessness and trauma, terminates litigation without judicial intervention, preserves judicial resources, and avoids eviction judgements, which can be a barrier for tenants when applying for future leases. Moreover, mediation can provide an opportunity for tenants to access resources to either maintain their current housing or ease transition to new housing. Other merits have been suggested, such as faster results through mediation than through the judicial process, savings of further court costs attributed to posting and forceful eviction, and preservation of a harmonious relationship between parties. However, while these benefits may be realized in certain instances, the Committee is not persuaded that the benefits accrue in all circumstances. It waits to be seen whether merits of mediation can be sustained long term, *i.e.*, whether an eviction deferral results in a lasting reprieve or merely delays possession.

Members agreed that a successful mediation program is often contingent on the knowledge, experience, and expertise of the mediators, which necessarily raises the issue of resources. The Committee invites further comments on

the need for minimum qualifications of mediators and whether such minimum qualifications should be established by statewide or local rule.

The Committee is mindful that the costs of any a mediation program cannot be imposed on judicial districts as an unfunded mandate. It is anticipated that successful mediation programs must be funded in whole or in part by non-judicial entities and not the courts. Whether a portion of the filing fee for the complaint may be used to fund a mediation program is beyond the scope of this proposal.

Related to the cost of mediation programs, an additional factor is the availability of third-party resources to offset rent arrears when nonpayment is the basis for eviction. This factor can be significant to obtain landlord participation and commitment to the mediation process.

The Committee discussed potential concerns of landlords if mediation is viewed as merely delaying possession. Of course, this scenario presumes that mediation will not or did not result in a mutually satisfactory agreement. The countervailing view is that successful mediation will result in a benefit to landlords, such as payment of arrearages. However, there may be situations when a landlord seeks possession rather than arrears or reformed conduct, *e.g.*, the tenant refuses to vacate following the expiration of term. These discussions focused on whether initial participation in mediation should be mandatory or voluntary. One view was that, if mediation was mutually beneficial to all parties, participation would not have been mandated. Another view was that parties lack knowledge about mediation and the most effective means of education is through mandatory participation. Moreover, judicial districts, through local rules, could identify which bases for eviction are subject to mediation. *See* 68 P.S. § 250.501(a) (setting forth circumstances for repossession: “(1) Upon the termination of a term of the tenant, (2) or upon forfeiture of the lease for breach of its conditions, (3) or upon the failure of the tenant, upon demand, to satisfy any rent reserved and due.”). The Committee invites comments on whether courts of common pleas should have the discretion to make initial participation in mediation mandatory.

#### *Proposed Rules*

The Committee has developed amendments to Rule 209 (Continuances) and a new Rule 504.1 (Mediation) to authorize the promulgation of local rules governing mediation in residential landlord-tenant actions. Proposed Rule 504.1(a) delegates procedural responsibility to individual judicial districts via local rulemaking. This approach is intended to provide maximum flexibility so mediation programs can be designed and implemented based upon local resources and need. Additionally, the non-specific statewide rule would have minimal impact on existing programs in operation.

Subdivision (b) requires the filing of a complaint prior to mediation. This action was considered necessary to subject the parties to the court’s jurisdiction and any requirement for mediation. A prefiling mediation requirement operates as a barrier for an aggrieved party to access the courts. The Committee believed that any prefiling requirement should be a matter of public policy reserved for a legislative body rather than one of procedure by the judiciary.

The commentary accompanying proposed Rule 504.1 emphasizes that mediation should involve a neutral third party. This language is intended to address concerns that mediation programs may be tilted in favor of either the tenant or landlord.

A key concern relating to mediation is the potential for conflict with Rule 209 (Continuances). Current Rule 209C provides that, except for good cause shown, the aggregate of all continuances in landlord-tenant matters shall not extend beyond 30 days from the date of filing the landlord-tenant complaint. The Committee agrees it would be prudent to reflect explicitly that continuances may extend beyond current limits when agreed to by the parties. *See* proposed Pa.R.Civ.P.M.D.J. 209(c). The Committee also proposes limiting mediation beyond 30 days except by agreement of the parties. *See* proposed Pa.R.Civ.P.M.D.J. 209(c)(2)(ii). Therefore, mediation by local rule will not unduly postpone the hearing if not agreed to by the parties.

\* \* \* \* \*

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

[Pa.B. Doc. No. 23-965. Filed for public inspection July 21, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BRADFORD COUNTY

#### Booking Center Processing Fee; No. 2023IR0045

#### Administrative Order

*And Now*, this 11th day of July, 2023, in Order to increase Bradford County’s fingerprinting and reporting compliance pursuant to 18 Pa.C.S.A. § 9112 and the Pennsylvania Commission on Sentencing’s JNET-based SGS Web application, the Bradford County Correctional Facility with support from the Bradford County Criminal Justice Advisory Board, obtained a LIVE Scan, CPIN and Clean Terminal Devise so that all criminal defendants being incarcerated at the Bradford County Correctional Facility will be fingerprinted and processed. *It Is Hereby Ordered*, that the

1. The Bradford County Booking Center shall be located at the Bradford County Correctional Facility.
2. All individuals being incarcerated in the Bradford County Correctional Facility, if not previously done by the arresting authority, shall be processed and fingerprinted prior to intake.
3. Pursuant to 18 Pa.C.S.A. § 9112, an arresting authority shall be responsible for taking the fingerprints of persons arrested for misdemeanors, felonies or summary offenses which become misdemeanors on a second arrest after conviction of that summary offense. All arresting authorities shall have access to the Bradford County Booking Center for fingerprinting and processing. After processing and fingerprinting, the arresting authority shall, within 48 hours, forward same to the central repository in a manner and in such form as may be provided by the central repository.
4. In cases which proceed by issuance of a summons, the Magisterial District Judge presiding at the scheduled Preliminary Hearing or Appearance day shall order the defendant to submit to the issuing authority to be processed within five (5) days.
5. In cases of private prosecutions, the defendant may only be fingerprinted and photographed after conviction of a misdemeanor, felony or summary offense which becomes a misdemeanor on a second arrest after conviction of that summary offense. An order shall be issued from the Court

of Common Pleas after such conviction directing the defendant to report to the Bradford County Booking Center to be fingerprinted and photographed.

6. A booking fee of \$250.00 shall be assessed after sentencing upon conviction of or plea to a misdemeanor or felony offense or acceptance into the Accelerated Rehabilitation Disposition Program. Said fee shall be collected by the Bradford County Collections Office. The adoption of the fee shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

7. The fee will not apply to those defendants whose cases are dismissed by the Magisterial District Judge, withdrawn or nolle prossed by the Commonwealth or who enter a guilty plea to a summary offense at the time of the preliminary hearing.

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](mailto:adminrules@pacourts.us);

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

3. Publish a copy of this Administrative Order on the Bradford County Court of Common Pleas website after publication in the *Pennsylvania Bulletin*;

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

By the Court

MAUREEN T. BEIRNE,  
President Judge

[Pa.B. Doc. No. 23-966. Filed for public inspection July 21, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### PERRY COUNTY

#### Local Rules of Criminal Court Procedure; No. AD-44-2023

##### Order

And now, July 7, 2023, the Court hereby adopts the following new Local Rules of Criminal Court Procedure to be effective as follows:

Local Rules of Criminal Court Procedure 102 and 576.1, providing for citing the local rules and providing for electronic filing in criminal cases, are hereby adopted in the forms following this Order; and

It is further ordered that the District Court Administrator shall file

(a) one (1) electronic copy of the Local Rules with the Administrative Office of Pennsylvania Courts,

(b) two (2) certified copies and one (1) electronic copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,

(c) one (1) certified copy to the Juvenile Court Procedural Rules Committee, which shall then forward a copy to the Administrative Office of Pennsylvania Courts for publication on the AOPC website,

(d) The Local Rules shall be kept continuously available for public inspection and copying in the office of the Clerk of Courts and upon request and payment of reasonable costs of reproduction and/or mailing the Clerk of Courts shall furnish to any person a copy of the requested Local Rules.

By the Court

KENNETH A. MUMMAH,  
President Judge

#### Rule 102. Citing the Local Criminal Court Procedural Rules.

All criminal court procedural rules adopted by the Perry County Court of Common Pleas shall be known as the Perry County Rules of Criminal Court Procedure and shall be cited as P.C.R.Crim.P.

#### Rule 576.1. Electronic Filing and Service of Legal Papers.

(A) *Agreement.* The Administrative Office of Pennsylvania Courts and the Perry County branch of the 41st Judicial District have agreed upon an implementation plan for electronic filing, as that term is defined Pa.R.Crim.P. 576.1(C), in the Perry County Court of Common Pleas through the statewide system known as PACFile, effective August 21, 2023.

(B) *Purpose.*

1) The electronic filing of legal papers and the electronic service of such papers through the PACFile system with the Perry County Clerk of Court for criminal cases in the Perry County Court of Common Pleas is permitted under the terms described in this Local Rule.

2) The exclusive system for electronic filing is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania's Unified Judicial System Web Portal at <https://ujportal.pacourts.us/PACFile.aspx>.

3) The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

(C) *Definitions.* As used in this rule, the following words shall have the following meanings:

“*electronic filing*,” the electronic transmission of legal papers by means other than facsimile transmission and the acceptance of the document by the Clerk of Courts;

“*filing party*,” an attorney, party, or other person who files a legal paper by means of electronic filing;

“*legal paper*,” a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, copies of exhibits, and attachments, but excluding:

(1) applications for search warrants,

(2) applications for arrest warrants,

(3) any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,

(4) submissions filed ex parte as authorized by law,

(5) submissions filed or authorized to be filed under seal,

(6) exhibits offered into evidence, whether or not admitted, in a court proceeding; and



(7) confidential documents, including but not limited to: drug & alcohol assessments and reports, mental health evaluations and reports, and medical records

“original document,” a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original exhibit for evidentiary purposes.

(D) *Participation.*

1) All attorneys and defendants proceeding without counsel shall be permitted to file legal papers electronically in accordance with this local rule.

2) In order to participate in the PACFile system, an attorney shall establish an account in the PACFile system by procedures established by the Administrative Office of Pennsylvania Courts.

3) A defendant who is proceeding without counsel shall be permitted to utilize the PACFile system through an authorization process established by the Administrative Office of Pennsylvania Courts.

4) Establishment of an account by an attorney or authorization of a defendant proceeding without counsel in the PACFile system, to the extent permitted under this local rule and authorized by the Administrative Office of Pennsylvania Courts, shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed in the PACFile system.

5) Any attorney or defendant participating in the PACFile system is permitted to file a legal paper either in an electronic or in a physical paper format. Service upon an attorney or defendant participating in the PACFile system shall be done electronically.

6) Any party who declines to participate in the PACFile electronic filing system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.

7) The following offices must be served in accordance with Pa.R.Crim.P. 576: Sheriff, Adult Probation, Court Reporter, and Court Administration. This applies to the service of court orders and notices. Distribution to those parties not automatically served via PACFile with a court order or notice must be filed with the Clerk of Courts office with a complete distribution list including the names and addresses of all parties required to be served with a paper copy.

(E) *Retention, Conversion, and Use of Legal Papers.*

1) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format in addition to a physical paper format.

2) Any legal paper submitted for filing to the Clerk of Courts in a physical paper format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to .pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1(C) and this rule.

3) Once converted to .pdf, the .pdf version of the legal paper shall be deemed and treated as the original legal

paper and may be used by the parties and the Court for all purposes, including but not limited to, court hearings and trials in the Perry County Court of Common Pleas.

4) Those legal papers that are not permitted to be electronically filed pursuant to this rule shall be maintained in a physical paper format only.

(F) *Filing.*

1) When a legal paper is to be electronically filed, it shall be submitted to the PACFile system at the Unified Judicial System web portal at <http://ujportal.pacourts.us>, in accordance with Pa.R.Crim.P. 576.1, this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the Clerk of Courts. If the Clerk of Courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the Clerk of Courts finds that the requirements for filing are not met, the clerk may reject the filing.

4) No legal paper that complies with the Pennsylvania Rules of Criminal Procedure shall be refused for filing by the Clerk of Courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

5) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system’s website.

6) Legal papers shall be presented for filing in portable document format (“.pdf”).

(G) *Signature.*

1) Except as provided in paragraph (G)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: /s/ John L. Doe.

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.Crim.P. 575 that the filing party or attorney has read the legal paper, that to the best of the filing party’s or attorney’s knowledge, information and belief there is good ground to support the motion or answer, and that it is not interposed for delay.

3) Any motion that, pursuant to Pa.R.Crim.P. 575(A)(2)(g), avers facts not of record and requiring a sworn affidavit must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a sworn or verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

(H) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers

filed with the Clerk of Courts or the Court whether filed electronically or in a paper format.

(I) *Fees.* Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, Court rule or order, or published fee schedule.

(J) *Record on Appeal.* Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsections (D) and (E), shall become the record on appeal.

[Pa.B. Doc. No. 23-967. Filed for public inspection July 21, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### PERRY COUNTY

#### Local Rules of Juvenile Court Procedure; No. AD-45-2023

##### Order

And now, July 7, 2023, the Court hereby adopts the following new Local Rules of Juvenile Court Procedure to be effective as follows:

Local Rules of Juvenile Court Procedure 102, 205, and 1205, providing for citing the local rules and providing for electronic filing in delinquency and dependency cases, are hereby adopted in the forms following this Order; and

It is further ordered that the District Court Administrator shall file

(a) one (1) electronic copy of the Local Rules with the Administrative Office of Pennsylvania Courts,

(b) two (2) certified copies and one (1) electronic copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,

(c) one (1) certified copy to the Juvenile Court Procedural Rules Committee, which shall then forward a copy to the Administrative Office of Pennsylvania Courts for publication on the AOPC website,

(d) The Local Rules shall be kept continuously available for public inspection and copying in the office of the Clerk of Courts and upon request and payment of reasonable costs of reproduction and/or mailing the Clerk of Courts shall furnish to any person a copy of the requested Local Rules.

*By the Court*

KENNETH A. MUMMAH,  
*President Judge*

#### Rule 102. Citing the Local Juvenile Court Procedural Rules.

All juvenile court procedural rules adopted by the Perry County Court of Common Pleas shall be known as the Perry County Rules of Juvenile Court Procedure and shall be cited as P.C.R.J.C.P.

#### Rule 205. Electronic Filing and Service of Legal Papers.

(a) The Administrative Office of Pennsylvania Courts and the Perry County branch of the 41st Judicial District have agreed upon an implementation plan for electronic filing of legal papers with the Clerk of Courts in cases in delinquency proceedings, as that term is defined in Pa.R.J.C.P. 205(C), in the Perry County Court of Common Pleas through the statewide system known as PACFile, effective August 21, 2023;

(b) Any attorney, juvenile proceeding without counsel, law enforcement officer, and juvenile probation officer may, but is not required to, utilize PACFile for filing a legal paper, as that term is defined in Pa.R.J.C.P. 205(C), but also excluding notices of appeal from the definition of “legal paper”;

(c) Any person who is eligible to participate in PACFile but declines or is unable to do so, may file legal papers in a physical paper format, and that person shall be served legal papers in accordance with the procedures provided under Pa.R.J.C.P. 345(B), and not via PACFile;

(d) All filings shall comply with the Public Access Policy of the United Judicial System addressing confidentiality; and

(e) Applicable filing fees shall be paid through procedures established by the Clerk of Courts, at the same time and in the same manner required by statute, court rule, or published fee schedule.

#### Rule 1205. Electronic Filing and Service of Legal Papers.

(a) The Administrative Office of Pennsylvania Courts and the Perry County branch of the 41st Judicial District have agreed upon an implementation plan for electronic filing of legal papers with the Clerk of Courts in dependency proceedings, as that term is defined in Pa.R.J.C.P. 1205(C), in the Perry County Court of Common Pleas through the statewide system known as PACFile, effective August 21, 2023;

(b) Any party may, but is not required to, utilize PACFile for filing a legal paper, as that term is defined in Pa.R.J.C.P. 1205(C), but also excluding notices of appeal from the definition of “legal paper”;

(c) Any person or entity eligible to participate in PACFile but declining or unable to do so, may file legal papers in a physical paper format, and that person or entity shall be served legal papers in accordance with the procedures provided under Pa.R.J.C.P. 1345(B), and not via PACFile;

(d) All filings shall comply with the Public Access Policy of the United Judicial System addressing confidentiality; and

(e) Applicable filing fees shall be paid through procedures established by the Clerk of Courts, at the same time and in the same manner required by statute, court rule, or published fee schedule.

[Pa.B. Doc. No. 23-968. Filed for public inspection July 21, 2023, 9:00 a.m.]



# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

#### Reorganization of the Department of Human Services

The Executive Board approved a reorganization of the Department of Human Services effective July 5, 2023.

The organization chart at 53 Pa.B. 3830 (July 22, 2023) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note:* The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 23-969. Filed for public inspection July 21, 2023, 9:00 a.m.]

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

#### Reorganization of the Department of Transportation

The Executive Board approved a reorganization of the Department of Transportation effective July 5, 2023.

The organization chart at 53 Pa.B. 3832 (July 22, 2023) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

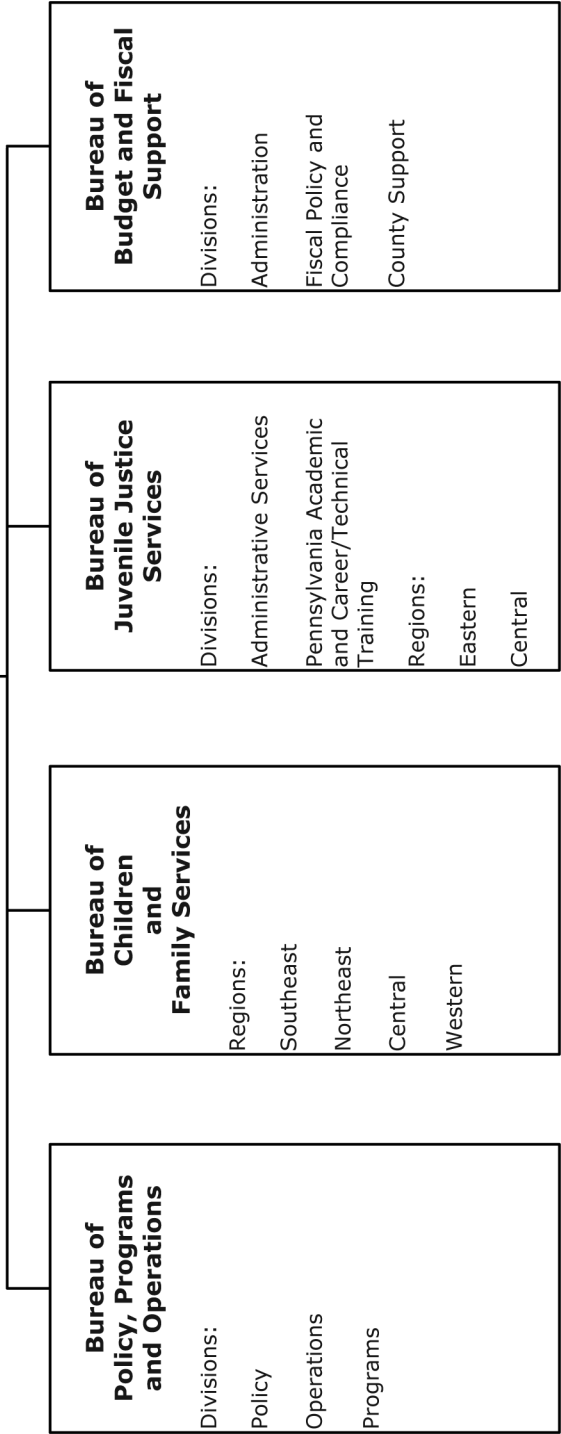
*(Editor's Note:* The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

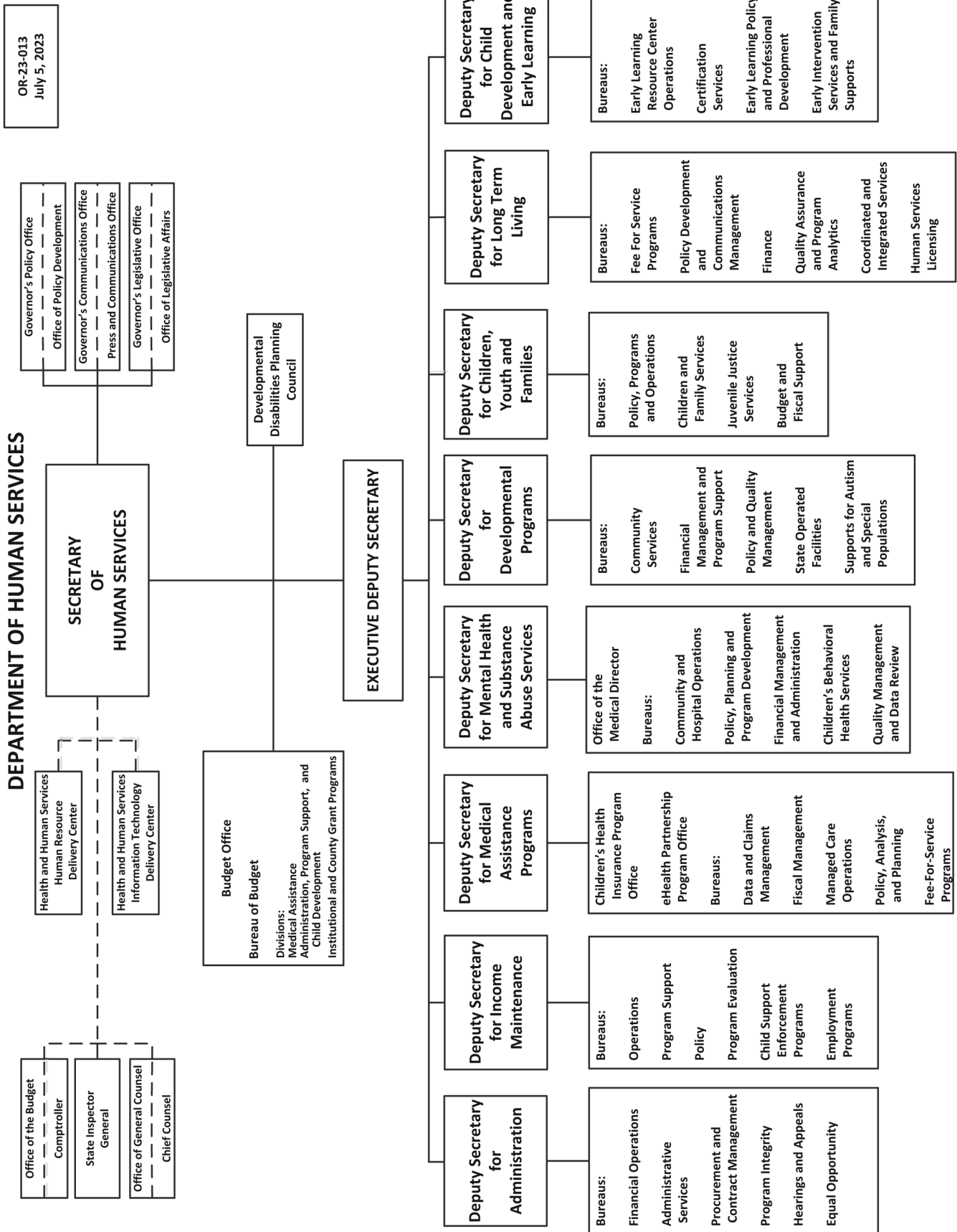
[Pa.B. Doc. No. 23-970. Filed for public inspection July 21, 2023, 9:00 a.m.]

**DEPARTMENT OF HUMAN SERVICES  
DEPUTY SECRETARY FOR CHILDREN, YOUTH AND  
FAMILIES**

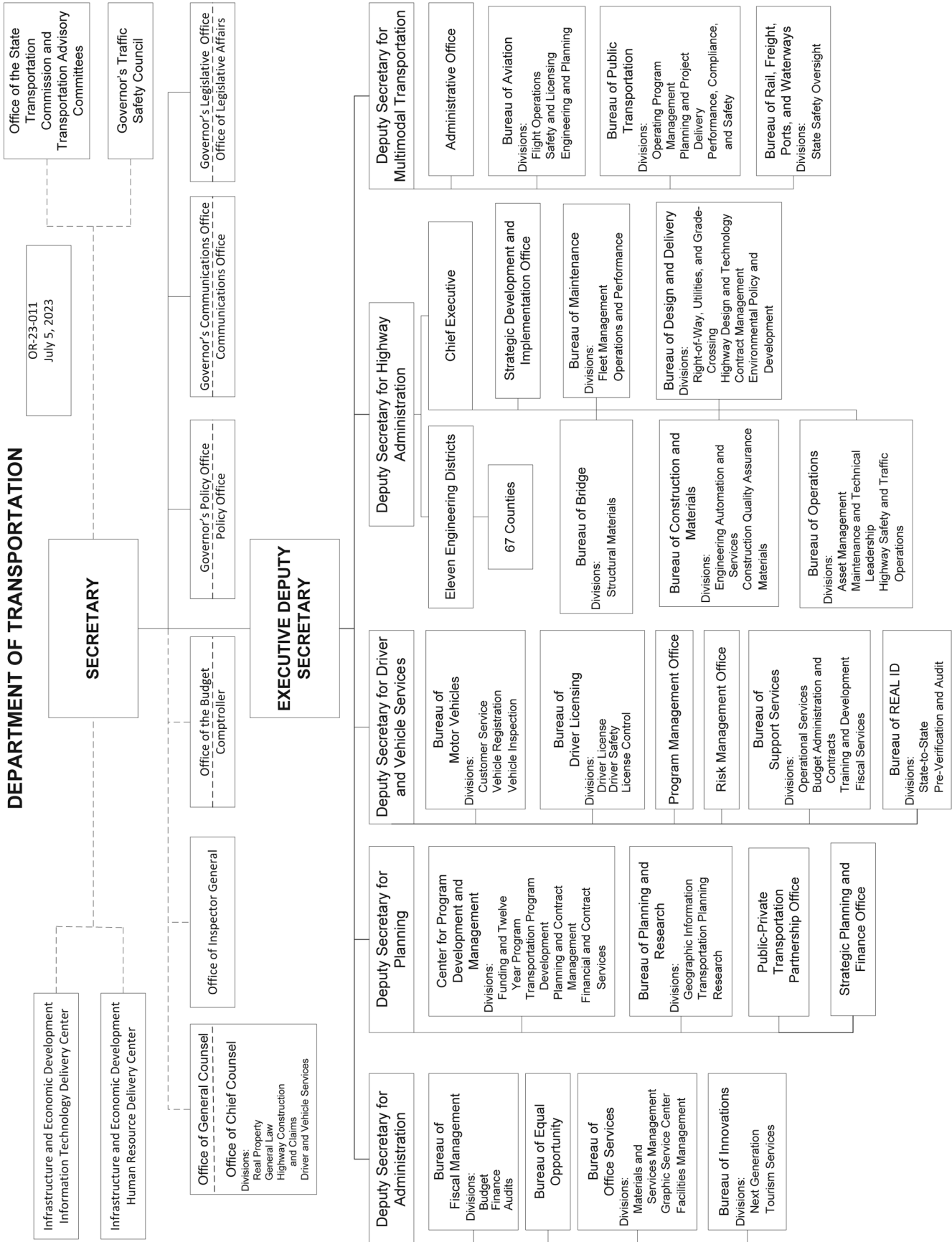
**OR-23-013  
July 5, 2023**

**DEPUTY SECRETARY FOR CHILDREN,  
YOUTH AND FAMILIES**





**DEPARTMENT OF TRANSPORTATION**



**Title 4—ADMINISTRATION**  
**DEPARTMENT OF GENERAL SERVICES**  
**[ 4 PA. CODE CH. 66 ]**

**Public Works Employment Verification—Statement of Policy**

The Department of General Services amends Chapter 66 (relating to public works employment verification—statement of policy) to read as set forth in Annex A. This statement of policy is amended to revise the interpretations of the Public Works Employment Verification Act (43 P.S. §§ 167.1—167.11), which was repealed and replaced under the act of November 3, 2022 (P.L. 2048, No. 141) (Act 141 of 2022) by Article XXIV-C of The Administrative Code of 1929 (71 P.S. §§ 656.1—656.11) (act). Act 141 of 2022 added the language of the Public Works Employment Verification Act to Article XXIV-C of The Administrative Code of 1929 and also added new language and parameters regarding sanctions and civil penalties that require this statement of policy to be amended as set forth in Annex A.

*Background and Purpose*

As background, the act requires all public works contractors and subcontractors performing work on public works projects in this Commonwealth to comply with the Federal E-Verify® program to ensure all employees are authorized to work in the United States. The E-Verify program is a free Internet-based program operated by the United States Department of Homeland Security that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from the United States Department of Homeland Security and Social Security Administration records to confirm employment eligibility. The purpose of this statement of policy, which does not change with this amendment, is to establish guidelines for administering and enforcing the provisions of the act as well as to provide guidance regarding the requirements of the act to public bodies throughout this Commonwealth, and contractors and subcontractors who enter public work contracts.

The amendments to this statement of policy update terminology and improve grammar throughout. These amendments also delete the temporal hiring requirement of "hired after January 1, 2013" as this language is no longer applicable or necessary.

In addition to the grammatical and language updates, these amendments clarify portions of section 2405-C of the act (71 P.S. § 656.5) regarding enforcement and sanctions, to provide guidance on what constitutes a credible complaint. Under § 66.9(1) (relating to enforcement), the Department will consider the timeliness of a complaint when assessing its credibility. The Department amends this statement of policy to clarify that a complaint will generally be considered timely if it is filed prior to the date on which final payment is due. This interpretation is reasonable as the act requires contractors to confirm compliance with the act prior to award of a public work contract. In addition, the interpretation is reasonable in light of the fact that subcontractors on a public work project must confirm compliance prior to the commencement of onsite work. Continued compliance is required for all contractors and subcontractors throughout the duration of the contract. Moreover, records retention policies of various public bodies throughout this Commonwealth may make it difficult to obtain contract documents necessary to conduct a thorough investigation

for projects that have been completed for some time. Therefore, utilizing the date of final payment on a public works contract that is the subject of a complaint as a measure of timeliness is consistent with the act.

The act also increases the time periods for debarment under section 2405-C(e), regarding enforcement and sanctions, where a contractor has multiple violations for failing to verify the employment eligibility of a new employee through the EVP. This statement of policy is updated in § 66.9(3)(i)(B) and (C) to reflect those changes. In addition, this amended statement of policy provides guidance on how the Department interprets section 2405-C(f) of the act, regarding civil penalties and sanctions. The new language in section 2405-C(f)(1) provides that civil penalties for failure to submit the Verification Form as required or for making a misrepresentation with respect to completing the Verification Form are to be imposed "based on the duration and severity of the violation." The Department has updated the statement of policy at § 66.9(4) to reflect the newly updated statutory minimum penalty of \$2,500 and maximum penalty of \$25,000.

*Fiscal Impact and Paperwork Requirements*

Civil penalties collected in the enforcement of the act shall be retained by the Department to offset the costs of administering the Pennsylvania Public Works Employment Verification Program. This amendment imposes no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

*Contact*

Specific questions relating to information provided in this statement of policy may be directed to the Employment Verification Administrator, Department of General Services, Public Works Employment Verification Office, 18th and Herr Streets, Arsenal Building, 3rd Floor, Harrisburg, PA 17125.

*Effective Date*

This amended statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

REGINALD B. McNEIL, II,  
*Secretary*

*(Editor's Note: Title 4 of the Pennsylvania Code is amended by amending the statement of policy in §§ 66.1—66.9 to read as set forth in Annex A.)*

**Fiscal Note:** 8-32. No fiscal impact; recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART III. DEPARTMENT OF GENERAL SERVICES**

**Subpart C. CONSTRUCTION AND PROCUREMENT**

**ARTICLE II. CONSTRUCTION**

**CHAPTER 66. EMPLOYMENT VERIFICATION—  
STATEMENT OF POLICY**

**§ 66.1. Background and purpose.**

(a) To prevent unauthorized employment, the Federal government created the EVP to ensure that companies employ a legal workforce. The EVP is an Internet-based program operated by the United States Department of Homeland Security that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from United States Department of Homeland Security and Social Security Administration records to confirm employment eligibility.



(b) The purpose of this chapter is to set forth the Department's policy guidelines for the scope, administration and enforcement of the act.

(c) The Department is responsible to implement the Commonwealth's process of notification, investigation and compliance with the act. Contractors and subcontractors performing work on a public works project shall comply with the act as set forth in this chapter by utilizing the EVP.

**§ 66.2. Scope of work subject to the EVP.**

(a) The act applies to public works contractors and subcontractors performing on a public works contract paid for in whole or in part out of the funds of a public body when the cost of the total project is in excess of \$25,000.

(b) The cost of the total project must include the sum of prime contracts to be issued by the public body for the project.

(c) To the extent the cost of the total project is in excess of \$25,000, contracts and subcontracts, regardless of value, shall comply with the act.

(d) The act does not apply to maintenance work or work performed under a manpower or rehabilitation training program.

**§ 66.3. Definitions.**

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

*Act*—The Public Works Employment Verification Act (71 P.S. §§ 656.1—656.11).

*Contract*—A type of written agreement, regardless of what it may be called, for the procurement of construction work.

*Department*—The Department of General Services.

*EVP—E-Verify program*—The program operated by the United States Department of Homeland Security that electronically verifies employment eligibility.

*Employee*—An individual hired by a public works contractor or a subcontractor for whom a public works contractor or subcontractor is required by law to file a Form W-2 with the Internal Revenue Service.

*Form*—Public Works Employment Verification Form.

*Maintenance work*—Annual inspection or routine upkeep of an existing facility which does not alter the use or size of the facility.

*Public body*—The Commonwealth, its political subdivisions, authorities created by the General Assembly of the Commonwealth and instrumentalities or agencies of the Commonwealth.

*Public works*—

(i) The construction, reconstruction, demolition, alteration or repair work other than maintenance work done under contract and paid for in whole or in part out of the funds of a public body when the estimated cost of the total project is in excess of \$25,000.

(ii) The term does not include work performed under a manpower or rehabilitation training program.

*Public works contractor*—A contractor that provides work under a contract involving public works.

*Secretary*—The Secretary of the Department.

*Subcontractor*—

(i) A person, other than a natural person, including a staffing agency, that performs work for a public works contractor under a contract for public works.

(ii) The term includes subcontractors of every level, that is, sub-subcontractors, sub-sub-subcontractors, and the like.

(iii) The term does not include persons that supply materials for a project.

*Willful*—An action or conduct undertaken intentionally or with reckless disregard for or deliberate ignorance of the requirements and obligations established under the act.

**§ 66.4. General requirements for public works contractors and subcontractors.**

(a) Public works contractors and every subcontractor performing work under a public works contract shall utilize the EVP to verify the employment eligibility of each new employee.

(b) Public works contractors and every subcontractor performing work under a public works contract shall submit the Form to the contracting public body to ensure compliance with the EVP.

(c) In addition to the Form, public works contractors and every public works subcontractor shall maintain documentation of continued compliance with the act by utilizing the EVP to verify all new employees hired throughout the duration of the public work contract.

**§ 66.5. Specific requirements for public works contractors.**

(a) As a precondition to the award of a contract for public work, a public works contractor shall submit a completed Form to the public body that is bidding and awarding the public work contract. Throughout the duration of a public works contract, a new employee hired by a public works contractor, regardless of whether he will be working onsite or offsite of a public work or otherwise, shall be verified within 5 business days of his start date.

(b) Subcontracts between a public works contractor and its subcontractors are required to contain notification of the applicability of the act, information regarding the use of the EVP and reference to the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) to obtain a copy of the Form.

(c) A public works contractor shall cooperate with the Department during an investigation or audit arising under the act.

**§ 66.6. Specific requirements for public works subcontractors.**

(a) Prior to beginning either onsite or offsite work on a public works project, every subcontractor shall submit a completed Form to the contracting public body. During a public works contract, a new employee hired by a public works subcontractor, regardless of whether he will be working onsite or offsite of a public work or otherwise, shall be verified within 5 business days of his start date.

(b) Subcontracts between a subcontractor and its subcontractors are required to contain notification of the applicability of the act, information regarding the use of the EVP and reference to the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) to obtain a copy of the Form.

(c) A subcontractor shall cooperate with the Department during an investigation or audit arising under the act.

**§ 66.7. Public Works Employment Verification Form.**

(a) The Form for use by public bodies, public works contractors and subcontractors is posted on the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us). The Form may not be changed or altered.

(b) The Form shall be signed by an authorized representative of the public works contractor or subcontractor. The representative shall have sufficient knowledge to make the representations and certifications in the Form.

(c) The Department may require the public works contractor or subcontractor to provide supporting documentation that the representative signing the Form had authority to legally bind the public works contractor or subcontractor.

(d) The submitted Forms shall be retained by the public body for the duration of the public work contract.

**§ 66.8. Violations.**

A public works contractor or subcontractor violates the act if it does either of the following:

(1) Fails to verify the employment eligibility of a new employee through EVP in accordance with the act and this chapter.

(2) Makes a false statement or misrepresentation in connection with the completion or submission of the Form to a public body.

**§ 66.9. Enforcement.**

The Department will enforce the act through investigations, audits, sanctions and civil penalties in accordance with the following guidelines.

(1) *Investigations of complaints.* The Department will accept, review and investigate timely and credible complaints filed on the Complaint Form posted on the Department's web site.

(i) A complaint must contain sufficient information to enable the Department to investigate the allegation. The Department reserves the right to reject complaints that do not provide sufficient information.

(ii) The Department will also consider the timeliness of the complaint in assessing its credibility. A complaint is generally considered timely if it is filed prior to the date on which final payment is issued on the public works contract.

(iii) Public bodies, public works contractors and subcontractors shall cooperate with the Department during the investigation of a complaint.

(2) *Audits.* The Department will conduct complaint-based and random audits of public works contractors and subcontractors performing a public works contract for a public body in this Commonwealth. The Department reserves the right to determine the time, place and nature of audits.

(i) Public bodies, public works contractors and subcontractors shall cooperate with the Department during an audit.

(ii) Upon an audit, the Department may request, and the public works contractors and subcontractors shall provide, the following:

(A) Documentation of the date of hire of all employees.

(B) Documentation of compliance with the act through the utilization of EVP.

(C) Other information required by the Department to ensure compliance with the act and utilization of EVP.

(3) *Sanctions.*

(i) If the Department's investigation determines that a public works contractor or subcontractor failed to verify an employee through the use of EVP in accordance with the act and this chapter, the Department will issue sanctions as follows:

(A) *First violation.* The Department will issue a warning letter to the public works contractor or subcontractor detailing the violation. This letter will be posted on the Department's E-Verify web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us). A violation by a public works contractor or subcontractor that occurs 10 years or more after a prior violation will be deemed to be a first violation for purposes of sanctions.

(B) *Second violation.* The Department will initiate debarment proceedings against the public works contractor or subcontractor. Once final, these proceedings will prevent a public works contractor or subcontractor from submitting a bid or being awarded a contract or subcontract on a public works contract in this Commonwealth for 60 calendar days from the date of debarment.

(C) *Third and subsequent violations.* The Department will initiate debarment proceedings against the public works contractor or subcontractor. Once final, these proceedings will prevent a public work contractor or a subcontractor from submitting a bid or being awarded a contract or subcontract on a public works contract in this Commonwealth for not less than 1 year and not more than 2 years from the date of debarment.

(ii) *Willful violation.* If the Department investigates and forms a reasonable belief that there has been a willful violation of the act, the Secretary will file a petition in Commonwealth Court seeking the Court to issue a rule to show cause why a public works contractor or subcontractor did not engage in a willful violation of the act. If the Court finds that there was a willful violation, the Department will petition to have the public works contractor or subcontractor debarred from public work contracts for 3 years from the date of the Court's determination.

(4) *Civil penalties.* If the Secretary or a designee makes a written determination that the violation is for failing to provide the Form as required or making a false statement or misrepresentation in the Form, the Department will assess a civil penalty of not less than \$2,500 and not more than \$25,000 for each violation. The amount of the penalty is at the Department's discretion. The Department will consider the duration and severity of the violation, and prior violations in imposing civil penalties.

(5) *Notice and appeal.* Sanctions or civil penalties imposed by the Department, other than those violations found to be willful, are subject to the notice, appeal and other provisions of 2 Pa.C.S. (relating to administrative law and procedure).

[Pa.B. Doc. No. 23-971. Filed for public inspection July 21, 2023, 9:00 a.m.]

# NOTICES

## BOARD OF COAL MINE SAFETY

### Meeting Rescheduled

The September 6, 2023, meeting of the Board of Coal Mine Safety (Board) has been rescheduled. The meeting will now be held on September 20, 2023.

Information will be provided on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Mining," then "Board of Coal Mine Safety," then "2023").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each

meeting. Questions concerning the meeting can be directed to Peggy Scheloske at [mscheloske@pa.gov](mailto:mscheloske@pa.gov) or (724) 404-3143.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Peggy Scheloske at (724) 404-3143 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RICHARD NEGRIN,  
*Chairperson*

[Pa.B. Doc. No. 23-972. Filed for public inspection July 21, 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 July 11, 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, may file comments in writing with the Department, for Bank Supervision, by e-mail to [ra-bnbnksbmsnspt@pa.gov](mailto:ra-bnbnksbmsnspt@pa.gov) or for credit unions, by e-mail to [ra-bncusubmissions@pa.gov](mailto:ra-bncusubmissions@pa.gov) and trust companies, by e-mail to [ra-bntrustrsuprvsninq@pa.gov](mailto:ra-bntrustrsuprvsninq@pa.gov). Comments must be received no later than 30 days from the date that the notice regarding acceptance 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, or for credit unions or trust companies (717) 783-2253.

### APPLICATIONS FOR COMMENT

#### BANKING INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
07-11-2023	Camden Asset Management, LP Los Angeles Los Angeles County, CA Application for approval to purchase preferred shares in excess of 10% of the perpetual noncumulative convertible preferred stock, Series A, of Republic First Bancorp, Inc., Philadelphia, PA, the parent company of Republic First Bank, Philadelphia, PA.	Approved

#### CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,  
*Acting Secretary*

[Pa.B. Doc. No. 23-973. Filed for public inspection July 21, 2023, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council Public Meeting

The Conservation and Natural Resources Advisory Council (Council) to the Department of Conservation and Natural Resources (Department) will hold a public meeting on July 26, 2023, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The public meeting may be attended by means of Microsoft Teams through a link found on the Council's web site prior to the public meeting at [www.dcnr.pa.gov/cnrac](http://www.dcnr.pa.gov/cnrac).

Questions concerning this public meeting or agenda items can be directed to Gretchen Leslie at (717) 772-9084. For public comment to be considered at the public meeting, follow the instructions on the Council's web site.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Aara Vinsh directly at (717) 787-9306 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 23-974. Filed for public inspection July 21, 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](http://www.dep.pa.gov) and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

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

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

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

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

Section II identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public



comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the "Applications Received with Comment Periods Report" on DEP's website at [www.dep.pa.gov/CWPublicNotice](http://www.dep.pa.gov/CWPublicNotice). Notification of 15-day extensions for comment will be provided in the "Applications Received with Comment Periods Report" (Comments column).

Section III 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](http://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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0918817	Joint DEP/PFBC Pesticides Permit	Renewal	Rabbit Run Creek HOA 975 Easton Road Suite 102 Warrington, PA 18976-1858	New Hope Borough Bucks County	SERO
0923808	Joint DEP/PFBC Pesticides Permit	New	Clift Matthew 4285 Applebutter Road Perkasie, PA 18944-4306	Bedminster Township Bucks County	SERO

## NOTICES

3839

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0923809	Joint DEP/PFBC Pesticides Permit	New	Stoneback Jason 811 Thousand Acre Road Sellersville, PA 18960-1047	West Rockhill Township Bucks County	SERO
1023818	Joint DEP/PFBC Pesticides Permit	New	Katie Shuty 137 Link Lane Slippery Rock, PA 16057-4421	Slippery Rock Township Butler County	NWRO
1023819	Joint DEP/PFBC Pesticides Permit	New	Rick Beahm 360 W Main Street Evans City, PA 16033-1236	Forward Township Butler County	NWRO
4323804	Joint DEP/PFBC Pesticides Permit	New	Trina Rich 8568 Orangeville Road Sharpsville, PA 16150-8403	South Pymatuning Township Mercer County	NWRO
4623811	Joint DEP/PFBC Pesticides Permit	New	Rhoads Dave 2040 Weber Road Lansdale, PA 19446-5919	Worcester Township Montgomery County	SERO
5823802	Joint DEP/PFBC Pesticides Permit	New	Little Elk Lake Property Assoc 422 Woodbourne Road Montrose, PA 18801-9060	Dimock Township Susquehanna County	NERO
6623803	Joint DEP/PFBC Pesticides Permit	New	Lake Sheridan Cottagers Association P.O. Box 305 Factoryville, PA 18419-0305	Nicholson Township Wyoming County	NERO
PA0086622	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	U & Me 3 LLC 400 Post Avenue Suite 303 Westbury, NY 11590	Howe Township Perry County	SCRO
0100401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Berwick Township Adams County 85 Municipal Road Hanover, PA 17331-8992	Berwick Township Adams County	SCRO
2204404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Lenker Estates Homeowners Assoc P.O. Box 123 Dauphin, PA 17018-0123	Halifax Township Dauphin County	SERO
NOEXNC180	No Exposure Certification	New	Polsinello Fuels Inc. 241 Riverside Avenue Rensselaer, NY 12144-2946	Athens Township Bradford County	NCRO
NOEXSC002	No Exposure Certification	Renewal	FCI USA LLC 825 Old Trail Road Etters, PA 17319-9392	Newberry Township York County	SCRO
NOEXSC400	No Exposure Certification	New	Walmart Stores East LP 702 NW 8th Street Bentonville, AR 72712-4611	North Lebanon Township Lebanon County	SCRO
PAG030180	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Telford Auto Parts LLC 2010 Ridge Road Telford, PA 18969-1614	Upper Salford Township Montgomery County	SERO
PAG033524	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Eshbach Mulch Products 299 Burgs Lane York, PA 17406-8930	Hellam Township York County	SCRO
PAG033534	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	BBGY Inc. dba Boger Concrete Co. 201 Iron Valley Drive Lebanon, PA 17042-8812	Lower Swatara Township Dauphin County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033593	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Precision Cut Ind 115 Ram Drive Hanover, PA 17331	Conewago Township Adams County	SCRO
PAG034028	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JGM Fabricators & Constructors LLC 1201 Valley Road Coatesville, PA 19320-2848	Spring Township Berks County	SCRO
PAG034038	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	BLDR Firstsource 3356 Lincoln Highway E Paradise, PA 17562-9612	Paradise Township Lancaster County	SCRO
PAG034053	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	APEX Tool Group LLC 3990 E Market Street York, PA 17402-2769	Springettsbury Township York County	SCRO
PAG034054	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mesorah Farms 1100 Lincoln Road Birdsboro, PA 19508-1804	Exeter Township Berks County	SCRO
PAG034055	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Precision Cut Ind 115 Ram Drive Hanover, PA 17331-7783	Conewago Township Adams County	SCRO
PAG034921	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Auwarter Auto Salvage Inc. 742 N Williamson Road Covington, PA 16917-9427	Covington Township Tioga County	NCRO
PAG036546	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Gottlieb Inc. 5603 Grand Avenue Pittsburgh, PA 15225-1212	Neville Township Allegheny County	SWRO
PAG036549	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	ADV Pultrusions LLC dba Liberty Pultrusions 1575 Lebanon School Road West Mifflin, PA 15122-3433	West Mifflin Borough Allegheny County	SWRO
PAG036550	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	New Penn Motor Express Inc. 11500 Outlook Street Suite 400 Leawood, KS 66211-1804	Neville Township Allegheny County	SWRO
PAG038372	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ellwood Remelt Steel LLC 40 Furnace Street New Castle, PA 16101	New Castle City Lawrence County	NWRO
PAG038391	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ellwood Mill Products Co. 712 Moravia Street New Castle, PA 16101-3948	New Castle City Lawrence County	NWRO
PAG038467	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Marion Center Supply Inc. 517 Church Street P.O. Box 173 Marion Center, PA 15759-0173	Marion Center Borough Indiana County	NWRO
PAG038474	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	NAC Carbon Products Inc. P.O. Box 436 Punxsutawney, PA 15767-0436	Young Township Jefferson County	NWRO
PAG038504	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Evergreen Metallurgical LLC 679 E Butler Road Butler, PA 16002-9127	Summit Township Butler County	NWRO

## NOTICES

3841

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038507	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Harmony Castings LLC 251 Perry Highway Harmony, PA 16037-9213	Jackson Township Butler County	NWRO
PAG040030	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Dimaggio John M & Talmage Christine A 1241 Round House Road Quakertown, PA 18951-3010	Haycock Township Bucks County	SERO
PAG043635	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	McKeown Charles 1879 Friedensburg Road Reading, PA 19606-9346	Alsace Township Berks County	SCRO
PAG048592	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Melissa & Timothy Randall 12704 Smedley Road Waterford, PA 16441-3932	Waterford Township Erie County	NWRO
PAG066102	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Braddock Borough Allegheny County 415 6th Street Braddock, PA 15104-1635	Braddock Borough Allegheny County	SWRO
PAG066104	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Wilmerding Borough Allegheny County 301 Station Street Wilmerding, PA 15148-1245	Wilmerding Borough Allegheny County	SWRO
PAG066114	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	North Braddock Borough Allegheny County 600 Anderson Street North Braddock, PA 15104	North Braddock Borough Allegheny County	SWRO
PAG066123	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	West Homestead Borough Allegheny County 570 Beatty Road Monroeville, PA 15146-1359	West Homestead Borough Allegheny County	SWRO
1023410	Pump Stations Individual WQM Permit	Amendment	Cranberry Township Butler County 2525 Rochester Road Cranberry Township, PA 16066-6420	Cranberry Township Butler County	NWRO
PA0292923	Single Residence STP Individual NPDES Permit	Transfer	Dickerson William 5833 Cassady Road Hermitage, PA 16148-6418	Hermitage City Mercer County	NWRO
0691409	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	McKeown Charles 1879 Friedensburg Road Reading, PA 19606-9346	Alsace Township Berks County	SCRO
2523419	Single Residence Sewage Treatment Plant Individual WQM Permit	New	David & Laurie Hudson 4620 Bear Creek Road Fairview, PA 16415-2013	Fairview Township Erie County	NWRO
2594414	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Melissa & Timothy Randall 12704 Smedley Road Waterford, PA 16441-3932	Waterford Township Erie County	NWRO
4323404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Dickerson William 5833 Cassady Road Hermitage, PA 16148-6418	Hermitage City Mercer County	NWRO
WQG02212302	WQG-02 WQM General Permit	New	Middlesex Township Municipal Authority 350 N Middlesex Road Suite 2 Carlisle, PA 17013-8422	Middlesex Township Cumberland County	SCRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG02462306	WQG-02 WQM General Permit	New	Towamencin Municipal Authority 2225 Kriebel Road Lansdale, PA 19446	Worcester Township Montgomery County	SERO

**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*

**PA0228346**, Sewage, SIC Code 4952, **Huston Township Municipal Authority, Clearfield County**, 11837 Bennetts Valley Highway, Penfield, PA 15849-5433. Facility Name: Huston Township Sewer System. This existing facility is located in Huston Township, **Clearfield 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), Tyler Run (CWF), is located in State Water Plan watershed 8-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	31	46	XXX	25.0	37.0	50
Total Suspended Solids	37	56	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	31	46	XXX	25.0	37.0	50
Total Suspended Solids	37	56	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	2.5	4.0	XXX	2.0	3.5	4.5

The proposed effluent limits for Outfall 001 are based on a design flow of .15 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>	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						

The proposed effluent limits for Outfall 001 are based on a design flow of .15 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>	
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Iron, Total	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Manganese, Total	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		

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.

*Northeast Regional Office*

**Application No. PA0065111**, Concentrated Animal Feeding Operation (CAFO), **Jaindl Farms LLC (Jaindl Farms)**, 3150 Coffeetown Road, Orefield, PA 18069-2511.

Jaindl Farms LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Jaindl Farms, located in North Whitehall Township, **Lehigh County**.

The CAFO is situated near Unnamed Tributary to Jordan Creek in Watershed 2-C, which is classified for HQ-CWF. The CAFO is designed to maintain an animal population of approximately 6,147.52 animal equivalent units (AEUs) consisting of a brooding half which has 2,000 toms and 20,000 hens, as well as a finishing half that has 375,000 hens and 375,000 toms. Manure is stored in the barn until land application. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

*Northwest Regional Office*

**PA0100056**, Sewage, SIC Code 4952, 7033, **Rose Point Park Campground Co.**, 314 Rose Point Road, New Castle, PA 16101-9358. Facility Name: Rose Point Park Campground. This existing facility is located in Slippery Rock Township, **Lawrence County**.

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

The receiving stream is an unnamed tributary to Slippery Rock Creek, located in State Water Plan watershed 20-C and classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .01 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Flow (MGD)	Report	XXX	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
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Fecal Coliform (#/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

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*

**PA0222682**, Sewage, SIC Code 4952, 8811, **Leasa A. Maley**, 6118 Maley Drive, Limestone, NY 14753-9730. Facility Name: Leasa Maley SRSTP. This existing facility is located at 79 Arlia Road, Bradford, PA 16701 in Corydon Township, **McKean County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	9.0 Daily Max	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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*

**PA0239631**, Sewage, SIC Code 4952, **Monroe Township**, 17956 Route 68, Sligo, PA 16255-4442. Facility Name: Monroe Township STP. This existing facility is located in Monroe Township, **Clarion County**.

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

The receiving stream is Brush Run, located in State Water Plan watershed 17-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .08 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report Quarterly XXX
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	16	24	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Intake	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Intake	Report	Report Daily Max	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids	20	30	XXX	30.0	45.0	60
Fecal Coliform (#/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	5.5	XXX	XXX	8.5	XXX	17.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is not in effect.

Northwest Regional Office

**PA0265390**, Sewage, SIC Code 4952, 8800, **Nicholas Schneider**, 683 Highmeyer Road, Harborcreek, PA 16421. Facility Name: Nicholas Schneider SRSTP. This existing facility is located in Harborcreek Township, **Erie County**.

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

The receiving stream is an Unnamed tributary to Scott Run, located in State Water Plan watershed 15-A and classified for Cold Water and Migratory Fishes and recreation. The discharge is not expected to affect public water supplies.

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

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

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

**PA0265845**, Sewage, SIC Code 4952, 8800, **Kenneth Dornhoefer**, 9543 Station Road, Erie, PA 16510-5636. Facility Name: Kenneth Dornhoefer SRSTP. This existing facility is located in Greenfield Township, **Erie County**.

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

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

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

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



<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>	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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*

**PA0271811**, Sewage, SIC Code 4952, 8800, **Maria Aiello**, 639 Maxwell Road, Clarion, PA 16214-7137. Facility Name: Maria Aiello SRSTP. This existing facility is located in Highland Township, **Clarion County**.

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

The receiving stream is an Unnamed Tributary to Tarkiln Run, located in State Water Plan watershed 17-B and classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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*

**PA0293008**, Sewage, SIC Code 7033, **National Association Church of God**, 410 Campground Road, West Middlesex, PA 16159-2814. Facility Name: Church of God Campground. This proposed facility is located in Shenango Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to Shenango River, is located in State Water Plan watershed 20A 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 0.025 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 Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	10.2	XXX	20.4
May 1 - Oct 31	XXX	XXX	XXX	3.4	XXX	6.8
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

- Solids Management

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0293164**, Sewage, SIC Code 4952, 8800, **Jeana M & Mark T Ness**, 220 Johns School Road, Renfrew, PA 16053-8722. Facility Name: Jeana M & Mark T Ness SRSTP. This proposed facility is located in Forward Township, **Butler County**.

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

The receiving stream is an unnamed tributary to Glade Run, located in State Water Plan watershed 20-C and 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.

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

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0032093**, Sewage, SIC Code 7999, **PA DCNR Shawnee State Park**, 132 State Park Road, Schellsburg, PA 15559-7300. Facility Name: Shawnee State Park. This existing facility is located in Napier Township, **Bedford County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .1 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Semi-Annual Average	Weekly		Average Monthly	Weekly Average	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Nitrate-Nitrite as N	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Nitrogen	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Kjeldahl Nitrogen	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Phosphorus	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	40.0	50
Total Suspended Solids	XXX	XXX	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	Report Avg Mo	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	Report Avg Mo	XXX	XXX	12.0	XXX	24

The proposed effluent limits for Outfall 001 are based on a design flow of .1 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0081051**, Sewage, SIC Code 6515, **Round Top Sewer Cooperative, Inc.**, 2 N Riverside Plaza, Suite 800, Chicago, IL 60606-2682. Facility Name: Round Top Campground. This existing facility is located in Cumberland Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Plum Run (WWF), is located in State Water Plan watershed 13-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 0.042 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	Report	XXX	XXX	1.0	XXX	2.0
Nov 1 - Apr 30	Report	XXX	XXX	3.0	XXX	6.0
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	1.5	XXX	3.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0260746**, Sewage, SIC Code 8811, **David J Perchard**, 6227 Big Creek Road, Clearville, PA 15535-5017. Facility Name: Perchard Properties. This existing facility is located in Monroe Township, **Bedford 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 Shaffer Creek (WWF), is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

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 (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0294063**, Sewage, SIC Code 8811, **Ralph English**, 5020 Spring Road, Shermans Dale, PA 17090-8316. Facility Name: English Ralph Property. This proposed facility is located in Carroll Township, **Perry 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 Sherman Creek (WWF, MF), is located in State Water Plan watershed 7-A 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 .0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0294071**, Sewage, SIC Code 8811, **Kenneth A. Rhodes Jr.**, 150 Mink Hollow Road, Coasterville, PA 19320. Facility Name: Rhodes Property. This proposed facility is located in Lincoln Township, **Huntingdon 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 Raystown Branch Juniata River (WWF, MF), is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0023256**, Sewage, SIC Code 4952, **Upper Gwynedd Township**, 1 Parkside Place, North Wales, PA 19454-2526. Facility Name: Upper Gwynedd Township WWTP. This existing facility is located in Upper Gwynedd Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 6.4 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Total Dissolved Solids	XXX	XXX	XXX	1,000.0 Avg Qrtly	XXX	XXX
Selenium, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
4,4-DDE (ug/L)	XXX	XXX	XXX	0.049 Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Toxicity, Chronic - Pimephales Growth (TUC)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 6.4 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	470	705	XXX	8.8	13.2	17.6
May 1 - Oct 31	235	352	XXX	4.4	Wkly Avg 6.6	8.8
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	Wkly Avg XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	1,601	2,402	XXX	30.0	45.0	60
Total Suspended Solids	Report	XXX	XXX	Report	Wkly Avg XXX	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	105	XXX	XXX	1.95	XXX	3.9
May 1 - Oct 31	35	XXX	XXX	0.65	XXX	1.3
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Orthophosphate						
Nov 1 - Feb 28	53	XXX	XXX	1.00	XXX	XXX
Apr 1 - Oct 31	27	XXX	XXX	0.5	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX

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

- Dry stream discharge
- TRC limits when used for maintenance work
- Notification of designation of responsible operator
- Development and implementation of a O&M plan
- Fecal Coliform seasonal limits per DRBC regulation
- Hauled-in waste restriction
- POTW pretreatment program implementation
- Solids management for non-lagoon system
- WETT requirements without limits
- WQBEL below TQL
- Requirements applicable to stormwater outfalls with benchmark values
- Site specific copper criteria

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

The EPA Waiver is not in effect.

*Southeast Regional Office*

**PA0053279 A-1**, Sewage, SIC Code 4952, **The Mckee Group**, 1490 Durham Road, New Hope, PA 18938. Facility Name: Buckingham Springs Village. This existing facility is located in Buckingham Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Mill Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>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 Inst Min	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum Daily</i>	
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	13	XXX	XXX	15	XXX	30
May 1 - Oct 31	8.3	XXX	XXX	10	XXX	20
Total Suspended Solids	25	XXX	XXX	30	XXX	60
Total Dissolved Solids	1,251	XXX	XXX	1,500.0	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N						
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Jul 1 - Oct 31	6.7	XXX	XXX	8.0	XXX	16
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	5.8	XXX	XXX	7.0	XXX	14
May 1 - Oct 31	2.5	XXX	XXX	3.0	XXX	6
Total Phosphorus						
Nov 1 - Mar 31	1.7	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	1.1	XXX	XXX	1.5	XXX	3

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

I. Other Requirements

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP when Municipal Sewers Available
- E. Operator Notification
- F. Fecal Coliform Requirement
- G. Small Stream Discharge

II. Solids Management

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0052159**, Industrial, SIC Code 4941, **Aqua PA Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. Facility Name: Ridley Creek WTP. This existing facility is located in Middletown Township, **Delaware 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, Ridley Creek (HQ-TSF), is located in State Water Plan watershed 3-G and is classified for High Quality Waters—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 .15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75



<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>	
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	10
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are based on an emergency discharge.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	10
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 004 are based on a design flow of 1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.2
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permits
- D. Applicable BAT if Developed
- E. Chlorine Optimization
- F. TMDL/WLA Requirement
- G. Chemical Additive Condition
- H. Sedimentation Basin Cleaning

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0024082 A-3**, Sewage, SIC Code 4952, **Westmoreland County Municipal Authority**, P.O. Box 730, Greensburg, PA 15601-0730. Facility Name: Avonmore Borough STP. This existing facility is located in Avonmore Borough, **Westmoreland County**.

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

The receiving stream(s), Kiskiminetas River (WWF), is located in State Water Plan watershed 18-B 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 .19 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of .19 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	39.6	59.5	XXX	25.0	37.5	50
Total Suspended Solids	47.6	71.3	XXX	30.0	45.0	60

The proposed effluent limits for Outfall 001 are based on a design flow of .19 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .19 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	53.6	80.4	XXX	25.0	37.5	50
Total Suspended Solids	64.3	96.5	XXX	30.0	45.0	60

The proposed effluent limits for Outfall 001 are based on a design flow of .19 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .19 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>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
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX

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

- A revised compliance schedule in Part C.II of the permit.

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

The EPA Waiver is in effect.

---

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

---

*Northcentral Regional Office*

Applicant: **Robert A. Maguire Trust et. al**

Applicant Address: P.O. Box 400, McElhatten, PA 17748.

Application Number: **PAD 180030**

Application Type: New

Municipality/County: Gallagher Township, **Clinton County**

Total Earth Disturbance Area (acres): 25.7 acres

Surface Waters Receiving Stormwater Discharges: Trib to Chatham 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: This project is a 15-lot subdivision of a 135.48-acre parcel which will be sold for residential/recreational development.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 570-327-3693.

*Northwest Regional Office*

Applicant: **Municipal Authority of Buffalo Township**

Applicant Address: 707 South Pike Road, Sarver, PA 16055

Application Number: **PAD100021**

Application Type: New

Municipality/County: Buffalo Township, **Butler County**

Total Earth Disturbance Area (acres): 3.08 acres

Surface Waters Receiving Stormwater Discharges: UNTs Sarver Run HQ-TSF

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: Install approx. 7,000 ft of new 8-inch waterline via open cut and/or jack and bore to serve 82 residents in Sarver, site conditions will be restored to original conditions.

Special Conditions: Standard Part C, IX through M

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

*Northwest Regional Office*

Applicant: **New Leaf Energy Inc.**

Applicant Address: 55 Technology Drive, Suite 102, Lowell, MA 01581

Application Number: **PA320001D**

Application Type: New

Municipality/County: Green Township, **Indiana County**

Total Earth Disturbance Area (acres): 35 acres

Surface Waters Receiving Stormwater Discharges: UNT Repine Run HQ-CWF

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: Clearing/grubbing of a forested area in order to construct a 40-acre +/- solar farm with stormwater controls.

Special Conditions: Standard Part C IX through L

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

*Northwest Regional Office*

Applicant: **Maronda Homes LLC**

Applicant Address: 1383 State Route 30, Clinton, PA 15026

Application Number: **PAD100005**

Application Type: Renewal

Municipality/County: Buffalo Township, **Butler County**

Total Earth Disturbance Area (acres): 18 acres

Surface Waters Receiving Stormwater Discharges: UNT Sarver Run HQ-TSF

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: Residential development consisting of 71 single family homes and 133 townhouses, utilities, roadways and associated stormwater facilities along Riemer Road.

Special Conditions: Standard Part C IX through K

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

*Northwest Regional Office*

Applicant: **National Fuel Gas Distribution Corporation**

Applicant Address: 1100 State Street, Erie, PA 16501

Application Number: **PAD330009**

Application Type: New

Municipality/County: Barnett Township and Heath Township, **Jefferson County**

Total Earth Disturbance Area (acres): 3.42 acres

Surface Waters Receiving Stormwater Discharges: Truby Run HQ-CWF, EV 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: Replace approx. 5,250 feet of varying 6, 3, and 2-inch diameter steel natural gas pipeline with approx. 5,500 feet of 2-inch diameter plastic natural gas pipeline via open cut, pipe insertion and/or directional drill methods. All impacts will be temporary, and the sites restored to original condition.

Special Conditions: Standard Part C IX through M

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

*Northcentral Regional Office*

Applicant: **Robert A. Maguire et. al**

Applicant Address: P.O. Box 400, McElhatten, PA 17748

Application Number: **PAD180030**

Application Type: New

Municipality/County: Gallagher Township, **Clinton County**

Total Earth Disturbance Area (acres): 25.7 acres

Surface Waters Receiving Stormwater Discharges: Chatham Run, (HQ-CWF, MF) Class A Wild Trout

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: This project is a 15-lot subdivision of a 135.48-acre parcel which will be sold for residential/recreational development.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 570-327-3693.

*Southeast Regional Office*

Applicant: **Phoenixville Area School District**

Applicant Address: 386 City Line Ave, Phoenixville, PA 19460-4457

Application Number: **PAD150296**

Application Type: New

Municipality/County: East Pikeland Township, **Chester County**

Total Earth Disturbance Area (acres): 23.81 acres

Surface Waters Receiving Stormwater Discharges: Tributary 01549 to French Creek (TSF, MF) Tributary 01606 to Stony Run (HQ-TSF, 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: The proposed development includes a new school building, athletic fields and playgrounds, two parking lots, and utility infrastructure, and stormwater management facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Southeast Regional Office*

Applicant: **J.T. & M.R. Properties, LLC**

Applicant Address: 1130 Westminster Drive, Downingtown, PA 19335

Application Number: **PAD150286**

Application Type: New

Municipality/County: Honey Brook Township, **Chester County**

Total Earth Disturbance Area (acres): 3.58 acres

Surface Waters Receiving Stormwater Discharges: West Branch of Brandywine Creek (HQ-TSF)

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

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

Project Description: The applicant proposes to construct twenty four residential townhouse units on a 4.242-acre parcel located at 3125 Horseshoe Pike.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Southcentral Regional Office*

Applicant: **VFW Post 7012**

Applicant Address: 123 West Main Street, New Freedom, PA 17349

Application Number: **PAD670086**

Application Type: New

Municipality/County: New Freedom Borough, **York County**

Total Earth Disturbance Area (acres): 5 acres

Surface Waters Receiving Stormwater Discharges: UNT to South Branch Codorus Creek (WWF)

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: Project involves the construction of an 8,640-sf private club for the use of the Veterans of Foreign Wars (VFW) Post 7012. One driveway is proposed to connect the site to the existing park driveway.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4732.

*Southcentral Regional Office*

Applicant: **New View Corporation**

Applicant Address: P.O Box 6218, Harrisburg, PA 17112

Application Number: **PAD670010**

Application Type: Renewal

Municipality/County: Newberry Township, **York County**

Total Earth Disturbance Area (acres): 127 acres

Surface Waters Receiving Stormwater Discharges: UNT to Fishing Creek (TSF, 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: Construct 2 warehouses totaling 1.84 million square feet, parking, and access.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4732.

**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>
Star Rock Dairy Inc. 175 Chestnut Grove Road Conestoga, PA 17516	Lancaster County	311	3,401.17	Dairy	NA	Renewal

<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>
Keystone Dairy Ventures, LLC 324 Balance Meeting Road Peach Bottom, PA 17563	Lancaster County	695.6	1,550.63	Dairy	HQ	Renewal
James W. Bagley Farm CAFO 266 Piatt Road Shunk, PA 18616	Sullivan County	0.5	660.62	Swine Finishing	HQ	Renewal
Stonewall Pork, LLC 242 Alder Run Road Millerton, PA 16936	Tioga County	10	683.51	Swine	NA	Renewal
Will-O-Bett Farm 137 Bomboy Lane Berwick, PA 18603	Luzerne County	102.4	774.40	Swine & Cattle	NA	Renewal
David S. Kauffman 12050 Greenwood Road Huntingdon, PA 16652	Huntingdon County	145.1	789.15	Swine Beef	HQ	Renewal
Willard Hackman 1035 Dean Hill Road Wellsboro, PA 16901	Tioga County	450	703.93	Swine/Beef	NA	Renewal
S.&A. Kreider & Sons, Inc. 761 Spring Valley Road Quarryville, PA 17566	Lancaster County	1,824	5,595.7	Dairy	EV	Renewal
John Pfleeger 460 Gold Road Muncy, PA 17756	Northumberland County	349.4	724.9	Swine and Beef	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).**

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

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.*

**Application No. 3623525**, Construction, Public Water Supply.

Applicant	<b>Mt. Hope Nazarene Retirement Community</b>
Address	3026 Mt. Hope Home Road Manheim, PA 17545
Municipality	Rapho Township
County	<b>Lancaster County</b>
Responsible Official	Michele Tornabe 3026 Mt. Hope Home Road Manheim, PA 17545
Consulting Engineer	Charles A. Kehew, II, P.E. James R. Holley & Associates 18 S George St Suite 300 York, PA 17401
Application Received	June 26, 2023

Description This project includes moving two existing pressure tanks before all other treatment components and the addition of a water softening unit prior to phosphate injection.

## 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**O'Dowd SUS Pad**, Primary Facility ID # **783228**, 2411 State Route 3011, Meshoppen, PA 18630, 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 Notice of Intent to Remediate. Soil was contaminated by a release of production fluid (brine). The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on June 28, 2023. Application received: July 5, 2023.

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

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

**Price Battery Superfund Site**, Primary Facility ID # **651757**, 251 Grand Street, Hamburg, PA 19526, Hamburg Borough, **Berks County**. BAI Group, LLC, 341 10th Avenue, Suite 301, Royesford, PA 19446 on behalf of Steelsafe Storage Solutions, LLC, 2938 Columbia Avenue, Suite 401, Lancaster, PA 17603, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil & groundwater contaminated with metals. The site will be remediated to the Special Industrial Area Standard. Future use of the site is for nonresidential use. The Notice of Intent to Remediate was published in *Reading Eagle* on June 6, 2023. Application received: June 23, 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.*

**3060 South 61st Street**, Primary Facility ID # **708486**, 3060 South 61st Street, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Justin Kowalkoski, PG, Roux Associates, Inc., 402 Heron Drive, Logan Township, NJ 08085 on behalf of Michael Bennett, 3060 South 61st Owner, LLC, 2 Park Avenue, 14th Floor, New York, NY 10016, submitted a Notice of Intent to Remediate. Soil is impacted with SVOCs and groundwater with metals and PFAS. The proposed future use of the property is for nonresidential purposes. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *Daily News Legals* on May 5, 2023. Application received: May 5, 2023.

**Keystone Coke**, Primary Facility ID # **866620**, 600 River Road, Conshohocken, PA 19406, Upper Merion Township, **Montgomery County**. Adam Harbaugh, Synergy Environmental Inc., 155 Railroad Plaza, Royersford, PA 19468 on behalf of Jerry O'Connor, Innovation River Road, LLC, 2201 Renaissance Boulevard, Suite 410, King of Prussia, PA 19406, submitted a Notice of Intent to Remediate. Chemical contaminants of concern in soils are benzene, toluene, ethylbenzene, naphthalene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, and arsenic. Chemical contaminants of concern in groundwater are benzene, toluene, ethylbenzene, naphthalene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)fluoranthene, chrysene, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, cadmium, and lead. The site



is intended to be redeveloped for industrial and commercial purposes. The proposed cleanup standard for the site is the site-specific standard/Statewide health standard. The Notice of Intent to Remediate was published in *The Times Herald* on May 20, 2023. Application received: May 22, 2023.

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

**Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

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

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

**PA5213820892. Tobyhanna Army Depot**, 11 Hap Arnold Blvd, Tobyhanna, PA 18466, Coolbaugh Township, **Monroe County**. A permit renewal application for the continued operation of a hazardous waste storage facility. Application received: July 6, 2023. Deemed administrative complete: July 7, 2023.

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

#### RESIDUAL WASTE GENERAL PERMITS

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

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

*Contact: Lisa D. Houser, P.E., Facilities Manager, 570-327-3740.*

**WMGR163NC001. Chesapeake Appalachia LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Franklin Township, **Bradford County**. Permit application for the development of a short-term storage facility for produced fluids. Application received: June 29, 2023.

Comments or questions concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, 570-327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

*New Applications Received*

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

*Contact: Jonathan Adams.*

**Zero Waste Recycling, LLC**, 301 Dupree Street, Charlotte, NC 28208. **License No. PA-AH 0936**. Accepted: April 27, 2023.

*Renewal Applications Received*

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

*Contact: Jonathan Adams.*

**Energy Transportation, LLC**, P.O. Box 430, Bridgeport, WV 26330. **License No. PA-AH 0807**. Accepted: June 22, 2023.

**Good's Transport, LLC**, 526 Stricklerstown Road, Newmanstown, PA 17073. **License No. PA-AH 0911**. Accepted: June 29, 2023.

**Hittman Transport Services, Inc.**, P.O. Box 2530, Oak Ridge, TN 37830. **License No. PA-AH S239**. Accepted: June 22, 2023.

#### 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

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

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

*Contact: Raymond Kempa, Environmental Group Manager.*

**13-00001D: BEFESA Zinc US Inc.**, 900 Delaware Ave, Palmerton, PA 18071-2008, Palmerton Borough, **Carbon County**. Application received: June 29, 2023.

To incorporate conditions from their Consent Decree into the facilities Title V Operating Permit 13-00001.

#### 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 Hanlon, PE, East Permit Section Chief, 717-705-4862.*

**22-03112A: Highline Auto Parts**, 5320 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Application received: April 11, 2023. For the construction of an aluminum sweat furnace for the automobile dismantling and parts sales center. The potential emissions from the furnace will be approximately 3.11 tpy of NO<sub>x</sub>, 1.80 tpy of CO, 0.60 tpy of PM<sub>10</sub>, and 0.20 tpy of SO<sub>x</sub>. The facility is a State-Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology 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 proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an operating permit pursuant to the provisions of 25 Pa. Code Chapter 127.

*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.*

**15-0078I: Janssen Biotech, Inc./Malvern**, 200 Great Valley Parkway, Malvern, PA 19355, East Whiteland Township, **Chester County**. Application received: February 2, 2023. This action is for a plan approval for the installation and operation of two natural gas fired, internal combustion engine/electric generators (EGEN) to serve the needs of Building M6 and M11. The EGEN's will be used for emergency and non-emergency power generation, routine readiness testing and maintenance checks. The EGEN's will be rated at 2,000 kW and 2,500 kW, respectively. The facility currently has Synthetic Minor State emission limits of 24.9 tpy NO<sub>x</sub>, 3.97 tpy PM and 17.0 tpy SO<sub>x</sub>. The plan approval will not exceed these existing limits. The projected potential emissions for both generators combined are 2.18 tpy NO<sub>x</sub>, 4.35 tpy CO and 1.52 tpy VOC's. The Plan Approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**15-0078I: Janssen Biotech Inc./Malvern**, 200 Great Valley Pkwy, Malvern, PA 19355, East Whiteland Township, **Chester County**. Application received: February 2, 2023. This action is for a plan approval for the installation and operation of two natural gas fired, internal combustion engine/electric generators (EGEN) to serve the needs of Building M6 and M11. The EGEN's will be used for emergency and non-emergency power generation, routine readiness testing and maintenance checks. The EGEN's will be rated at 2,000 kW and 2,500 kW, respectively. The facility currently has Synthetic Minor State emission limits of 24.9 tpy NO<sub>x</sub>, 3.97 tpy PM and 17.0 tpy SO<sub>x</sub>. The plan approval will not exceed these existing limits. The projected potential emissions for both generators combined are 2.18 tpy NO<sub>x</sub>, 4.35 tpy CO and 1.52 tpy VOC's. The Plan Approval will include monitor-

ing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

### 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.

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

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

**08-00045, Hamilton Liberty LLC**, 151 Liberty Lane, Towanda, PA 18848, Asylum Township, **Bradford County**. Application received: October 19, 2022. The Department intends to issue a renewal Title V Operating Permit for the Hamilton Liberty electric generation facility. The facility is currently operating under Title V Operating Permit 08-00045. The facility's sources include two 2980 MMBtu/hr (HHV) Siemens SGT6-8000H lean premix DLN natural-gas-fired combustion turbines and steam turbines configured in a single shaft alignment and drive one common electric generator. Each unit will be equipped with approximately 164 MMBtu/hr (HHV) natural-gas-fired duct burners and heat-recovery-steam-generators. Additionally, there are also one 12.72 MMBtu/hr natural-gas-fired fuel heater, one 1,502 brake-horsepower diesel-fired emergency generator, one 460 brake-horsepower diesel-fired fire water pump, two diesel fuel storage tanks, two 15,000-gallon lube oil storage tanks, and one 15,000-gallon aqueous ammonia storage tank. The facility has potential annual emissions of 173.70 tons of carbon monoxide, 202.80 tons of nitrogen oxides, 26.80 tons of sulfur oxides, 107.40 tons of particulate matter including particulate matter less than 10 microns in size, 107.40 tons of particulate matter less than 2.5 microns in size, 60.20 tons of volatile organic compounds, 13.00 tons of hazardous air pollutants, and 2,777,255 tons of greenhouse gases. Revisions include incorporating applicable RACT III requirements of 25 Pa. Code §§ 129.111—129.115. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Part 60 Subparts IIII and KKKK; 40 CFR Part 63 Subpart ZZZZ; and 25 Pa. Code Article III, Chapters 121—145. Copies of the application, DEP's analysis and 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.

**47-00001, Montour LLC**, 18 McMichael Rd, Washingtonville, PA 17821, Derry Township, **Montour County**. Application received: December 30, 2022. In accordance

with 25 Pa. Code §§ 129.96—129.115, the Pennsylvania Department of Environmental Protection (DEP) has made a preliminary determination to approve an alternative Reasonably Available Control Technology (RACT 2 and 3) plan and seeks an approval of an amendment to the State Implementation Plan (SIP) for the Montour, LLC Steam Electric Station (SES). And in accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection intends to modify the facility's Title V Operating Permit. The proposed permit revision also includes applicable presumptive RACT 3 requirements for other existing sources at the facility. The facility is located at 18 McMichael Rd, Washingtonville, PA 17821. The facility's representative to contact concerning this application is Ms. Kathleen Potter, Senior Environmental Professional. Her phone number is 610-601-0305. The facility's major emission sources include two tangential bituminous coal-fired boilers with nominal maximum heat inputs of 7,317 and 7,239 MMBtu/hr, two No. 2 fuel oil-fired auxiliary boilers rated at maximum heat inputs of 249 and 269 MMBtu/hr, as well as emergency diesel engines and fire pumps. The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT 2 and 3 approval for the facility, which are intended to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standard (NAAQS) for ozone. The proposed amendments to the RACT 2 and 3 determinations, if finally approved, will be incorporated into a revised operating permit (47-00001) for the facility. The relevant RACT 2 and 3 requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT 2 or 3 determination will be excluded from the SIP submittal; this includes the provisions of the Department's presumptive RACT 3 requirements in accordance with 25 Pa. Code § 129.112, as they apply to existing sources. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. The following is a summary of the proposed amendments to the RACT 2 and 3 determination for this operation that will be submitted to the EPA as a SIP revision:

- The total combined NO<sub>x</sub> emissions from Units 1 and 2 shall not exceed 0.100 lb/MMBtu on a 30-operating day rolling average.
- Daily NO<sub>x</sub> emissions from Unit 1 shall not exceed 17,561 lb per unit operating day.
- Daily NO<sub>x</sub> emissions from Unit 2 shall not exceed 17,374 lb per unit operating day.
- Units 1 and 2 may not fire coal after December 31, 2025.
- The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits:
  - (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR Parts 60 and 75, Appendix F, Procedure 1;
  - (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR Part 75; and
  - (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C.



- The permittee shall:

(a) Operate the SCR systems associated Unit 1 and/or 2 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler.

(b) Utilize reagent in the SCR systems at a rate that its optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and

(c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions.

- The permittee shall create and maintain records of:

(a) the hourly heat input for each unit;

(b) The specific hourly ammonia injection amounts for each unit; and

(c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years.

- The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month reporting period. The periodic report shall contain data for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility.

- The permittee shall be in compliance with the case-by-case NO<sub>x</sub> RACT requirements within 45 days of the effective date of the modified TVOP 47-00001, except for the Facility-Wide 30-Operating Day Rolling Average NO<sub>x</sub> Emission Rate Requirement, for which the compliance date is the day that the permittee has operated for 30 operating days after, and possibly including, the initial compliance date.

- Units 1 and 2 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065. In the event there is a conflict between the FIP requirements and the conditions in TVOP 47-00001, the permittee shall comply with the more stringent provision. A public hearing will be held if requested by August 18, 2023 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on August 30, 2023, at 1:00 PM at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Megan Lehman at 570-327-3659. The last day to pre-register to speak at a hearing, if one is held, will be August 23, 2023. Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at: <https://www.dep.pa.gov/About/Regional/Northcentral-Regional-Office/Community-Information/Pages/default.aspx>. We ask that you contact Megan Lehman at 570-327-3659 or monitor our web site to determine if a hearing will be held. Persons wishing to present testimony at the hearing should contact Megan Lehman at 570-327-3659 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per indi-

vidual 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, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. A 30-day comment period from the date of this notice will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 and 3 Plan. All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Appointments for scheduling a review may be made by calling the Department at 570-327-0550. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Megan Lehman at 570-327-3659 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

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

**30-00077, Texas Eastern Transmission, LP/Holbrook Compressor Station**, 258 Bristoria Rd, Wind Ridge, PA 15380, Richhill Township, **Greene County**. Application received: April 28, 2022.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a permit renewal for the Title V Operating Permit for the continued operation of a natural gas compressor station located in Richhill Township, Greene County.

Holbrook Compressor Station functions as one of a series of compressor stations along the interstate pipeline system for the transport, storage, and distribution of natural gas from the Gulf Coast region of the U.S. to the mid-Atlantic and Northeastern U.S. markets. This transmission system boosts pressure in order to maintain flow of the natural gas.

The main emissions sources at Holbrook Station are 12 compressor engines, 3 turbines, and 3 emergency generators, all fired on natural gas. Other air contamination sources include area fugitives, storage tanks and pressure vessels, small gas heaters, a parts washer, and gas release events.

Emissions from the two most recently installed turbines are controlled by oxidation catalysts. The four Cooper-Bessemer GMV-10 engines are limited to no more than 286 hours of operation per 12-consecutive month period (12-cmp) each. The four Cooper-Bessemer GMVA-10 en-



gines are limited to no more than 714 hours/12-cmp each. The four Ingersoll-Rand KVS-1-412 engines are limited to no more than 556 hours/12-cmp each. The 675-hp and 579-hp emergency generators are limited to no more than 550 hours/12-cmp each. The 440-emergency generator is limited to 50 hours of non-emergency operation per 12-cmp and 100 total hours of maintenance activities.

Annual facility-wide potential emissions are 134 tons of CO, 176 tons of NO<sub>x</sub>, 105 tons of VOC, 25 tons of SO<sub>x</sub>, 13 tons of PM<sub>10</sub>, 18 tons of total HAPs, and 8 tons of formaldehyde. Annual emission of greenhouse gases is 286,130 tons per year. Sources at the Holbrook Compressor Station are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60 Subpart GG—Standards of Performance for Stationary Gas Turbines, 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 60 Subpart KKKK—Standards of Performance for Stationary Combustion Turbines, 40 CFR Part 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Engines, and 25 Pa. Code Chapters 121—145. (Air Resources). The permit includes emission limitations and operational, monitoring, testing, recordkeeping, work practice, and reporting requirements for the plant.

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 Title V 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 (30-00077) 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.

## 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.

*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.*

**40-00008, Offset Paperback Manufacturers, Inc.**, 2211 Memorial Highway, Dallas, PA 18612, Dallas Borough, **Luzerne County**. Application received: May 17, 2023. The Department intends to issue a renewal State-Only Operating Permit for their print and bind paperback books manufacturing facility. 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.

**40-00063, Kappa Graphics, LP**, 50 Rock St., Hughestown, PA 18640, Hughestown Borough, **Luzerne County**. Application received: March 9, 2023. The Department intends to issue a renewal State-Only Operating Permit for their offset lithographic printing facility. 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.

**40-00110, Quality Collision, Inc.**, 365 Courtdale Ave., Courtdale, PA 18704, Courtdale Borough, **Luzerne County**. Application received: May 23, 2023. The Department intends to issue a renewal State-Only Operating Permit for the operation of spray booths at their painting and refinishing of miscellaneous parts facility. 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.

**40-00145, Utz Quality Foods, LLC**, 900 High St., Hanover, PA 17331, Hanover Borough, **Luzerne County**. Application received: May 31, 2023. The Department intends to issue an initial State-Only Operating Permit for their snack chip products manufacturing facility. 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.

**40-00076, Wilkes-Barre Materials, LLC**, 500 Chase Rd., Shavertown, PA 18706, Plains Township, **Luzerne County**. Application received: June 7, 2023. The Department intends to issue a renewal State-Only Operating Permit for their non-metallic mineral mining and processing and hot mix asphalt production. 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.

*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.*

**06-05104, New Enterprise Stone & Lime Company Inc./Evansville Quarry**, 537 Evansville Road, Fleetwood, PA 19522, Maiden Creek Township, **Berks County**. Application received: December 29, 2022. To issue a State Only Operating Permit for the quarry. The actual emissions from the facility in 2022 year are estimated at 11.98 tpy of NO<sub>x</sub>, 0.31 tpy of CO, 1.54 tpy of PM<sub>10</sub>, 0.01 tpy of SO<sub>x</sub> and 0.63 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

**36-03142, H & K Group, Inc./Silver Hill Quarry**, 2052 Lucon Road, Skippack, PA 19474, Brecknock Township, **Lancaster County**. Application received: April 26, 2023. For their crushing operation. The facility's potential to emit (PTE) is 17.61 tons of PM. 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 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Processing Plants for equipment that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008.

*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.*

**15-00018, Vanguard/Frazer**, 31 Brennan Blvd, Malvern, PA 19355, East Whiteland Township, **Chester County**. Application received: October 7, 2022. A permit renewal for Vanguard which owns the office space, the facility accommodates workstations and ancillary systems in support of a range of positions in the financial services industry. As part of facility operations, Vanguard operates three hot water boilers and four diesel fired reciprocating internal combustion engines that each power an emergency generator to provide power to the facility. The company has an emission limit of 24.9 tons per year of NO<sub>x</sub>. No changes to the current operating process have been proposed. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**15-00018, Vanguard/Frazer**, 31 Brennan Blvd, Malvern, PA 19355, East Whiteland Township, **Chester County**. Application received: October 7, 2022. A permit renewal for Vanguard which owns the office space, the facility accommodates workstations and ancillary systems in support of a range of positions in the financial services industry. As part of facility operations, Vanguard operates three hot water boilers and four diesel fired reciprocating internal combustion engines that each power an emergency generator to provide power to the facility. The company has an emission limit of 24.9 tons per year of NO<sub>x</sub>. No changes to the current operating process have

been proposed. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

*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.*

**11-00289, North American Hognas/High Alloys Plant**, 101 Bridge St., Johnstown, PA 15902, City of Johnstown, **Cambria County**. Application received: April 6, 2023. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a renewal natural minor State Only Operating Permit for a manufacturer of powdered metals located in Johnstown Municipality, Cambria County. North American Höganäs primarily manufactures high purity copper and stainless-steel powders and some non-ferrous and ferrous products. The facility consists of an electrolytic iron production department, an alloy department, a glidcop department, a fine metal department, three emergency generators, and a parts washer. This facility has a potential to emit 4.7 tons/12-consecutive month period (12-cmp) of NO<sub>x</sub>, 3.9 tons/12-cmp of CO, 0.03 ton/12-cmp of SO<sub>x</sub>, 2.3 tons/12-cmp of VOCs, 0.6 ton/12-cmp of PM, and 0.04 ton/12-cmp total HAPs. 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 (11-00289) 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: Raymond Kempa, New Source Review Chief, 570-826-2531.*

**35-00080A, SVP Aggregates, LLC**, 101 Power Boulevard, Archbald, PA 18403, Archbald Borough, **Lackawanna County**. Application received: May 18, 2023. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to SVP Aggregates, LLC. This Plan Approval No. 35-00080A will be incorporated into a Synthetic Minor Permit at a later date. Plan Approval No. 35-00080A is for the construction and operation of Hot Mix Asphalt (HMA) plant fueled by natural gas and using a Recycled Asphalt Pavement (RAP) system which includes one (1) inertial collector and one (1) baghouse as an air pollution control device(s). Particulate Matter (PM) emissions from the plant will remain under their 100 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.13 for PM emissions. These limits will meet BAT requirements for this source. The company shall also be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. 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. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711. 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. 35-00080A 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 Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, 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.			

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

Contact: Bonnie Herbert, Clerical Assistant 3.

**Mining Permit No. 30121301. NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Center Township, **Greene County**. To revise the permit and related NPDES permit for installation of bleeder facility and one (1) new NPDES discharge point affecting 20.8 proposed surface acres. Application received: May 18, 2023. Accepted: July 5, 2023.

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. 11070201. Ridge Energy Company**, 265 Swamp Road, Clymer, PA 15728, Washington Township, **Cambria County**. Renewal for reclamation only of a coal refuse reprocessing surface affecting 87.8 acres. Receiving streams: unnamed tributary to/and Bear Rock Run and Burgoon Run classified for the following use: CWF. Application received: July 7, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

**Mining Permit No. 54910205. Penn Equipment Corp.**, 15 Main Street, Port Carbon, PA 17965, West Mahanoy Township, **Schuylkill County**. Renewal for reclamation activities only of an anthracite coal refuse reprocessing operation affecting 12.5 acres. Receiving stream: Little Mahanoy Creek, classified for the following uses: CWF, MF. Application received: June 30, 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

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

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

Contact: Cassie Stanton, Clerical 2 Assistant.

**Mining Permit No. 17950801. PA0269832. James W. Confer**, 153 Confers Lane, Spring Mills, PA 16875, Potter Township, **Centre County**. Renewal of an NPDES permit associated with a small noncoal (industrial minerals) mining site affecting 3.0 acres. Receiving stream(s): UNT to Muddy Run classified for the following use(s): HQ—CWF, MF. Application received: July 7, 2023. Accepted: July 7, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

**Mining Permit No. 58100302. NPDES Permit No. PA0224855. William M. Ruark**, P.O. Box 127, Meshoppen, PA 18630, Dimock Township, **Susquehanna County**. Renew NPDES Permit on a quarry operation affecting 65.0 acres. Receiving streams: UNT to Elk Lake Stream and West Creek, Classified for the following uses: CWF, MF. Application received: June 23, 2023.

**Mining Permit No. 5278SM4. Pocono Sand & Stone, LLC**, P.O. Box 540, Newfoundland, PA 18445,

Greene Township, **Pike County**. Transfer of a quarry operation from G.F. Edwards, Inc. affecting 67.0 acres. Receiving stream: Wallenpaupack Creek, classified for the following uses: HQ—CWF, MF. Application received: June 20, 2023.

**Mining Permit No. 52970301. NPDES Permit No. PA0226033. Pocono Sand & Stone, LLC**, P.O. Box 540, Newfoundland, PA 18445, Greene Township, **Pike County**. Transfer of a quarry operation and NPDES Permit from G.F. Edwards, Inc. affecting 105.56 acres. Receiving stream: Wallenpaupack Creek, classified for the following uses: HQ-CWF, MF. Application received: June 20, 2023.

**Mining Permit No. 8275SM2. NPDES Permit No. PA0593885. New Enterprise Stone & Lime Co., Inc.**, 3912 Brumbaugh Road, New Enterprise, PA 16664, Earl and Ephrata Townships, **Lancaster County**. Correction to increase the discharge rate on NPDES Point 002 affecting 261.0 acres. Receiving streams: Conestoga River and UNT to Conestoga River, classified for the following use: WWF. Application received: June 23, 2023.

**Mining Permit No. 58080301. NPDES Permit No. PA0226211. PA Bluestone Supply, LLC**, 985 Pinetree Way, Lancaster, PA 17601, Harmony Township and



Lanesboro Borough, **Susquehanna County**. Transfer of a quarry operation and NPDES Permit from WM Quarries, LLC affecting 465.6 acres. Receiving streams: Starucca Creek and Canawacta Creek, classified for the following uses: CWF, MF. Application received: June 30, 2023.

## 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)).

*Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.*

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

**E5929223-001. Repsol Oil & Gas USA**, 337 Daniel Zenker Drive, Horseheads, NY 14845, Union Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 26, 2023.

To construct, operate, and maintain:

1. (Stream 1) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 50 linear feet of an unnamed tributary to Sugar Works Run (HQ-CWF) (Gleason, PA Quadrangle 41.637483°, -76.943487°);

2. (wetland 1) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 4,449 square feet of an exceptional value

palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41.635148°, -76.943388°);

3. (Wetland 3) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 4,600 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41.632155°, -76.943505°);

4. (Wetland 4) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 936 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Gleason, PA Quadrangle 41.631416°, -76.943942°);

5. (Stream 15) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 58 linear feet of a Sugar Works Run (HQ-CWF) (Gleason, PA Quadrangle 41.630633°, -76.943874°);

6. (Stream 18) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 57 linear feet of an unnamed tributary to Sugar Works Run (HQ-CWF) (Gleason, PA Quadrangle 41.625245°, -76.942488°);

7. (Stream 15) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 58 linear feet of a Sugar Works Run (HQ-CWF) (Ralston, PA Quadrangle 41.623036°, -76.940325°);

8. (Stream 14) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 57 linear feet of an unnamed tributary to Sugar Works Run (HQ-CWF) (Ralston, PA Quadrangle 41.621128°, -76.937818°);

9. (Stream 6) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 56 linear feet of an unnamed tributary to Sugar Works Run (HQ-CWF) (Ralston, PA Quadrangle 41.621129°, -76.93693°).

The project will result in 336 linear feet of temporary stream impacts, 9,049 square feet (0.21 acre) of temporary wetland impacts and 936 square feet of permanent wetland impacts all for the purpose of installing a natural gas pipeline in Union Township, Tioga County.

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

*Contact: Stephen Kardohely, Project Manager, 814-342-8216.*

**E5304223-001. Gary Denhoff**, 15 Summit Road, Coudersport, PA 16915, Hebron Township, **Potter County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: June 14, 2023.

Gary Denhoff is applying for an After-the-Fact Chp. 105 Small Projects permit for the installation and maintenance of a stream crossing consisting of two 36" diameter corrugated pipes and associated fill on a private access road. This crossing replaces a 20" corrugated metal pipe crossing. There are no anticipated adverse impacts to waters of the U.S. or aquatic resources from this crossing project. The drainage area at the crossing site is 1.59 square miles. The stream is South Branch Oswayo Creek and is listed in the Pa. Code Chapter 93 designation use of Exceptional Value (EV). Latitude: 41° 52' 39.88", Longitude: -77° 59' 3.85".

**E1704223-002. The Salvation Army**, 700 N. Bell Avenue, Carnegie, PA 15106, City of DuBois, **Clearfield County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: June 28, 2023.

The Salvation Army is applying for a Chp. 105 Small Projects permit for the construction of a 2,142 square foot addition to their existing facility. There are no anticipated adverse impacts to wetlands or waters of the U.S. or aquatic resources from this crossing project. The proposed project is located within the floodway of Pentz Run which is listed in the Pa. Code Chapter 93 designation use of Cold Water Fishery (CWF). Latitude: 41° 7' 7.95", Longitude: -78° 45' 55.78".

*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.*

**E4502223-004. Sean Pincus**, 266 Krams Ave., Philadelphia, PA 19128, Coolbaugh Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: April 28, 2023.

To permanently impact 0.01 acre of PFO EV wetland for the purposes of construction a 12-foot wide by 50-foot long driveway crossing and construction of a 4-foot by 40-foot long elevated wooden walkway to provide access to Arrowhead Lake. Project also includes the construction and maintenance of a 15-foot long by 10-foot wide floating dock in Arrowhead Lake. The project is located in Arrowhead Lake Community, Lot 32, Block A-41, Section 10MN (Parcel 03.20A.1.68) along Lake Shore Drive approximately 270-feet West of intersection with N. Arrow Drive in Coolbaugh Township, Monroe County. (Thornhurst, PA Quadrangle; Latitude: 41.157772, Longitude: -75.562430).

**E4502223-007. William Gillard**, 461 Wigard Ave., Philadelphia, PA 19128, Tobyhanna Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: June 5, 2023.

To construct and maintain a 20-foot wide by 15-foot long section of floating dock within the basin of Arrowhead Lake (EV). The project is located at 7540 Lakeshore Drive in Arrowhead Lake Community (Thornhurst, PA Quadrangle; Latitude: 41.154768; Longitude -75.577242) in Tobyhanna Township, Monroe County. Latitude: 41.154768°, Longitude: -75.577242°.

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

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

**E2301223-004. Marple Township**, 277 South Sproul Road, Broomall, PA 19008, Marple Township, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District. Application received: June 27, 2023.

To construct and maintain the following listed water obstruction and encroachment activities associated with the Paxon Hollow Country Club Rehabilitation Project (township-owned) which includes the reconstruction of three holes, construction of a driving range, practice putting area, new pro-shop building, cart paths, and parking lot expansion. Marple Township is seeking permitting to enclose approximately 463 linear feet (stream enclosure) of the UNT Trout Run (WWF, MF) and place a fill in the stream impacting 0.041 acre of wetland. The site is located at 850 Paxon Hollow Road in Media, (Lansdowne, PA USGS map) Marple Township, Delaware County. Latitude: 39.959286°, Longitude: -75.372635°.

**E1501123-012. Pennsylvania Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA

19406, West Goshen Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: June 30, 2023.

PennDOT District 6-0 is proposing to construct and maintain a 20.5 to 22.5-foot-high precast modular retaining wall located parallel to an unnamed tributary to Taylor Run (TSF-MF) in place of a deteriorated SR 322/West Chester Bypass roadway embankment and shoulder due to remnants of Hurricane Ida. This activity includes the placement of riprap scour protection along the wall, the placement of two rock vanes, placement of rock slope protection, and the replacement of an 18-inch diameter RCP outfall structure resulting in 89.3 linear feet (297 square feet, 0.007 acre) of permanent watercourse impact, 11,084 square feet (0.254 acre) of permanent floodway impact, 118.7 linear feet (553 square feet, 0.123 acre) of temporary watercourse impact due to the stream diversion system, and 577 square feet (0.123 acre) of temporary floodway impact for E&S controls and construction access. This project is located along the West Chester Bypass west of the SR 322/SR 202 interchange in West Goshen Township, Chester County (USGS PA West Chester Quadrangle). Latitude: 39.979044°, Longitude: -75.602140°.

**E2301223-005. Delaware County Regional Water Quality Control Authority (DELCORA)**, P.O. Box 999, 100 East 5th Street, Chester, PA 19013, City of Chester, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District. Application received: July 5, 2023.

DELCORA is proposing to construct and maintain a new outfall consisting of a 560-foot-long, 98.4-inch diameter HDPE outfall pipe with multiport diffusers, outfall junction box, and an effluent channel extended from the existing chlorine contact tank (CCT) effluent chamber to the new outfall junction box, all located approximately 30 feet upstream of an existing outfall structure within the Delaware River (WWF). This activity includes the installation of temporary sheet piles to aid with dredging operations for a 15-foot-wide trench, placement of the outfall pipe within the trench and then filling around the outfall pipe with dredged material and No. 57 stone resulting in 560 linear feet (perpendicular to flow, 8,400 square feet) of permanent watercourse impact with an additional 7.76 square feet of permanent watercourse impact associated with a concrete anchor tethered to a danger buoy just beyond the termination of the outfall pipe. This project is located at the DELCORA Western Regional Treatment Plant in the City of Chester, Delaware County (USGS PA Marcus Hook Quadrangle). Latitude: 39.822755°, Longitude: -75.388880°.

**E4601223-023. Upper Gwynedd Township**, 1 Parkside Place, North Wales, PA 19454, Upper Gwynedd Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: June 21, 2023.

To restore, stabilize, and maintain an approximately 2,375 linear feet section of the Haines Run (WWF-MF) from the confluence with the Wissahickon Creek and spanning upstream, associated with the stream restoration, and to stabilize the eroded streambanks. The streambanks will be regraded and stabilized with biodegradable erosion control matting, vegetated coir logs, and landscape vegetation. The site is located at 261 Township Line Road, North Wales (Lansdale, PA USGS Quadrangles) in Upper Gwynedd Township, Montgomery County. Latitude: 40.197233°, Longitude: -75.279056°.



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

*Contact: Dana Drake, Program Manager.*

**E2605123-001. PennDOT District 12-0**, 825 North Gallatin Avenue Ext, Uniontown, PA 15401, Nicholson Township, **Fayette County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 11, 2023.

The applicant is proposing to: Remove the existing, 17.6' wide, 8.25' high, 23.82' long, concrete encased steel I-beam bridge, and to construct and maintain a replacement, 18' wide, 8.5' high, 60' long Precast Concrete Box Culvert, with end sections, in Jacobs Creek (WWF), and to construction and maintain stream bank protection along 25 LF on the upstream side, and along 20 LF on the downstream side, of the proposed culvert. Cumulatively, the project will have a permanent impact of 135 LF, and a temporary impact of 170 LF, on Jacobs Creek (WWF). For the purpose of replacing the structure carrying SR 3008 over Jacobs Creek (WWF). The project site is located near the intersection of Konicki Road and Willow Grove Road (Masontown, PA USGS topographic quadrangle; N: 40°, 4', 59.4522"; W: -79°, 28', 12.2496"; Sub-basin 19G) Latitude: 40° 4' 59.4522", Longitude: -79° 28' 12.2496".

**E0205222-020. Elizabeth and Leigh Renninger**, 4131 Greensburg Pike, Pittsburgh, PA 15221, Wilkins Township, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 16, 2022.

The applicant proposes to: 1. Construct and maintain a culverted road crossing, consisting of a 142" wide by 91" tall by 21' long corrugated metal pipe arch culvert and gabion headwalls, for driveway across an unnamed tributary (UNT) to Deer Creek (CWF). The culverted crossing and driveway will permanently impact approximately 21 linear feet (LF) of watercourse and 1,596 square feet (SF) of floodway. 2. Construct and maintain four (4) utility line crossings of a UNT to Deer Creek. Utility lines consist of one (1) 3.6" potable water line, one (1) 3.6" electric line, one (1) 3.6" gas line, and one (1) 3.6" sanitary sewer line. These utility line crossings will be collocated with the culverted stream crossing and driveway. Each utility line will permanently impact approximately 1.5 linear feet of watercourse and 114 SF of floodway. Cumulatively, these utility lines will permanently impact approximately 6 LF of watercourse and 456 SF of floodway. 3. Construct and maintain two (2) temporary coffer dams and a pumped stream diversion that will temporarily impact 30 LF of watercourse. For the purpose of providing access and necessary utilities to a private, single-family residence. Cumulatively, the project will permanently impact 57 LF of watercourse and 2,052 SF of floodway. Cumulatively, the project will temporarily impact 31 LF of watercourse. The project site is located on the southwest side of McMorrان Road, about 650 feet northwest of the McMorrان Road/Clendenning Road intersection, and about 3,000 feet south of the McMorrان Road/Bakerstown Road intersection (Valencia, PA USGS topographic quadrangle; N: 40°, 38', 35.56"; W: -79°, 55', 23.23"; Sub-basin 18A).

**E0205223-002. Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, City of Pittsburgh, Baldwin Borough, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 17, 2023.

The applicant proposes to: Construct and maintain utility line crossings of twelve (12) unnamed tributaries

(UNTs) to Becks Run (WWF), Becks Run (WWF), and four (4) PEM wetlands, consisting of two (2) parallel 42-inch diameter pipes, for the purpose of abandoning and replacing approximately 1.8 miles of existing raw water mains, consisting of three (3) existing 24-inch diameter mains, within Becks Run Road in Baldwin Borough and the City of Pittsburgh. In addition, a 36-inch diameter temporary pipe will be installed within an existing easement for a 36-inch diameter water main which runs parallel to Becks Run Road to maintain service during construction. The proposed project will result in the following total impacts: 720 square feet (0.017 acre) and 40 linear feet of permanent stream impacts 1,999 square feet (0.046 acre) and 351 linear feet of temporary stream impacts 2,733 square feet (0.063 acre) of permanent floodway impacts 9,310 square feet (0.214 acre) of temporary floodway impacts 8,355 square feet (0.192 acre) of temporary wetland impacts. The project site is located along and in Becks Run Road between East Carson Street and Agnew Road (Pittsburgh East, PA USGS topographic quadrangle; N: 40°, 24', 38"; W: -79°, 57', 23"; Sub-basin 19A).

**E0405223-002. Chippewa Township**, 2811 Darlington Road, Beaver Falls, PA 15010, Chippewa Township, **Beaver County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 17, 2023.

The applicant proposes to:

1. Remove existing Culv 01, an existing pipe arch CMP 36' x 9' pipe culvert and to construct and maintain a replacement elliptical CMP 40' x 15' which carries Woodland Rd over Brady Run.
2. R01(01) Construct and maintain stream bank stabilization consisting of R-8 rip-rap along 44 lf, 5' deep, and 4' high (880 cf) within Brady Run TSF upstream of the aforementioned culvert.
3. R01(02) Stabilize the stream bank by installing R-8 rip-rap along 64 lf, 5' deep, and 4' high (1,280 cf) within watercourse of Brady Run.
4. R02(03) Stabilize the stream bank by installing R-8 rip-rap along 32 lf, 5' deep, and 4' high (640) within the watercourse of a UNT to Brady Run.
5. R02(04) Stabilize the stream bank by installing R-8 rip-rap along 122 lf, 5' deep, and 4' high (2,440) within the watercourse of a UNT to Brady Run.
6. Stabilize the stream bank by removing a concrete pad near the (R01) Culvert.
7. Remove existing Culv 02, consisting of two existing elliptical CMP 36' x 3' culverts and to construct and maintain a replacement elliptical CMP 40' x 11' which carries Woodland Rd over a UNT to Brady Run.
8. Construction of general sitework of 137' by 81' at a 2' depth within the floodway of Brady Run.
9. Construction of general sitework of 116' by 124' at a 2' depth within the floodway of UNT to Brady Run.
10. Install a step pool of 22' by 20' at a 3' depth within the watercourse of Brady Run.
11. Install a step pool of 15' by 15' at a 3' depth within the watercourse of UNT to Brady Run. For the purpose of replacing the existing deteriorated culverts and stabilizing the streambed to improve the passage of aquatic life.

The project will cumulatively and permanently impact 357 LF of watercourse and 0.292 acre of floodway. The project will cumulatively and temporarily impact 253 LF of watercourse and 0.585 acre of floodway. The project site

is located near the intersection of Constitution Blvd and Woodland Rd (Beaver Falls, PA USGS topographic quadrangle; N: 40° 45' 33.43"; W: -80° 21' 10.64"; Sub-basin 20B).

**E0205123-009. PennDOT District 11-0.** 45 Thoms Run Road, Bridgeville, PA 15017, West Mifflin Borough, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: August 5, 2022.

The applicant proposes to: Replace and maintain an existing 18" pipe, having a temporary impact of 37 LF and permanent impact of 30 LF, to a second UNT to Monongahela River (WWF). Construct and maintain a 62 LF extension and a rock apron, to an existing 30" pipe, having a temporary impact of 34 LF and permanent impact of 70 LF, to a third UNT to Monongahela River (WWF). Construct and maintain a 42 LF extension and a rock apron, to an existing 18" pipe, having a temporary impact of 31 LF and permanent impact of 17 LF, to a fifth UNT to Monongahela River (WWF). Construct and maintain a 40 LF extension and a rock apron, to an existing 54" pipe, having a temporary impact of 36 LF and permanent impact of 40 LF, to a sixth UNT to Monongahela River (WWF). Construct and maintain a

20 LF rock slope embankment, having a temporary impact of 35 LF and permanent impact of 20 LF, to a fourth UNT to Monongahela River (WWF). Construct and maintain rock slope and sheet pile, having a temporary impact of 4,970 LF and permanent impact of 4,445 LF, to Monongahela River (WWF). For the purpose of repairing a slope failure and roadway widening of SR 0837. The project site is located near the intersection of Clairton Dravosburg Road and Lebanon School Road (Glassport, PA USGS topographic quadrangle; N: 40°, 19', 45.2734"; W: 79°, 53', 53.1853"; Sub-basin 19A).

**E1105222-002. Berkebile Excavating Company, Inc.** P.O. Box 358, Tire Hill, PA 15959, Richland Township, **Cambria County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 6, 2022.

The applicant is proposing to: Place and maintain fill in 0.023 acre of a de minimus PEM wetland, for the purpose of expanding the Zepka clean fill site. The project will permanently impact 0.023 acre of PEM wetland. The project site is located approximately 2,000 feet south of Eisenhower Boulevard at the end of Bradley Road (Geistown, PA USGS topographic quadrangle; N: 40°, 15', 26.79"; W: -78°, 52', 23.95"; Sub-basin 18E).

---

## 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](http://www.dep.pa.gov/CWPUBLICNOTICE).

DEP office contact information to review official files relating to the final actions in Section I is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.*

*DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.*

*DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.*

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

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



Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

**I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.**

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA540001D	Chapter 102 Individual NPDES Permit	Issued	PPL Electric Utilities Corp 827 Hausman Road Genn4 Allentown, PA 18104-9392	Butler Township Schuylkill County	NERO
PAD070017	Chapter 102 Individual NPDES Permit	Issued	Curry Excav Inc. 111 Jospen Court Altoona, PA 16602-7525	Antis Township Blair County	SCRO
PAD140059	Chapter 102 Individual NPDES Permit	Issued	The PA State University 139j Physical Plant Building University Park, PA 16802-1118	College Township Centre County	NCRO
PAD140061	Chapter 102 Individual NPDES Permit	Issued	State College Area School District 240 Villa Crest Drive State College, PA 16801-7951	State College Borough Centre County	NCRO
PAD280010	Chapter 102 Individual NPDES Permit	Issued	Guilford Township Water Authority Franklin County 115 Spring Valley Road Chambersburg, PA 17202-9079	Guilford Township Franklin County	SCRO
PAD390101	Chapter 102 Individual NPDES Permit	Issued	Wedgewood Land LP 201 King of Prussia Road Suite 370 Radnor, PA 19067	Upper Saucon Township Lehigh County	NERO
PAD450124	Chapter 102 Individual NPDES Permit	Issued	Suburban Realty LP 330 Oakford Road Clarks Summit, PA 18411	Stroud Township Monroe County	NERO
PAD450176	Chapter 102 Individual NPDES Permit	Issued	Thomson Logistics Assets LLC c/o Mapletree US Management LLC 5 Bryant Park Rm 28 New York, NY 10018-0985	Coolbaugh Township Monroe County	NERO

## NOTICES

3875

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD480173	Chapter 102 Individual NPDES Permit	Issued	CRG Service Management LLC 7800 Forsyth Boulevard Saint Louis, MO 63105-2591	Plainfield Township Northampton County	NERO
PAD520048	Chapter 102 Individual NPDES Permit	Issued	May Aaron P.O. Box 536 Milford, PA 18337-0536	Milford Township Pike County	NERO
PAD670064	Chapter 102 Individual NPDES Permit	Issued	Old York Developers LLC 4500 Cameron Valley Parkway # 400 Charlotte, NC 28211-3552	Fairview Township York County	SCRO
PAS206101	Industrial Stormwater Individual NPDES Permit	Issued	Nobelclad A DMC Co. P.O. Box 317 1138 Industrial Park Drive Mount Braddock, PA 15465-0317	Dunbar Township Fayette County	SWRO
0213813	Joint DEP/PFBC Pesticides Permit	Issued	Diamond Run Golf Course 132 Laurel Oak Drive Sewickley, PA 15143-9385	Ohio Township Allegheny County	SWRO
0215801	Joint DEP/PFBC Pesticides Permit	Issued	Fields of Nicholson HOA 20475 Rte 19 Suite 4 Cranberry Twp, PA 16066	Franklin Park Borough Allegheny County	SWRO
0918817	Joint DEP/PFBC Pesticides Permit	Issued	Rabbit Run Creek HOA 975 Easton Road Suite 102 Warrington, PA 18976-1858	New Hope Borough Bucks County	SERO
0923808	Joint DEP/PFBC Pesticides Permit	Issued	Clift Matthew 4285 Applebutter Road Perkasie, PA 18944-4306	Bedminster Township Bucks County	SERO
0923809	Joint DEP/PFBC Pesticides Permit	Issued	Stoneback Jason 811 Thousand Acre Road Sellersville, PA 18960-1047	West Rockhill Township Bucks County	SERO
1023818	Joint DEP/PFBC Pesticides Permit	Issued	Katie Shuty 137 Link Lane Slippery Rock, PA 16057-4421	Slippery Rock Township Butler County	NWRO
1023819	Joint DEP/PFBC Pesticides Permit	Issued	Rick Beahm 360 W Main Street Evans City, PA 16033-1236	Forward Township Butler County	NWRO
2019812	Joint DEP/PFBC Pesticides Permit	Issued	Bob Joyce 15319 Windfall Road Titusville, PA 16354	Oil Creek Township Crawford County	NWRO
4323804	Joint DEP/PFBC Pesticides Permit	Issued	Trina Rich 8568 Orangeville Road Sharpsville, PA 16150-8403	South Pymatuning Township Mercer County	NWRO
4623811	Joint DEP/PFBC Pesticides Permit	Issued	Rhoads Dave 2040 Weber Road Lansdale, PA 19446-5919	Worcester Township Montgomery County	SERO
5623800	Joint DEP/PFBC Pesticides Permit	Issued	Vencill Jim and Carol 2867 Copper Kettle Highway Rockwood, PA 15557-7210	Milford Township Somerset County	SWRO
6313808	Joint DEP/PFBC Pesticides Permit	Issued	Meadow Lake Homeowners Assoc 317 Fieldbrook Drive Washington, PA 15301-8965	North Strabane Township Washington County	SWRO
6517802	Joint DEP/PFBC Pesticides Permit	Issued	Haney Valerie 709 Pine Run Road Apollo, PA 15613	Washington Township Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0021598	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Conneaut Lake Joint Municipal Authority Crawford County P.O. Box 277 9888 Highway 285 Conneaut Lake, PA 16316-0277	Sadsbury Township Crawford County	NWRO
PA0219045	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Apollo Ridge School District 1825 State Route 56 Spring Church, PA 15686-9735	Kiskiminetas Township Armstrong County	NWRO
PA0221783	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Smg Development LLC 120 State Route 908 Ext Tarentum, PA 15084-2911	Mercer Township Butler County	NWRO
PA0228249	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Eagle Creek LLC 1454 Martin Street State College, PA 16803-3065	Union Township Centre County	NCRO
1405201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Hanover Foods Corp 3008 Penns Valley Pike Centre Hall, PA 16828-8405	Potter Township Centre County	NCRO
NOEXSC161	No Exposure Certification	Issued	The Ames Co. Inc. 465 Railroad Avenue Camp Hill, PA 17011-5611	South Middleton Township Cumberland County	SCRO
NOEXSC168	No Exposure Certification	Issued	Intellicor LLC 3575 Hempland Road Lancaster, PA 17601-6912	West Hempfield Township Lancaster County	SCRO
NOEXSC181	No Exposure Certification	Issued	Schott Pharma USA Inc. 30 Lebanon Valley Parkway Lebanon, PA 17042-9745	South Lebanon Township Lebanon County	SCRO
NOEXSC307	No Exposure Certification	Issued	FM Browns Sons Inc. 205 Woodrow Avenue P.O. Box 2116 Sinking Spring, PA 19608-1402	Sinking Spring Borough Berks County	SCRO
NOEXSC400	No Exposure Certification	Issued	Walmart Stores East LP 702 NW 8th Street Bentonville, AR 72712-4611	North Lebanon Township Lebanon County	SCRO
NOEXSC402	No Exposure Certification	Issued	Morgans Welding Inc. 1941 Camp Swatara Road Myerstown, PA 17067-1820	Bethel Township Berks County	SCRO
PAG030078	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	YRC Inc. d/b/a YRC Freight 11500 Outlook Street Suite 400 Ms-A650/Environmental Overland Park, KS 66211	Hatfield Township Montgomery County	SERO
PAG030254	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	International Scrap Iron & Metal Co. Inc. 3415 W 2nd Street Trainer, PA 19061-5103	Trainer Borough Delaware County	SERO
PAG032380	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	A Duie Pyle Inc. P.O. Box 564 650 Westtown Road West Chester, PA 19381-0564	Hanover Township Lehigh County	NERO

## NOTICES

3877

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG032383	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	South Whitehall Auto Salvage 2000 Minnich Road Allentown, PA 18104-9602	South Whitehall Township Lehigh County	NERO
PAG032386	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gas Search Drilling Service Corp 8283 State Route 29 Montrose, PA 18801-9376	Bridgewater Township Susquehanna County	NERO
PAG034893	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Covington Salvage Yard 2517 N Williamson Road Covington, PA 16917-9526	Covington Township Tioga County	NCRO
PAG036171	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Oil States Energy Service 255 Johnson Road Canonsburg, PA 15317-4934	North Strabane Township Washington County	SWRO
PAG036283	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Amazon Com Service LLC P.O. Box 80842 Attn: NA Environmental Dept Seattle, WA 98108-0842	Findlay Township Allegheny County	SWRO
PAG036359	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Calfrac Well Service Corp 717 17th Street Suite 1445 Denver, CO 80202-3303	Georges Township Fayette County	SWRO
PAG036362	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	43rd Street Concrete 1 43rd Street Pittsburgh, PA 15201-3109	Pittsburgh City Allegheny County	SWRO
PAG036367	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Luther P Miller Inc. 641 S Edgewood Avenue P.O. Box 714 Somerset, PA 15501-2523	Confluence Borough Somerset County	SWRO
PAG036382	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Westmoreland County Airport Authority 148 Aviation Lane Suite 103 Latrobe, PA 15650-5399	Unity Township Westmoreland County	SWRO
PAG036415	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Laurel McAdam LLC P.O. Box 14004 Pittsburgh, PA 15239-0004	Springhill Township Fayette County	SWRO
PAG036425	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Safety Kleen System Inc. 150 Allenbill Drive Johnstown, PA 15904-1938	Johnstown City Cambria County	SWRO
PAG036429	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Black Diamond Iron & Metal 731 E Main Street Monongahela, PA 15063-1403	Monongahela City Washington County	SWRO
1008401	Pump Stations Individual WQM Permit	Issued	Western Butler County Authority 607 Market Street Zelienople, PA 16063-1830	Zelienople Borough Butler County	NWRO
PA0265161	Single Residence STP Individual NPDES Permit	Issued	Schricker John 286 Gravel Lick Road Strattanville, PA 16258	Millcreek Township Clarion County	NWRO
PA0265624	Single Residence STP Individual NPDES Permit	Issued	Jacquel Vernon 5141 Kevin Drive McKean, PA 16426-1421	Eldred Township Warren County	NWRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0292842	Single Residence STP Individual NPDES Permit	Issued	Dale and Joyce Sherman 9735 Sherman Road Albion, PA 16401-8705	Elk Creek Township Erie County	NWRO
PA0292958	Single Residence STP Individual NPDES Permit	Issued	Brandon Michael 185 Leslie Road Valencia, PA 16059-1127	Middlesex Township Butler County	NWRO
PA0293083	Single Residence STP Individual NPDES Permit	Issued	Bone Derek 4244 Normandy Rue Erie, PA 16506-3632	McKean Township Erie County	NWRO
PA0293113	Single Residence STP Individual NPDES Permit	Issued	Petruska James 106 Lilac Lane Valencia, PA 16059-2212	Middlesex Township Butler County	NWRO
PA0293172	Single Residence STP Individual NPDES Permit	Issued	Eric and Stephanie Warren 18793 Cole Road Conneautville, PA 16406-4027	Conneaut Township Crawford County	NWRO
1023405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Brandon Michael 185 Leslie Road Valencia, PA 16059-1127	Middlesex Township Butler County	NWRO
1023408	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Petruska James 106 Lilac Lane Valencia, PA 16059-2212	Middlesex Township Butler County	NWRO
2023401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Eric and Stephanie Warren 18793 Cole Road Conneautville, PA 16406-4027	Conneaut Township Crawford County	NWRO
2523401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Dale and Joyce Sherman 9735 Sherman Road Albion, PA 16401-8705	Elk Creek Township Erie County	NWRO
2523411	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bone Derek 4244 Normandy Rue Erie, PA 16506-3632	McKean Township Erie County	NWRO

## II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC400276	PAG-02 General Permit	Issued	Thomas Trella 1 Banks Ave. McAdoo, PA 18237	Sugarloaf Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC660034	PAG-02 General Permit	Issued	Lake Winola Municipal Authority P.O. Box 59 Lake Winola, PA 18625-0059	Overfield Township Wyoming County	Wyoming County Conservation District 6052 SR 6 Tunkhannock, PA 18657 570-836-2589 RA-EPWW-NERO@ pa.gov
PAC400275	PAG-02 General Permit	Issued	Hazleton Area School District Robert J. Krizansky 1515 W. 23rd Street Hazleton, PA 18202-1647	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov

## NOTICES

3879

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC250055	PAG-02 General Permit	Issued	Renaud Peck Real Estate LLC P.O. Box 8328 Erie, PA 16505	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC100298	PAG-02 General Permit	Issued	Great Living LLC 1768 North Main Street Suite 4 Butler, PA 16001	Connoquenessing Borough Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC250186	PAG-02 General Permit	Issued	Mary R Dohler Liquidating Trust 120 West 10th Street Erie, PA 16501	North East Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC320004C	PAG-02 General Permit	Issued	Blairsville Saltsburg School District 102 School Lane Blairsville, PA 15717	Burrell Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751
PAC200098	PAG-02 General Permit	Issued	Meadville Medical Center 751 Liberty Street Meadville, PA 16335	Vernon Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC150192	PAG-02 General Permit	Issued	Goshen Leisure Development 211 Carter Drive Suite A West Chester, PA 19382	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
PAC430090	PAG-02 General Permit	Issued	Wabtec US Rail Inc. 660 Barkeyville Road Grove City, PA 16127	Pine Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC430086	PAG-02 General Permit	Issued	MC Hermitage LLC 361 Summit Boulevard Birmingham, AL 35243	City of Hermitage Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC430088	PAG-02 General Permit	Issued	Department of General Services 1800 Herr Street Harrisburg, PA 17125	New Vernon Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC460269	PAG-02 General Permit	Issued	Mainland Pointe LP 528 Main Street Harleysville, PA 19438	Lower Salford Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov

## NOTICES

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090157	PAG-02 General Permit	Issued	Alex Sharpan 3400 Paper Mill Road Huntingdon Valley, PA 19006	New Britain Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090596	PAG-02 General Permit	Issued	Edward Mortimer 55 Curley Mill Road Chalfont, PA 18914-1439	New Britain Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090611	PAG-02 General Permit	Issued	Keith Coleman 65 Klockner Road Hamilton, PA 08619-2811	Upper Makefield Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090618	PAG-02 General Permit	Issued	Chris Pinto 2324 Second Street Pike Suite 20 Quakertown, PA 18940	Lower Makefield Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090620	PAG-02 General Permit	Issued	Knowles Avenue Holdings, LLC 3875 Heaton Road Huntingdon Valley, PA 19006	Upper Southampton Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC670331 A-1	PAG-02 General Permit	Issued	York Excavating Company LLC 3180 East Prospect Road York, PA 17402	Windsor Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC220331 A-2	PAG-02 General Permit	Issued	Bonawitz Real Estate Investors, LLC P.O Box 429 Grantville, PA 17028	East Hanover Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220377	PAG-02 General Permit	Issued	Parkway Farms Associates LP 4400 Deer Path Road Site 1 Harrisburg, PA 17110	Lower Paxton Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC220247 A-1	PAG-02 General Permit	Issued	Donco Construction, Inc. 720 Allegheny Street P.O Box 123 Dauphin, PA 17018	Halifax Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC510286	PAG-02 General Permit	Issued	Thomas Alva Edison High School 440 North Broad Street Suite 371 Philadelphia, PA 19130-4015	City of Philadelphia Philadelphia County	DEP, SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@ pa.gov
PAC510300	PAG-02 General Permit	Issued	Suffolk Ave. Associates LLP 101 South King Street Gloucester, NJ 08030	City of Philadelphia Philadelphia County	DEP, SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@ pa.gov
PAC410092	PAG-02 General Permit	Issued	Lycoming College One College Place Williamsport, PA 17701	City of Williamsport Lycoming County	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville, PA 17754 570-433-3003
PAC410093	PAG-02 General Permit	Issued	Aaron Lapp 636 Back Road Allenwood, PA 17810	Washington Township Lycoming County	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville, PA 17754 570-433-3003
PA41003C	PAG-02 General Permit	Issued	RS & H 10748 Deerwood Park Blvd Jacksonville, FL 32256	Montoursville Borough Lycoming County	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville, PA 17754 570-433-3003
PAC410033	PAG-02 General Permit	Issued	Welteroth Properties 356 Laurens Rd Montoursville, PA 17754	Fairfield Township Lycoming County	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville, PA 17754 570-433-3003
PAC600103	PAG-02 General Permit	Issued	Aaron Reiff 288 Dorman Lane Mifflinburg, PA 17844	Lewis Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860

**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>
Gretna View Farms— David Rosenberry 3709 North Colebrook Road Manheim, PA 17545	Lancaster County	147	504.01	Layers	NA	Approved
John R Lefever 1045 Holtwood Road Quarryville, PA 17566	Lancaster County	320	346.5	Layers	HQ	approved
Jason Wenger 5376 Elizabethtown Road Manheim, PA 17545	Lancaster County	116.9	421.24	Swine	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. 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).**

*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.*

**Construction Permit No. 4123502MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Jersey Shore Area Joint Water Authority</b>
Address	1111 Bardo Avenue Jersey Shore, PA 17740
Municipality	Pine Creek Township
County	<b>Clinton County</b>
Consulting Engineer	Bruce Brubaker, P.E. 4999 Louise Dr. Mechanicsburg, PA 17055
Application Received	March 28, 2023
Permit Issued	July 3, 2023
Description	This permit authorizes construction of 3 bulk water loading stations at the existing fire hydrant located at 310 South Lincoln Ave, Jersey Shore, PA 17740, and the existing fire hydrant and Pine Creek WTP Service Line at 334 Tiadaghton Ave, Jersey Shore, PA 17740.

**Construction Permit No. 5923502MA, Major Amendment, Public Water Supply.**

Applicant	<b>Blossburg Municipal Authority</b>
-----------	--------------------------------------

Address 241 Main Street  
Blossburg, PA 16912

Municipality Bloss Township

County **Tioga County**

Consulting Engineer Williams S. Bray, P.E.  
241 Main Street  
Blossburg, PA 16912

Application Received June 6, 2023

Permit Issued July 11, 2023

Description This permit authorizes recoating of the interior and exterior of the existing Bellman Tank and installation of cathodic protection.

**Construction Permit No. 1423502**, Major Amendment, Public Water Supply.

Applicant **Haine Aaronsburg Municipal Authority**

Address P.O. Box 254  
Aaronsburg, PA 16820

Municipality Haines Township

County **Centre County**

Consulting Engineer Patrick Ward  
2009 North Atherton Street  
State college, PA 16803

Application Received April 11, 2023

Permit Issued July 10, 2023

Description This permit authorizes construction of a Pall Mobile Treatment Facility for temporary use during construction of the full-scale Pall Microfiltration Plant.

*Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.*

**Construction Permit No. 4523501**, Major Amendment, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Address 852 Wesley Drive  
Mechanicsburg, PA 17055

Municipality Stroudsburg Borough

County **Monroe County**

Consulting Engineer Mr. Peter J. Keenan, PE  
Pennsylvania American Water Company  
1 Water St.  
Camden, NJ 08102

Application Received February 24, 2023

Permit Issued June 8, 2023

Description Applicant proposed the modification of an existing raw water booster pumping station which provides supply to the Stony Garden Water Treatment Plant (WTP). The project involves replacing the two (2) existing Peerless horizontal split-case pumps which deliver a total flow (throttled) of about 820 gallons per minute (gpm) with two (2) new NSF Standard 61 approved vertical multistage pumps (Grundfos Pump Model CRN155-5-1) with a rated flow/design flow of 820 gpm/800 gpm, respectively, at a rated Head/Design Head of 616.2 feet/605 feet, respectively, and equipped with variable frequency drives (VFDs) with all necessary piping modifications and necessary appurtenances. The piping and instrumentation will be replaced in-kind as well as the installation of an emergency generator receptacle.

**Operation Permit No. 3540021**, Public Water Supply.

Applicant **Schuylkill County Municipal Authority**

Address 221 South Centre Street  
Pottsville, PA 17901

Municipality Mahanoy Township

County **Schuylkill County**

Consulting Engineer Mr. Michael T. Brown  
Gannett Fleming Inc.  
207 Senate Ave.  
Camp Hill, PA 17011

Application Received January 6, 2023

Permit Issued June 28, 2023

Description Operations Permit for the SCMA Morea Emergency Interconnection.

**Construction Permit No. 4822504MA**, Minor Amendment, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Address 852 Wesley Drive  
Mechanicsburg, PA 17055

Municipality Upper Mount Bethel Township

County **Northampton County**

Consulting Engineer Ms. Maureen V. Coleman, PE  
Engineering Project Mgr.  
Pennsylvania American Water Co.  
2699 Stafford Ave.  
Scranton, PA 18505

Application Received April 11, 2022

Permit Issued July 10, 2023

Description PAWC requested a minor amendment to relocate the entry point based on the 2021 Filter Plant Performance Evaluation recommendations at the PAWC Bangor Water Treatment Plant. The purpose of this project is to relocate the existing disinfection monitoring parameters at the Bangor WTP, including the chlorine, flow, temperature, and pH meters, from various locations across the WTP to one new Entry Point at the end of the disinfection segment and include the Plant's clearwell as a disinfection segment for log Giardia inactivation. The application also proposed the replacement of the existing Wallace and Tiernan diaphragm caustic soda, Alum and corrosion inhibitor feed pumps at the facility with Blue White A3 peristaltic chemical metering pumps as well as replacing the existing Hach CL-17 online chlorine residual analyzer necessitating the EPA Method 334 special conditions in the subject construction permit.

Contact: Ryan Fox, Environmental Engineering Specialist, 570-826-2533.

**Emergency Permit No. 3480056-E1**, Public Water Supply.

Applicant **Beth Country Squire Estates**  
 Address 8063 Valley View Rd.  
 Northampton, PA 18067  
 Municipality East Allen Township  
 County **Northampton County**  
 Consulting Engineer Angelika B. Forndran  
 120 Penn Am Dr.  
 Quakertown, PA 18951  
 Application Received June 29, 2023  
 Permit Issued July 6, 2023  
 Description Emergency Bulk Water Hauling  
 Permit issued due to lack of  
 yield in source wells.

**Construction Permit No. 3923502MA**, Minor Amendment, Public Water Supply.

Applicant **Lehigh County Authority**  
 Address 1053 Spruce Rd.  
 P.O. Box 3348  
 Allentown, PA 18106  
 Municipality Lynn Township  
 County **Lehigh County**  
 Consulting Engineer Jason Saylor  
 1230 Peachtree St. NE  
 Ste 1100  
 Atlanta, GA 30309  
 Application Received March 22, 2023  
 Permit Issued June 29, 2023

Description Tank cleaning project and active tank mixer installation.  
**Construction Permit No. 3923503MA**, Minor Amendment, Public Water Supply.

Applicant **Lehigh County Authority**  
 Address 1053 Spruce Rd.  
 P.O. Box 3348  
 Allentown, PA 18106  
 Municipality Upper Macungie Township  
 County **Lehigh County**  
 Consulting Engineer Jason Saylor  
 1230 Peachtree St. NE  
 Ste 1100  
 Atlanta, GA 30309  
 Application Received March 22, 2023  
 Permit Issued July 10, 2023  
 Description Tank cleaning project with  
 installation of active tank mixer.

**Construction Permit No. 3923504MA**, Minor Amendment, Public Water Supply.

Applicant **Lehigh County Authority**  
 Address 4124 Schneck Rd.  
 Schnecksville, PA 18078  
 Municipality North Whitehall Township  
 County **Lehigh County**  
 Consulting Engineer Jason Saylor  
 1230 Peachtree St. NE  
 Ste. 1100  
 Atlanta, GA 30309  
 Application Received March 22, 2023  
 Permit Issued July 10, 2023  
 Description Tank cleaning with active mixer  
 installation.

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

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

**Operation Permit No. 7220015**, Minor Amendment, Public Water Supply.

Applicant **Veolia Water Pennsylvania, Inc.**  
 Address 6310 Allentown Boulevard  
 Suite 104  
 Harrisburg, PA 17112  
 Municipality Lower Swatara Township  
 County **Dauphin County**  
 Consulting Engineer Veolia Water Pennsylvania, Inc.  
 6310 Allentown Boulevard  
 Suite 104  
 Harrisburg, PA 17112  
 Application Received June 5, 2023  
 Permit Issued July 5, 2023  
 Description Repainting and modifications to  
 the Airport finished water  
 storage tank.



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

*Contact: Nadera Bair, Clerk II, 570-327-0551.*

**Operation Permit 4190017 Consolidated (161W1, 1981502, 1997MA, 2005MA, 1906501).** PWSID No. 4190017. **Millville Municipal Authority**, P.O. Box 30, Millville, PA 17846, Millville Borough, **Columbia County**. Application received: April 26, 2023. Permit Issued: July 5, 2023. This Operation Permit No. 4190017 dated July 5, 2023 includes the, operation of the Pall Aria AP-3 membrane microfiltration plant, disinfection, Aqua Mag and caustic soda chemical feeds. This permit also abandons the unused SRC 001—Drilled Well, removes the unused water level transducer in the finished water storage tank, and establishes designated optimal water quality parameters (WQPs). The following permits have been consolidated into one system-wide permit no. 4190017: Permit Nos. 161W1, 1981502, 1997MA, 2005MA, 1906501.

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

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist, 717-705-4700.*

**Construction Permit 5023505 MA.** PWSID No. 7500021. **Millerstown Borough Waterworks**, 44 N High St, P.O. Box 739, Millerstown, PA 17062, Millerstown Borough, **Perry County**. Application received: April 28, 2023. Permit Issued: July 5, 2023. Authorization of a GridBee GS-12 mixer installed in the Stephen Street water storage tank.

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

**Emergency Permit 2123506 E.** PWSID No. 7210013. **UMH PA LLC**, 3499 Route 9 North, Suite 3C, Freehold, NJ 07728, Lower Frankford Township, **Cumberland County**. Application received: July 5, 2023. Permit Issued: July 6, 2023. Emergency permit for bulk water hauling.

**Construction Permit 6722518.** PWSID No. 7670100. **The York Water Company**, 130 East Market Street, York, PA 17401, West Manheim Township, **York County**. Application received: December 29, 2022. Permit Issued: July 7, 2023. Construction permit for a chloramine booster station with tank mixing system at the Pleasant Hill Reservoir.

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

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

**Operation Permit 0421501MA.** PWSID No. 5040017. **Brighton Township Municipal Authority**, 1300 Brighton Road, Beaver, PA 15009, Brighton Township, **Beaver County**. Application received: June 29, 2023. Permit Issued: July 10, 2023. Issuance of Public Water Supply Operation Permit No. 0421501MA for the operation of the rehabilitated Dawson Ridge Hydropillar, Gypsy Glenn Standpipe No. 2, and Gypsy Glenn Standpipe No. 3.

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

**Construction Permit 6522514MA.** PWSID No. 5260036. **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, Sewickley Township, **Westmoreland County**. Applica-

tion received: January 23, 2023. Permit Issued: June 23, 2023. Installation of the Lowber Road Pressure Control Vault along Lowber Road.

**Construction Permit 2623502.** PWSID No. 5260011. **Indian Creek Valley Water Authority**, 2019 Indian Head Road, Indian Head, PA 15446, Stewart Township, **Fayette County**. Application received: February 28, 2023. Permit Issued: June 28, 2023. Construction of the new 177,000-gallon Ohio-pyle Tank and mixing system.

**NCWSA Operation Permit 5040370.** PWSID No. 5040370. **Mill Creek Evangelical Presbyterian Church of Hookstown**, 5005 State Route 151, Hookstown, PA 15050, Greene Township, **Beaver County**. Application received: June 21, 2023. Permit Issued: July 7, 2023. Operation of Mill Creek Church NCWSA.

**Construction Permit 0222505MA-A1.** PWSID No. 5020039. **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Baldwin Borough, **Allegheny County**. Application received: June 13, 2023. Permit Issued: July 11, 2023. Phase I Improvements including the rehabilitation of sixteen rapid rate gravity filters (Filters No. 15—30), the construction of a new washwater tank connection, and the replacement of influent and effluent bypass valves at the Hays Mine 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 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Maria D. Bebenek, Program Manager, 717-705-4795.*

#### Plan Location:

Municipality	Address	County
North Cornwall Township	320 South 18th Street	Lebanon County
	Lebanon, PA 17042-5753	

#### Plan Description:

**Dairy Road Pump Station Upgrade Special Study, B2-38916-ACT—A.** The Department of Environmental Protection (DEP) has reviewed the Special Study amendment submitted on May 25, 2023, prepared by ACT ONE & Associates, and entitled Amended Special Study for Dairy Road Pump Station Replacement Project. The proposal is located on the east side of Dairy Road at its intersection with East Walnut Street. The project consists of the replacement of the pump station with a larger pump station with a capacity of 7.42 mgd. The submission is consistent with the planning requirements in Chapter 71 of DEP's regulations. The approved project will require a Water Quality Management (Part II) permit for the construction and operation of the proposed pump station. The permit application must be submitted in the name of the municipality.

## 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.*

**O'Dowd SUS Pad**, Primary Facility ID # **783228**, 2411 State Route 3011, Meshoppen, PA 18630, 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 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: Bill, 814-332-6671.*

**Bessemer Site**, Primary Facility ID # **625355**, 789 Bessemer Street, Meadville, PA 16335, City of Meadville, **Crawford County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Economic Progress Alliance of Crawford County, 798 Bessemer Street, Meadville, PA 16335, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with soil Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-,

Fluorene, Phenanthrene, Anthracene, Pyrene, Chrysene, Benzo(a)anthracene, Benzo(b)fluoranthene, Benzo(a)pyrene, Benzo(g,h,i)perylene; in groundwater Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Phenanthrene, Pyrene, Chrysene. The Risk Assessment is intended to document remediation of the site to meet the site-specific standards.

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

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

**Former Funk Farm**, Primary Facility ID # **838603**, 306 South Duke Street, Millersville, PA 17551, Manor Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of HHF Real Estate Development, LLC, 616 Paxton Place, Suite 100, Lititz, PA 17543, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil and diesel fuel. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Lehman Property**, Primary Facility ID # **840337**, 2790 Meadow View Road, Manheim, PA 17545, Rapho Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Mr. Doug Lehman, 2790 Meadow View Road, Manheim, PA 17545, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**140 Rothsville Station Road**, Primary Facility ID # **867007**, 140 Rothsville Station Road, Lititz, PA 17543, Warwick Township, **Lancaster County**. Element Environmental Solutions, Inc., P.O. Box 921, Adamstown, PA 19501, on behalf of Cedar Run Construction, 143 Rothsville Station Road, Lititz, PA 17543, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Firestone Complete Auto Care**, Primary Facility ID # **854162**, 200 South Hanover Street, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. BBJ Group, LLC, 651 Holiday Drive, Foster Plaza 5, Suite 400, Pittsburgh, PA 15220, on behalf of Bridgestone Retail Operations, LLC, 200 4th Avenue South, Nashville, TN 37201, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with leaded, unleaded gasoline and fuel oil. The Remedial Investigation Report is intended to document remediation of the site to meet the site-specific 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.*

**Phoenixville Crossing, LP**, Primary Facility ID # **833749**, 622 Hares Hill Road, Phoenixville, PA 19460, East Pikeland Township, **Chester County**. Stephen D. Brower, Environmental Standards, Inc., P.O. Box 810, Valley Forge, PA 19482, 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.

**HP Inc.—Avondale Groundwater Remediation Site**, Primary Facility ID # **849411**, 374 Starr Road, Landenberg, PA 19350, New Garden Township, **Chester County**. Tom Donahue, CDM Smith, Inc., 280 Granite Run Drive, Suite 160, Lancaster, PA 17601, on behalf of Christopher Dirscherl, HP Inc., 1501 Page Mill Road, Palo Alto, CA 94304, submitted a Final Report concerning remediation of soil and groundwater contaminated with VOVs. The Final Report is intended to document remediation of the site to meet the site-specific standards.

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

**3145 Grays Ferry Avenue, 3145 Grays Ferry Avenue, Philadelphia, PA 19146, City of Philadelphia, Philadelphia County**, Primary Facility ID # **848264**, 3145 Grays Ferry Avenue, Philadelphia, City of Philadelphia, **Philadelphia County**, PA 19146, Heather Shoemaker, GZA GeoEnvironmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of Charles Brown, 3145 Grays Ferry, LLC, 19191 South Vermont Avenue, Suite 680, Torrance, CA 90502, submitted a Final Report concerning remediation of groundwater contaminated with cyclohexane, isopropylbenzene, methyl acetate, methyl cyclohexane, total xylenes, toluene, benzaldehyde, benzo(a,h)anthracene, benzo(b)fluoranthene, benzo(k)-fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, dibenzo(a,h)anthracene, dibenzofuran, fluorene, 2-but-anone, 2-methylnaphthalene, indeno(1,2,3-cd)pyrene, phenanthrene, pyrene, arsenic, lead, and benzene. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**Gilbertsville Golf Club**, Primary Facility ID # **859858**, 2944 Lutheran Road, Gilbertsville, PA 19525, New Hanover Township, **Montgomery County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Joan Hodges, Artisan Construction Group, LLC, P.O. Box 689, Devon, PA 19333, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil contaminated with pesticides. The Risk Assessment/Remedial Investigation/Final Report is intended to document remediation of the site to meet the site-specific standards.

**2636 East York Street**, Primary Facility ID # **854895**, 2636 East York Street, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Jennifer Poole, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Lawrence McKnight, L&M Real Estate Development, LLC, 3020 Richmond Street, Philadelphia, PA 19134, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Inlox Chemical Company**, Primary Facility ID # **619750**, 2101 South Swanson Street, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. David Farrington, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of David Newman, NDA Swanson, LLC, 601 Gates Road, Suite 1, Vestal, NY 13850, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of

soil and groundwater contaminated with VOCs, SVOCs, alcohols, PFAS, and metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Deluxe Check Printers**, Primary Facility ID # **753752**, Deluxe Check Printers, 2 and 4 Industrial Boulevard, Paoli, PA 19401, Willistown Township, **Chester County**. Michael Beck, Braun Intertec Corporation, 11001 Hampshire Avenue South, Minneapolis, MN 55438, on behalf of Kelsey Boigenzahn, Deluxe Corporation, 801 South Marquette Avenue, Minneapolis, MN 55402, submitted a Risk Assessment/Remedial Investigation concerning remediation of groundwater contaminated with PCE. The Risk Assessment/Remedial Investigation is intended to document remediation of the site to meet the site-specific standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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



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

The DEP has received the following plans and reports.

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

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

**North Shore Railroad Company**, Primary Facility ID # **851933**, 260 N Thomas Street, Bellefonte, PA 16823, Bellefonte Borough, **Centre County**. McKee Environmental, Inc., 86 Quartz Drive, Bellefonte, PA 16823, on behalf of North Shore Railroad Company, 356 Priestly Avenue, Northumberland, PA 17857, submitted a Final Report concerning remediation of soil and groundwater contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide health standards. Approved: June 13, 2023.

**EQT ARO LLC Salt Run HC Pad A Ext**, Primary Facility ID # **864994**, 2003 Leonard Road, Williamsport, PA 17701, Cascade Township, **Lycoming County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of EQT Corporation, 2462 Lycoming Creek Road, Williamsport, PA 17701, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health standards. Approved: June 13, 2023.

**SGL-12 L South Unit 5H on the SGL12 M North Unit Pad B**, Primary Facility ID # **864366**, 825 Hatch Spring Road, Canton, PA 17724, Leroy Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health standards. Approved: June 22, 2023.

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

*Contact: Eric Supey, Environmental Program Manager.*

**1312 Brookside Road**, Primary Facility ID # **866250**, 1312 Brookside Road, Allentown, PA 18106, Lower Macungie Township, **Lehigh County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Camp Degel Hatorah, Inc., 116 Glen Avenue South, Lakeside, NJ 08701, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 6, 2023.

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

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

**Former BP Terminal No. 4574**, Primary Facility ID # **754041**, 901 Mountain Home Road, Sinking Spring, PA 19608, Sinking Spring Borough, **Berks County**. Antea Group, 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Mr. Jim Smith, 201 Helios Way, Houston, TX 77079, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil and

groundwater contaminated with petroleum related volatile organic compounds. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: June 27, 2023.

**Former Star Buffet and Grill**, Primary Facility ID # **856543**, 2232 Lincoln Highway East, Lancaster, PA 17602, East Lampeter Township, **Lancaster County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of Sunrise Liberty, LP, 950 Smile Way, York, PA 17404, submitted a Final Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the site-specific standards. Approved: July 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.*

**Gradyville Road/Valley Road Release Site**, Primary Facility ID # **826833**, Near the intersection of Valley Road and Gradyville Road, Glen Mills, PA 19342, Edgmont Township, **Delaware County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Bradford Fish, PG, Energy Transfer Partners, 100 Green Street, Marcus Hook, PA 19061, submitted a Final Report concerning remediation of groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tertiary butyl ether (MTBE), cumene, naphthalene, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standards. Approved: June 30, 2023.

**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 SVOCs, VOCs and metals. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: June 15, 2023.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

##### *New Transporter License Issued*

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

*Contact: Jonathan Adams.*

**Zero Waste Recycling, LLC**, 301 Dupree Street, Charlotte, NC 28208. **License No. PA-AH 0936**. Application received: April 27, 2023. Effective June 27, 2023.

##### *Transporter License Expired*

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

*Contact: Jonathan Adams.*

**Sprint Waste Services, LP**, P.O. Box 940820, Houston, TX 77094. **License No. PA-AH 0860**. Application received: July 1, 2023. Effective July 1, 2023.

*Transporter License Reissued*

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

*Contact: Jonathan Adams.*

**Energy Transportation, LLC**, P.O. Box 430, Bridgeport, WV 26330. **License No. PA-AH 0807**. Application received: June 22, 2023. Effective June 28, 2023.

**Good's Transport, LLC**, 526 Stricklerstown Road, Newmanstown, PA 17073. **License No. PA-AH 0911**. Application received: June 29, 2023. Effective June 29, 2023.

**Hittman Transport Services, Inc.**, P.O. Box 2530, Oak Ridge, TN 37830. **License No. PA-AH S239**. Application received: June 22, 2023. Effective June 28, 2023.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL 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 Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

*Contact: Carrie Fleming, Program Manager.*

**WMGM017SC001. Wilson College**, 1015 Philadelphia Ave, Chambersburg, PA 17201, Greene Township, **Franklin County**. This is a renewal of Wilson College's permit under WMGM017 for the Fulton Farm at Wilson College Lane, Chambersburg, PA 17201, and is for the composting, vermicomposting and hermetiacomposting of non-liquid wastes limited to: manure; yard waste; source separated food wastes from food markets, grocery stores, restaurants, food banks, food distribution centers, recreation centers, community centers, libraries, meal sites, residential households and municipal, school cafeterias and institutions; source-separated newspaper; and source-separated corrugated paper (cardboard). Beneficial uses approved under this permit include marketing or distribution as a soil substitute, soil conditioner, soil amendment, fertilizer, or mulch. Application received: August 30, 2022. Issued: July 7, 2023.

Persons interested in reviewing the permit may contact John L. Oren, P.E., Permits Chief, 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.

#### AIR QUALITY

**Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.**

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

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

**AG5A-41-00007A: Range Resources Appalachia, LLC**, 3000 Town Center Blvd, Canonsburg, PA 15317, Pine Township, **Lycoming County**. The Department approved authorization for the construction and operation of one (1) 670 brake-horsepower (bhp) Caterpillar four-stroke lean-burn natural gas-fired compressor engine with oxidation catalyst, one Cameron V-1200 2 MMscfd triethylene glycol dehydrator with flash tank and 0.5 MMBtu/hr reboiler burner and equipped with a 4.8 MMBtu/hr COMM Engineering Model 3 enclosed flare for still vent emissions control, one GPU with 1.25 MMBtu/hr burner, one (1) 3,000 Btu/hr space heater, one (1) 300-gallon waste fluids tank, one (1) 16,800-gallon waste fluids tank along with associated venting, piping, and components fugitives and liquids loading emissions at the SGL 075A West Well Pad pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A). Application received: May 31, 2023. Authorized: July 10, 2023. Expiration date: July 9, 2028.

**AG5-08-00015B: Blackhill Energy, LLC**, 4600 JBarry Court, Suite 320, Canonsburg, PA 15317, Springfield Township, **Bradford County**. The Department approved general plan approval authorization to construct one (1) 1,775 bhp Caterpillar model G3606 four-stroke lean-burn natural-gas fired compressor engine equipped with an oxidation catalyst, one (1) 25 MMscf/day dehydrator equipped with a 0.20 MMBtu/hr reboiler along with additional miscellaneous venting and piping, fitting and connector leaks pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at the Young Compressor Station. Upon commencement of operation of the proposed sources, authorization for their continued operation will be granted under general Operating Permit authorization AG5-08-00015A, which expires on May 21, 2028. Application received: June 20, 2022. Authorized: July 10, 2023. Expiration date: July 9, 2028.

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

*Contact: Raymond Kempa, Environmental Group Manager.*

**GP3-35-004F: Bell Mountain Land Development Corp.**, 7 Oakwood Drive, Scranton, PA 18504, Dickson City Borough, **Lackawanna County**. Portable crushing operation with water sprays Application received: June 12, 2023. Issued: July 11, 2023.

**GP9-35-006F: Bell Mountain Land Development Corp.**, 7 Oakwood Drive, Scranton, PA 18504, Dickson City Borough, **Lackawanna County**. Installation of IC engines Application received: June 12, 2023. Issued: July 11, 2023.

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

**GP3-58-077B: A. Wilber Stone, Inc.**, 22 Imex Drive, Hallstead, PA 18822, Liberty Township, **Susquehanna County**. To construct and operate a Portable Crushing Operation with water sprays at 758 Holy Rd. Application received: April 27, 2023. Issued: May 23, 2023.



**GP9-58-077B: A. Wilber Stone, Inc.**, 22 Imex Drive, Hallstead, PA 18822, Liberty Township, **Susquehanna County**. To install and operate four (4) Diesel I/C engines at 758 Holy Rd. Application received: April 27, 2023. Issued: May 23, 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.*

**GP4-36-03176: Thermal Solutions Products, LLC**, 1175 Manheim Pike, Lancaster, PA 17604, City of Lancaster, **Lancaster County**. For an existing burn-off oven, under GP4, at the boiler/heater manufacturing facility. The general permit authorization was renewed. Application received: June 16, 2023. Issued: July 3, 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.*

**GP9-46-0121: Thomas Jefferson University**, 727 Norristown Road, Spring House, PA 19477, Lower Gwynedd Township, **Montgomery County**. Application received: July 7, 2023. Issued: June 29, 2023.

**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.**

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

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

**40-00043A: Crestwood Membranes Inc., d/b/a I2M**, 755 Oakhill Road, Mountain Top, PA 18707-2150, Wright Township, **Luzerne County**. For the installation of one (1) rotogravure printing press with one (1) hot oil dryer controlled by a regenerative thermal oxidizer (RTO) with VOC destruction efficiency of 98%. Application received: November 22, 2022. Issued: May 31, 2023.

**45-00037A: All Weather Insulated Panels**, 1275 Crowe Rd, East Stroudsburg, PA 18301, East Stroudsburg Borough, **Monroe County**. The plan approval was issued on June 15, 2023 for the installation and operation of equipment for a foam insulated panel manufacturing facility located in East Stroudsburg Borough, Monroe County. Application received: December 12, 2022. Issued: June 15, 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.*

**23-0222A: Williams Lombardo Funeral Home**, 33 W Baltimore Ave, Clifton Heights, PA 19018-1404, Clifton Heights Borough, **Delaware County**. This action is for the extension of an existing plan approval for the installation of a human crematory. Application received: June 6, 2023. Issued: July 7, 2023.

**23-0003Z: Monroe Energy LLC—Trainer Refinery**, 4101 Post Rd, Trainer, PA 19061-5052, Trainer Borough, **Delaware County**. An extension for the construction of 3 new cooling towers at the Trainer Refinery. Application received: June 15, 2023. Issued: July 10, 2023.

**46-0026K: Global Packaging Oaks Plant**, Brower & Montgomery Ave, Oaks, PA 19456-0187, Upper Providence Township, **Montgomery County**. An extension of a plan approval to install and operate a solvent based 8-station flexographic printing press and having natural gas dryers. The air emissions will be captured by a permanent total enclosure around the press and will be routed to two existing RTOs for destruction. Application received: June 26, 2023. Issued: July 10, 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-30-00808: Smart Sand, Inc.**, 212 Mine Road, Waynesburg, PA 15370, Franklin Township, **Greene County**. Air Quality plan approval issued to authorize construction and temporary operation of air contamination sources and controls at the Smart Sand Emerald Mine No. 1 silica sand transloading facility. Application received: June 28, 2022. Issued: June 29, 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.**

*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.*

**49-00064A: Milton Regional Sewer Authority**, 5585 State Route 405, Milton, PA 17847, West Chillisquaque Township, **Northumberland County**. The Department extended the plan approval expiration date to January 1, 2024, to allow continued temporary operation of sources at their waste water treatment facility. Application received: May 30, 2023. Extension July 3, 2023. New expiration date: January 1, 2024.

**14-00002R: Graymont (PA), Inc.**, 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. A revision to extend the authorization to operate the lime processing project under the plan approval for an additional 180 days, pending the issuance of an Operating Permit for the new sources. The new sources are located at Graymont's Pleasant Gap lime manufacturing plant. The plan approval has been extended. Application received: June 19, 2023. Revised: July 3, 2023.

**14-00002N: Graymont (PA), Inc.**, 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. To extend the authorization to operate the Kiln No. 8 project under the plan approval for an additional 180 days, pending the issuance of an Operating Permit for the new sources. The new sources are located at Graymont's Pleasant Gap lime manufacturing plant in Spring Township, Centre County. The plan approval has been extended. Application received: June 19, 2023. Revised: July 5, 2023.

**14-00002P: Graymont (PA), Inc.**, 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. To extend the authorization to operate the Kiln No. 8 project under the plan approval for an additional 180 days, pending the issuance of an Operating Permit for the new sources. The new sources are located at Graymont's Pleasant Gap lime manufacturing plant in Spring Township, Centre County. The plan approval has been extended. Application received: June 19, 2023. Revised: July 5, 2023.

*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.*

**48-00119A: Ultra-Poly Corporation**, 102 Demi Road, Portland, PA 18351, Portland Borough, **Northampton County**. Extension issued on July 11, 2023 for the operation of extruders and shredders to reprocess recycled plastics for subsequent sale at the existing facility located in Portland Borough, Northampton County. Application received: April 3, 2023. Revised: July 11, 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.*

**28-05002Q: Letterkenny Army Depot**, One Overcash Avenue, Chambersburg, PA 17201, Greene Township and Letterkenny Township, **Franklin County**. For the construction of two replacement paint stripping tanks in Building 377 at the Letterkenny Army Depot. The two paint stripping tanks to be constructed in Building 377 will replace two existing paint stripping tanks in Building 370. The plan approval was extended. Application received: June 8, 2023. Issued: July 5, 2023.

**05-03022A: Cronimet Specialty Metals USA, Inc.**, 172 Friendship Village Road, Bedford, PA 15522, Bedford Township, **Bedford County**. For four burnoff ovens and two tungsten carbide cleaning lines at the metals recovery and recycling facility. The plan approval was extended. Application received: June 23, 2023. Issued: July 6, 2023.

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

**06-05061B: Cambridge-Lee Industries, LLC**, 86 Tube Drive, Reading, PA 19605-9274, Ontelaunee Township, **Berks County**. To re-activate an existing natural gas fired vertical shaft copper melting furnace and associated induction furnace at the secondary copper smelting and copper tube rolling mill. The plan approval was extended. Application received: June 26, 2023. Issued: July 7, 2023.

**06-05081C: Delaware County Solid Waste Authority**, 583 Longview Road, Boyertown, PA 17604, Earl Township, **Berks County**. For the construction of a lateral expansion to the Rolling Hills Landfill. The plan approval was extended. Application received: June 13, 2023. Issued: July 7, 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.*

**23-0223: LCP Generation Partners LP**, 800 Lancaster Avenue, Villanova, PA 19085-1603, Radnor Township, **Delaware County**. This action is for the extension of a plan approval that authorizes installation and temporary operation of a 2-MW Combined Heat and Power (CHP) System. Application received: June 8, 2023. Issued: June 28, 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-65-00125A: ATI Flat Rolled Products Holdings, LLC**, 100 River Road, Brackenridge, PA 15014, Derry Township, **Westmoreland County**. To extend the period

for installation and temporary operation of a 25-ton capacity unit electric arc furnace (EAF), one (1) 150,000 ACFM baghouse, and one (1) 2,000 gpm cooling tower at their Latrobe Facility located in Derry Township, Westmoreland County. Application received: June 26, 2023. Issued: July 5, 2023. Effective: July 28, 2023. Expiration: January 28, 2024.

---

**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.**

---

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

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

**33-00140: Eastern Gas Transmission & Storage, Punxsutawney Station**, 6603 West Broad Street, Richmond, VA 23230-1711, Perry Township, **Jefferson County**. The Department issued the renewal Title V Operating Permit for the natural gas transmission and distribution station. The facility's major emission sources include: Boiler 1 (Ajax Wgfd-5500), Miscellaneous Combustion Units, Compressor Engine 1 (4,200 HP), Compressor Engine 2 (4,200 HP), an Auxiliary Generator (550 HP Caterpillar), Miscellaneous Storage Tanks, Compressor Engine 3 (4,735 HP), a Compressor Turbine, venting/blowdowns, and Facility Pumps, Valves, Flanges, etc. The potential emissions of the primary pollutants from the facility are as follows: PM<sub>10</sub> and PM<sub>2.5</sub>: 11.64 TPY, NO<sub>x</sub>: 217.54 TPY, SO<sub>x</sub>: 1.67 TPY, CO: 245.26 TPY, VOC: 124.14 TPY, HAPs: 29.66 TPY, and Formaldehyde: 21.50 TPY; thus, the facility is subject to Title V requirements for potential NO<sub>x</sub>, CO, VOC, and HAP emissions. During the last five-year reporting period, actual emissions have not exceeded 16 tons of NO<sub>x</sub>, 9 tons of CO, and 8 tons of VOC; however, Boiler 1 is subject to 40 CFR 63 Subpart DDDDD for industrial, commercial, and institutional boilers and process heaters located at major sources of HAP. The three compressor engines (1, 2, and 3) are exempted from 40 CFR Part 63, Subpart ZZZZ. The auxiliary emergency generator is also exempt from Subpart ZZZZ except for the requirements of § 63.6640(f)(2). The turbine is subject to 40 CFR 60 Subpart KKKK, NSPS for Stationary Combustion Turbines, and 40 CFR 63 Subpart YYYYY, NESHAP for Stationary Combustion Turbines. The boiler, compressor engines, auxiliary generator, compressor turbine, line heater, and fugitive sources (pumps, valves, flanges, etc.) are subject to the new presumptive RACT requirements of 25 Pa. Code § 129.112. 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: April 25, 2022. Renewal issued: June 21, 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.*

**15-00008: Buckeye Pipe Line Malvern Terminals**, 5002 Buckeye Rd, P.O. Box 368, Emmaus, PA 18049-5347, East Whiteland Township, **Chester County**. This action is for the renewal of the Title V permit for distillate/gasoline loading racks and a vapor recovery unit which controls hydrocarbon vapors from the loading racks. Application received: May 16, 2022. Issued: July 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.*

**08-00047: Milan Energy, LLC**, 106 Isabella St., Ste. 600, Pittsburgh, PA 15212, Smithfield Township, **Bradford County**. Issued a State Only Operating Permit for the Milan Energy electric power generating facility. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions. Application received: January 25, 2023. Issued: July 10, 2023.

*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.*

**54-00031: Lehigh Valley Hospital Schuylkill**, 700 E. Norwegian St., Pottsville, PA 17901, City of Pottsville, **Schuylkill County**. The Department issued a State-Only Operating Permit for the operation of sources at the Lehigh Valley Hospital Schuylkill. 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: November 8, 2022. Accepted: November 22, 2022. Issued: June 13, 2023.

**64-00018: Lake Region Crematorium, LLC**, 143 Gravity Rd., Lake Ariel, PA 18436, Lake Township, **Wayne County**. The Department issued a State-Only Operating Permit for the operation of sources at their crematorium. 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: June 7, 2022. Accepted: September 15, 2022. Issued: June 13, 2023.

**40-00134: Novae, LLC**, P.O. Box 339, Bristol, IN 46507, Wright Township, **Luzerne County**. The Department issued a State-Only Operating Permit for the operation of sources at their cargo trailers manufacturing 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: June 16, 2022. Accepted: June 29, 2022. Issued: June 27, 2023.

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

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

**42-00193: Allegheny Bradford Corporation**, P.O. Box 200, Bradford, PA 16701-0200, Lewis Run Borough, **McKean County**. The Department issued the renewal of the State-Only Operating Permit of a facility that manufactures heat exchangers, filter housings, tanks, pressure vessels, and custom fabrication in stainless steel and high nickel alloys. Working with materials containing metal

hazardous air pollutants (HAPs), operations on stainless steel polishing, machining, tungsten inert gas welding, bead blasting, and hand coating at the facility are all subject to 40 CFR 63 Subpart XXXXXX (6X), which pertains to National Emission Standards for HAPs (NESHAP) Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. With a very low paint usage, hand coating at the facility is exempt from State regulations on surface coating. Conducted in a vented enclosure equipped with a filtration control device, bead blasting is not subject to visual determination of fugitive emissions, and associated reporting and record-keeping requirements, of 40 CFR 63 Subpart 6X. With PTE of each regulated pollutant not exceeding 2.00 TPY, the facility is Natural Minor for permitting purposes. Application received: February 28, 2022. Renewal issued: June 28, 2023.

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

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

**OP22-000007: SEPTA Woodland Trolley Shop**, 49th and Woodland Ave, Philadelphia, PA 19143, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal Natural Minor Operating Permit (NMOP) for an establishment primarily engaged in repair of newly refurbished trolley cars in the City of Philadelphia, Philadelphia County. The facility's major emission sources include the following: • two (2) 7.913 Million British Thermal Units per hour (MMBtu/hr) boilers firing natural gas and No. 2 Oil; • one (1) 0.42 MMBtu/hr boiler firing NG; • one (1) Gasoline Dispensing Facility with 2,500-gallon storage tank for gasoline; • one (1) Trolley Spray Paint Booth; • one (1) Carpentry Shop Paint Booth; • one (1) Spray Can Paint Booth; and • one (1) 40-gallon Parts Washer/Degreaser. Application received: February 3, 2021. Issued: June 21, 2023.

**OP22-000006: Simpson House Inc.**, 2101 Belmont Avenue, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal Natural Minor Operating Permit (NMOP) for an establishment primarily engaged in a continuing care retirement community. The facility's major emission sources include the following: • one (1) 0.789 Million British Thermal Units per hour (MMBtu/hr) boiler firing natural gas (NG) and No. 2 oil; • three (3) 2.887 MMBtu/hr boilers firing natural gas and No. 2 oil; • one (1) 335 Horse Power (HP) emergency generator firing diesel; • one (1) 268 HP emergency generator firing diesel; and • one (1) 375 HP combined heat and power (CHP) with 3-way catalyst (NSCR) firing NG. Application received: January 18, 2022. Issued: July 5, 2023.

**OP22-000010: Drexel University Queen Lane Campus**, 2900 Queen Lane, Philadelphia, PA 19129, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal Natural Minor Operating Permit (NMOP) for an establishment primarily engaged in operation of a university campus. The facility's major emission sources include the following: • three (3) 2.5 Million British Thermal Units per hour (MMBtu/hr) boilers firing natural gas (NG); • two (2) 2.3 MMBtu/hr boiler firing NG and No. 2 oil; • one (1) 2168 Horse Power (HP) emergency generator firing diesel; • one (1) 268 HP emergency generator

firing diesel; and • one (1) 110 HP fire pump firing diesel. Application received: February 7, 2022. Issued: July 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.*

**22-03096: MI Windows & Doors, LLC**, 760 West Market Street, Gratz, PA 17030, Gratz Borough, **Dauphin County**. For the window and door manufacturing facility. Application received: January 10, 2023. Issued: July 3, 2023.

**38-03039: Wyrwood Gaming, Inc.**, 650 Houtztown Road, Myerstown, PA 17067-2130, Jackson Township, **Lebanon County**. For the operation of their wood furniture surface coating facility. The State-Only Permit was renewed. Application received: January 18, 2023. Issued: June 28, 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.*

**09-00135: CECO Environmental Corp**, 700 Emlen Way, Telford, PA 18969-1773, Telford Borough, **Bucks County**. This action is for the renewal of a State Only Natural Minor Operating Permit. This facility manufactures corrosion-resistant fiberglass reinforced plastic pumps and pumping equipment for use in chemical processes and other industries with harsh environmental exposures. Application received: November 21, 2022. Issued: June 28, 2023.

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

**46-00029: Glasgow Springhouse Asphalt Plant/Quarry**, Rte. 309 and Hartman Rd, Montgomeryville, PA 18936, Montgomery Township, **Montgomery County**. This action is for the renewal of Synthetic Minor Operating Permit. The Operating Permit includes a Hot Mix Asphalt plant and quarry operations. The facility maintains a synthetic minor operating status by maintaining total nitrogen oxide (NO<sub>x</sub>) emissions to less than 24.9 tons per year; total volatile organic compounds (VOC) emissions to less than 7.0 tons per year and total particulate matter (PM) emissions to less than 19.6 tons per year. The renewal will include monitoring, record-keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Application received: February 2, 2022. Issued: July 6, 2023.

**46-00139: Spray Products Corp**, 1323 Conshohocken Rd, Norristown, PA 19401-2777, Plymouth Township, **Montgomery County**. This action is for the renewal of an Operating Permit for Spray Products. Spray Products is a privately-owned, contract aerosol packaging facility that assists companies with all phases of product development including research and development, regulatory support, packaging, and distribution. The equipment on-site includes two aerosol can filler lines, "Line A" and "Line B", two gasification houses, a boiler room with two boilers, storage tanks, and product blending tanks. The site also has a small research and development lab and a small warehouse storage space. The renewal permit proposes a facility wide VOC emission limit of less than 25 tons per year. Monitoring, recordkeeping and reporting requirements are in the permit to address applicable limitations. Application received: September 8, 2021. Issued: July 6, 2023.

**46-00116: Pecora Corporation**, 165 Wambold Rd, Harleysville, PA 19438-2014, Lower Salford Township, **Montgomery County**. This action is for the renewal of the Natural Minor Operating Permit. Sources of emission at the facility are mixers and cold cleaning degreasers. The facility is an area source for Particulate Matter (PM) and Volatile Organic Compound (VOC) emissions. The Potential to Emit Volatile Organic Compounds is 4.25 tons per year. The permit contains monitoring, record-keeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements. Application received: October 13, 2022. Issued: July 10, 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.**

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

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

**19-00006: Post Consumer Brands, Inc.**, 20802 Kensington Blvd, Lakeville, MN 55044, South Centre Township, **Columbia County**. The Department issued a revised State Only Operating Permit for a change in ownership of the facility from Big Heart Pet Brands as well as a change in Responsible Official for the Bloomsburg facility. All applicable Federal and State regulatory requirements including monitoring, record-keeping, reporting, and work practice conditions to ensure compliance are included in the Operating Permit. Application received: March 28, 2023. Revised: July 6, 2023. Expiration date: January 9, 2028.

*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.*

**48-00067: New Enterprise Stone & Lime Co.**, 3912 Brumbaugh Road, New Enterprise, PA 16664-0077, Lower Nazareth Township, **Northampton County**. The amended Operating Permit was issued on June 29, 2023 for an administrative amendment to incorporate conditions from Plan Approval 48-00067A into Operating Permit No. 48-00067. The administrative Operating Permit amendment was issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. Application received: May 15, 2023. Issued: June 29, 2023.

*Contact: Shailesh Patel, Air Quality Engineer, 570-826-2341.*

**40-00090: Bridon Bekaert Corporation**, 280 New Commerce Blvd, Hanover Twp, PA 18706, Ashley Borough, **Luzerne County**. For an amendment to incorporate steel wire draw machine and associated particulate emissions control equipment. The conditions from Plan Approval 40-00090A were copied into the State Only Operating Permit. Administrative Amendment of State Only Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. Application received: February 9, 2023. Revised: July 11, 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.*

**37-00121: Flowline Division Ezefflow USA**, 1400 New Butler Road, New Castle, PA 16101, City of New Castle, **Lawrence County**. In accordance with 25 Pa. Code Sections 127.461 and 127.465, the Department modified the State Only Operating Permit to address the reclassification of n-propyl bromide (nPB) as a Hazardous Air Pollutant (HAP) by the U.S. Environmental Protection Agency (U.S. EPA). The emissions from Source 107 (Batch Vapor Degreasing) remain the same and are as follows: HAP and VOC emissions are 5.38 TPY in any consecutive 12-month period. The permit includes monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements. Application received: March 27, 2023. Permit modification issued: June 13, 2023.

**27-00015: Kinder Morgan—Tennessee Gas Pipeline Marienville Station 307**, 1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089, Howe Township, **Forest County**. The Department issued an administrative amendment of the Title V Operating Permit for the facility to incorporate the requirements of Plan Approval 27-015A. Application received: December 23, 2022. Revised: June 27, 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.*

**15-00104: Flowers Baking Company of Oxford**, 700 Lincoln St, Oxford, PA 19363-1529, Oxford Borough, **Chester County**. Pursuant to 25 Pa. Code § 127.218(k), this action is for the renewal of a Plantwide Applicable Limit (PAL) for VOC. A PAL of 41.7 tons per year of volatile organic compounds (VOC) was established under Plan Approval No. 15-0104D. This Significant Modification renews the PAL of 41.7 tons per year of VOC. Primary sources of VOC are a fryer line (Source 101), a bread line (Source 108), and a bun line (Source 109). Other sources of VOC include heaters, boilers, printers, a parts washer, a fire pump, and an emergency generator. The new effective date and expiration date for the PAL have been revised accordingly under Condition # 032 of Section C of the Title V Operating Permit. The Title V Operating Permit will continue to contain monitoring and recordkeeping requirements that ensure the facility complies with the applicable requirements for a PAL, as outlined under 25 Pa. Code § 127.218. Application received: June 21, 2022. Issued: July 7, 2023.

**Operating Permit(s) Denied, Terminated, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

*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.*

**09-00177: North Penn Polishing & Plating**, P.O. Box 370, Sellersville, PA 18960-0370, Sellersville Borough, **Bucks County**. This action is for the revocation of a Natural Minor Operating Permit. Natural Minor Operating Permit No. 09-00177 which was initially issued to North Penn Polishing & Plating (NPPP) on June 27, 2007. The Operating Permit was required due to the installation of a vapor degreaser (Source ID 102). Other

sources that were exempt sources or insignificant sources included two boilers (Source IDs 030 and 031), a decorative chrome tank (Source ID 101), and miscellaneous plating and polishing lines (Source ID 103). Natural Minor Operating Permit No. 09-00177 was last renewed on January 7, 2019. The Department received a request from NPPP to revoke Natural Minor Operating Permit No. 09-00177 because the primary source of emissions, the vapor degreaser, had been removed in 2019, along with the decorative chrome tank. The remaining sources (boilers and polishing and plating lines) operate below the requirements of a Plan Approval/Operating Permit, as per 25 Pa. Code § 127.14(a). This request is supported by an inspection performed by DEP on January 23, 2020. An Operating Permit is currently no longer required for this site. Therefore, the Operating Permit has been revoked. Application received: May 8, 2023. Issued: July 7, 2023.

## 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, 724-769-1100.*

**Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company, LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Aleppo Townships, **Greene County**. To revise the permit and related NPDES permit for installation of degas boreholes, affecting 13.8 surface acres. Application received: September 13, 2022. Accepted: November 3, 2022. Issued: June 14, 2023.

*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. 56110105. Fieg Brothers**, P.O. Box 38, Berlin, PA 15530, Southampton Township, **Somerset County**. Renewal for reclamation only on a bituminous surface mine affecting 318.4 acres. Receiving streams: unnamed tributaries to the North Branch of

Jennings Run; unnamed tributary to Rush Run, classified for the following uses: CWF and HQ—CWF. Application received: June 22, 2022. Renewal issued: July 7, 2023.

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

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

**Mining Permit No. 49803201. Reading Anthracite Company**, P.O. Box 1200, Pottsville, PA 17901, Zerbe Township, **Northumberland County**. Correction to update the E&S plan and change the post-mining land use to unmanage natural habitat on an anthracite coal refuse reprocessing operation affecting 176.0 acres. Receiving stream: Zerbe Run. Application received: September 28, 2022. Correction issued: July 6, 2023.

#### *Noncoal 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.*

**Mining Permit No. 01930301. NPDES No. PA0595591. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, Hamiltonban Township, **Adams County**. Renewal of NPDES permit affecting 141.0 acres. Receiving streams: Middle Creek classified for the following uses: CWF-MF. Application received: December 21, 2022. Renewal issued: July 5, 2023.

*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. 10110303. NPDES No. PA0259080. Allegheny Mineral Corporation**, P.O. Box 1022, Kittanning, PA 16201, Washington Township, **Butler County**. Renewal of an NPDES permit. Application received: April 10, 2023. Issued: July 7, 2023.

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

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

**Mining Permit No. 58220806. GP-104 No. PAM122022. Guaman Stone Quarry, LLC**, 107 Sweets Court, Nicholson, PA 18446, Springville Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: UNT to Stevens Creek. Application received: April 6, 2022. Permit issued: June 27, 2023.

**Mining Permit No. 06820601. NPDES Permit No. PA0612791. Southern Berks Land Co., LP**, 200 Bethlehem Drive, Suite 106, Morgantown, PA 19543, New Morgan Borough, **Berks County**. Correction to change Discharge Point 001 to a Stormwater Outfall. Receiving stream: UNT to East Branch Conestoga River. Application received: March 13, 2023. Correction issued: July 5, 2023.

**Mining Permit No. 58222512. P & P Stone, LLC**, 100 Franklin Hill Road, Hallstead, PA 18822, Franklin Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation affecting 10.0 acres. Receiving stream: UNT to DuBois Creek. Application received: April 6, 2022. Permit issued: July 5, 2023.

**Mining Permit No. 58222512. GP104 No. PA122021. P & P Stone, LLC**, 100 Franklin Hill Road, Hallstead,

PA 18822, Franklin Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: UNT to DuBois Creek. Application received: April 6, 2022. Coverage issued: July 5, 2023.

**Mining Permit No. 35910301. PA0595209. Scranton Materials, LLC**, P.O. Box 127, Meshoppen, PA 18630, Ransom and Newton Townships, **Lackawanna County**. Renew NPDES Permit on a quarry operation. Receiving stream: Keyser Creek. Application received: December 19, 2022. Renewal issued: July 10, 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*

*New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

*Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.*

**Permit No. 65234101. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141, Hempfield Township, **Westmoreland County**. Blasting activity permit issued for the construction of the Liberoni Westmoreland commercial development, with an expiration date of December 31, 2023. Application received: June 23, 2023. Issued: June 28, 2023.

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

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

**Permit No. 46234103. M3 Explo, LLC**, P.O. Box 615, Bowmansville, PA 17507, Lower Moreland Township, **Montgomery County**. Construction blasting for Philmont Development. Application received: June 26, 2023. Permit issued: July 7, 2023. Expiration date: June 26, 2024.

**Permit No. 38234110. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, Heidelberg Township, **Lebanon County**. Construction blasting for Lavern Martin Road Cutback. Application received: July 3, 2023. Permit issued: July 7, 2023. Expiration date: October 30, 2023.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.



Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

*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.*

**E450222-009. Forte, Inc., t/a Stroudsmoor Country Inn**, P.O. Box 153, Stroudsburg, PA 18360, Stroud Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain approximately 2,470 linear feet of a combination 8-inch SDR-35 sanitary line and 3-inch low pressure sanitary crossing of several water bodies that include approximately 115 linear feet of PEM Wetland (EV) (W2), 95 linear feet of PEM Wetland (EV) (W4), 180 linear feet of PFO Wetland (EV) (W5), 8 linear feet of UNT to McMichael's Creek (HQ—CWF, MF) (S4), 5 linear feet of UNT to McMichael's Creek (HQ—CWF, MF) (S5), and 105 linear feet of McMichael's Creek (HQ—CWF, MF) (S6). In addition, two 3-inch sanitary lines may also be installed at the same crossing locations for future flows. Latitude: 40° 58' 3.04", Longitude: -75° 12' 11.35". Application received: October 12, 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.*

**E4601223-002. GlaxoSmithKline, LLC**, 709 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To remove accumulated sediments and maintain approximately 220 LF along the Matsunk Creek (WWF) within the GWS Property east of River Road and north of Swedeland Road, associated with the flow capacity within the two existing downgradient discharge culverts that flow under an existing access road to the east. An existing concrete headwall will also be replaced. The site is located about 250 feet north of Swedeland and Schuylkill Roads (Norristown, PA USGS Quadrangles) in Upper Merion Township, Montgomery County. Latitude: 40.085517°, Longitude: -75.325732°. Application received: February 2, 2023. Issued: June 30, 2023.

**E4601223-003. Arcadia University**, 450 South Easton Road, Glenside, PA 19038, Cheltenham Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To restore, stabilize, and maintain approximately 160 LF section of the UNT to Tacony Creek (WWF-MF) from the existing driveway crossing to the stream's confluence with Tacony Creek within the Arcadia University Campus, associated with the protection of the existing infrastructure and the exposed sanitary manhole. The proposed method of stabilization will be bio-engineering methods. The site is located about 1,000 feet northwest of Church Road and Limekiln Pike (Germantown, PA USGS Quadrangles) in Cheltenham Township, Montgomery County. Latitude: 40.09414°, Longitude: -75.16642°. Application received: February 8, 2023. Issued: June 29, 2023.

*Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: D. J. Stevenson, 412- 442-4281.*

**E6307222-014. Sunoco Pipeline, LP**, 5733 Butler Street, Pittsburgh, PA 15201, Mount Pleasant Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Latitude: 40.345226°, Longitude: -80.304676°. Application received: November 10, 2022. Issued: July 7, 2023. To remediate a slope failure within the existing Mariner West Pipeline right-of-way and restore Cherry Run, a Warm Water Fishery (WWF). Slope repair will result in permanent impacts to two (2) Palustrine Emergent (PEM) wetlands due to placement of fill and installation of drainage and temporary impacts to one (1) PEM wetland due to temporary construction access. Project proposes temporary and permanent impacts to Cherry Run due temporary bridge crossing for site access, installation of stream diversion, removal of slide debris from streambed, restoration of streambed to original condition, installation of boulder toe key stream-bank protection. Project proposes temporary impacts to the 50' assumed floodway of Cherry Run including excavation of slope, installation of fill keys, installation of drainage and outfalls, construction of reinforced soil slope, seeding and site restoration. The project is located within Mount Pleasant Township, Washington County, Pittsburgh USACE District (40.345226, -80.304676), Sub-Basin 20D (Raccoon Creek), Quad Name: Midway.

Resource Name	Aquatic Resource Type	Activity	Chapter 93 Designation	Impact Area Temp. (SF)	Impact Area Perm. (SF)	Impact Area Temp. (Ac)	Impact Area Perm. (Ac)
Wetland 1	PEM	Bridge/ Equipment Crossing	-	2,560	-	0.06	-
Wetland 2	PEM	Fill and Drainage installation	-	-	494	-	0.01
Wetland 3	PEM	Fill and Drainage installation	-	-	1,350	-	0.03
Cherry Run	Perennial	Bridge/Equipment Crossing	WWF	256	-	0.005	-
Cherry Run	Perennial	Outfall	WWF	-	1.5	-	>0.001
Cherry Run	Perennial	Boulder Toe Protection	WWF	-	210	-	0.004
Cherry Run	Perennial	Slide debris removal	WWF	680	-	0.02	0.005
Cherry Run	Perennial	Floodway Activity; Excavation and Construction of slope repair	WWF	-	8,820	-	0.2
<i>Impact Totals</i>				<i>3,496 SF</i>	<i>10,875 SF</i>	<i>0.08 Ac</i>	<i>0.25 Ac</i>

### ENVIRONMENTAL ASSESSMENTS

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

*Contact: 717-705-4802.*

**E6703222-006. Yellow Breeches Sports Complex,** 700 Shawnee Court, New Cumberland, PA 17070, Fairview Township, **York County**. U.S. Army Corps of Engineers Baltimore District.

To place and maintain fill in 0.047 acre of emergent wetland and two separate abandoned quarry pits totaling 0.10 acre, all for the purpose of expanding an existing sports complex with an additional building and associated parking. The project is located along Shawnee Court in Fairview Township, York County (Latitude: 40.2138; Longitude: -76.8841). The amount of wetland impact is considered a de minimus and compensatory wetland mitigation is not required. Latitude: 40.2138°, Longitude: -76.8841°. Application received: June 15, 2022. Issued: July 5, 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.

*Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: D. J. Stevenson, 412-442-4281.*

#### ESCGP # 3 **ESG070223002-00**

Applicant Name **Hyperion Midstream, LLC**

Contact Person Brian Dillemath

Address 501 Technology Drive, Suite 1200

City, State, Zip Canonsburg, PA 15317-7535

Township(s) West Deer Township

County **Allegheny County**

Receiving Stream(s) and Classification(s) West Branch

Deer Creek, CWF Deer Creek and UNTs, CWF; Tributary

42334 to Dawson Run and UNTs, CWF; Dawson

Run and UNTs, CWF.

Application received: February 20, 2023

Issued: May 2, 2023

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

#### ESCGP # 3 **ESG073022022-01**

Applicant Name **EQM Gathering Opco, LLC**

Contact Person Gregg West, (724) 271-7600,

GWest@equitransmidstream.com

Address North of Oak Forest Rd/Bull Dog Run Rd

City, State, Zip Spraggs, PA 15362

Township(s) Gilmore Township, Wayne Township.

County **Greene County**



Receiving Stream(s) and Classification(s) Trib 41636 to Roberts Run, Rush Run, Trib 41630 to Rush Run, Bulldog Run, Hoovers Run, Trib 41732 to Hoovers Run, Trib 41731 to Hoovers Run. Ch 93 class WWF.  
Application received: March 31, 2023  
Permit modification issued: July 6, 2023

ESCGP # 3 **ESG070423002-00**  
Applicant Name **ETC Northeast Pipeline, LLC**  
Contact Person Matt Florian,  
matt.florian@energytransfer.com, (724) 809-6514  
Address 198 Hookstown Grade Road  
City, State, Zip Clinton, PA 15026  
Township(s) Independence Township  
County **Beaver County**

Receiving Stream(s) and Classification(s) 001: Lat 40.53017, Long -80.35337, Tributary 33677 to Raccoon Creek, Ch 93 class WWF 002: Lat 40.53216, Long -80.35141, Tributary 33673 to Raccoon Creek, Ch 93 class WWF.

Application received: April 25, 2023  
Issued: July 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.

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

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

**Murphys Mini Mart**, Storage Tank Facility ID # **53-35296**, 1327 E 2nd St, Coudersport, PA 16915, Sweden Township, **Potter County**. McKee Environmental Inc., 86 Quartz Drive, Bellefonte, PA 16823, on behalf of Murphys Mini Mart, 1327 E 2nd St, Coudersport, PA 16915 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Wallaby's Store**, Storage Tank Facility ID # **45-06391**, 7074 Route 209, Stroudsburg, PA 18360, Hamilton Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of MJ Properties USA, LLC, 2085 Augusta Drive, Center Valley, PA 18034 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health standards.

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

*Contact: Natalie, 814-332-6648.*

**Red Express Cranberry**, Storage Tank Facility ID # **61-22924**, 7260 Route 322, Cranberry, PA 16319, Cranberry Township, **Venango County**. Insite Group, Inc., 611 S Irvine Ave, Sharon, PA 16146, on behalf of Red Express, Inc., P.O. Box 105, Cranberry, PA 16319 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.

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

*Contact: Robin L. Yerger, P.G.*

**Getty Service Station 67627**, Storage Tank Facility ID # **67-26022**, 101 Carlisle St, Hanover, PA 17331, Hanover Borough, **York County**. Antea USA, Inc., 535 Rte 38, Cherry Hill, NJ 08002, on behalf of Getty Properties Corp, Two Jericho Plaza, Ste 110, Wing C, Jericho, NY 11753 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report is intended to document the remedial actions for meeting Statewide health and site-specific 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.*

**Monroe Energy Trainer Facility**, Storage Tank Facility ID # **23-41511**, 4101 Post Rd., Trainer, PA 19061, Trainer Borough, **Delaware County**. Weston Solutions, Inc., 1400 Weston Way, West Chester, PA 19380, on behalf of Monroe Energy, 4101 Post Rd., Marcus Hook, PA 19061 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with sulfuric acid. The report is intended to document the remedial actions for meeting site-specific standards.

**1892 S State Rd Upper Darby**, Storage Tank Facility ID # **23-07042**, 1892 S. State Road, Upper Darby, PA 19082, Upper Darby Township, **Delaware County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of PALG UST VI, LLC, 645 Hamilton Street, Suite 400, Allentown, PA 18101 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting site-specific standards.

**Springfield Enterprise**, Storage Tank Facility ID # **09-40360**, 1860 Route 212, Quakertown, PA 18951, Springfield Township, **Bucks County**. Center Point Tank Services, Inc., 536 E. Benjamin Franklin Highway, Douglasville, PA 19518, on behalf of Pleasant Valley/Springfield Enterprise, 1860 Route 212, Quakertown, PA 18951 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

**Oxford Fuels 69439**, Storage Tank Facility ID # **15-32225**, 203 S. 3rd St., Oxford, PA 19363, Oxford Borough, **Chester County**. Petrodi LLC, 543 Oakshade Road, Shamong, NJ 08088, on behalf of Ramoco Marketing Group, P.O. Box 2218, Princeton, NJ 08540 submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

**Bob Wark's Sunoco**, Storage Tank Facility ID # **46-22635**, 300 Montgomery Ave., Merion Station, PA 19066, Lower Merion Township, **Montgomery County**. Center Point Tank Services, Inc., 536 E. Benjamin Franklin Highway, Douglasville, PA 19518, on behalf of Bob Wark's Liberty Station, 300 Montgomery Ave., Merion Station, PA 19066 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.

## 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.*

**Roland & Roland**, Storage Tank Facility ID # **39-51187**, 900 13th Avenue, Bethlehem, PA 18018, City of Bethlehem, **Lehigh County**. American Analytical & Environmental, 738 Front Street, Catasauqua, PA 18032, on behalf of Villa Properties II, LLC, 2332 Spring Valley Road, Bethlehem, PA 18015 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report demonstrated attainment of the Statewide health standards and was approved by DEP on July 6, 2023.

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

*Contact: Robin L. Yerger, P.G.*

**Getty Service Station 67627**, Storage Tank Facility ID # **67-26022**, 101 Carlisle St, Hanover, PA 17331, Hanover Borough, **York County**. Antea USA, Inc., 535 Rte 38, Ste 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Corp, Two Jericho Plaza, Ste 110, Wing C, Jericho, NY 11753 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on July 5, 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.*

**Monroe Energy Trainer Refinery**, Storage Tank Facility ID # **23-41511**, 4101 Post Rd., Trainer, PA 19061, Trainer Borough, **Delaware County**. Weston Solutions, Inc., 1400 Weston Way, West Chester, PA 19380, on behalf of Monroe Energy, 4101 Post Rd., Trainer, PA 19061 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with sulfuric acid. The report demonstrated attainment of the site-specific standards and was approved by DEP on July 5, 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.*

**Best Deal Tire Center**, Storage Tank Facility ID # **02-07379**, 89 Clever Road, McKees Rocks, PA 15136, Kennedy Township, **Allegheny County**. Flynn Environ-

mental, Inc., 5640 Whipple Avenue Northwest, North Canton, OH 44720, on behalf of Bill Ostapchenko, 89 Clever Road, McKees Rocks, PA 15136 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with unleaded gasoline. The report residential demonstrated attainment of the State-wide health standards and was approved by DEP on July 5, 2023.

---

## SPECIAL NOTICES

---

### WASTE, AIR, RADIATION AND REMEDIATION

---

#### Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

---

*Central Office: Radiation Protection Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.*

*Contact: 717-783-3594 Austyn Shank.*

In the month of June 2023, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Steve Guertin	2965 Persimmon Drive Erie, PA 16509-8041	Testing Individual
Joseph Yeager	185 Levering Street Philadelphia, PA 19127	Testing Individual
Nicole Thompson	1924 Sutton Avenue #4 Cincinnati, OH 45230-1692	Testing Individual
Joseph Mihalik	201 Church Street Penn, PA 15675	Testing Individual
Darrell Barrick	37 Knisley Road Hanover, PA 17331-8601	Testing Individual
Joseph Lydic	P.O. Box 151 Muse, PA 15350-0151	Testing Individual
Scott Coslett	332 East 11th Street Berwick, PA 18603-2230	Testing Individual
Jerry Petrill	290 Forbes Trail Road Greensburg, PA 15601-6538	Mitigation Individual
Lawrence Transue	2305 Lone Cedar Drive Easton, PA 18040-7545	Testing Individual
William Kail	549 McCombs Road Venetia, PA 15367-1346	Testing Individual
Derek Pragle	1728 S Delaware Drive Mount Bethel, PA 18343-5233	Testing Individual
Joseph Coppa	806 Fayette Street Conshohocken, PA 19428-1709	Testing Individual
Aiman Omar	164 Liberty Avenue Norristown, PA 19603	Testing Individual
Darren Verber	8020 Mine Street Fogelsville, PA 18051-1622	Mitigation Individual
Robert Mallon	P.O. Box 419 South Heights, PA 15081-0419	Mitigation Individual
Valerie Matteo	462 Biddle Avenue Pittsburgh, PA 15221-3493	Testing Individual
Robert Morrow	150 River Road Templeton, PA 16259-1240	Testing Individual



<i>Name</i>	<i>Address</i>	<i>Certification</i>
Kevin Kerr	363 Hill Road Honey Brook, PA 19344-9024	Testing Individual
Ara Jones	14 Morgan Drive Leechburg, PA 15656-1038	Testing Individual
William Boni	5135 Interboro Avenue Pittsburgh, PA 15207-2327	Testing Individual
William Boni	5135 Interboro Avenue Pittsburgh, PA 15207-2327	Mitigation Individual
Omega Radon Measurement & Mitigation	5135 Interboro Avenue Pittsburgh, PA 15207-2327	Mitigation Firm
Omega Radon Measurement & Mitigation	5135 Interboro Avenue Pittsburgh, PA 15207-2327	Testing Firm
Wayne Stevens	1619 Forest Acres Drive Clarks Summit, PA 18411-9512	Mitigation Individual

---

**Covered Device Prohibited from Sale under Sections 302 and 507 of the Covered Device Recycling Act, Act 108 of 2010.**

---

*Central Office, Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.*

*Contact: Teesha Truesdale 717-787-7382.*

The Department of Environmental Protection (Department) hereby announces that a certain manufacturer of covered devices is not included on the Department's list of registered manufacturers, maintained by the Department under sections 302 and 507 of the Covered Device Recycling Act (CDRA). Accordingly, under Section 302 of the CDRA, no retailer may offer these manufacturers' products for sale within the Commonwealth.

Manufacturers of new covered devices—such as televisions, laptop and desktop computers, tablets, etc.—offered for sale in Pennsylvania are required to register with the Department prior to commencing sales per Section 304 of the CDRA. Manufacturers must also pay an annual registration fee and submit a recycling plan and annual report. Section 302 of the CDRA prohibits the sale of covered devices in the Commonwealth by unregistered manufacturers.

The Department is required to maintain a list of registered manufacturers per Section 302(b) of the CDRA. The list can be accessed by visiting [dep.pa.gov](http://dep.pa.gov).

The following manufacturer is not included on the Department's list and are therefore considered out of compliance:

**Supersonic, Inc. (Supersonic)**, Due to its non-compliant status and non-inclusion on the list of registered manufacturers, the Department is notifying the public, in cooperation with covered device retailers, that the CDRA prohibits the sale of devices manufactured by Supersonic within the Commonwealth, and that the sale of such devices would constitute unlawful conduct under the CDRA. Non-compliant manufacturers may once again be included on the Department's list of registered manufacturers, and their devices offered for sale in the Commonwealth, if the manufacturers return to compliance with all the applicable provisions of the CDRA.

Inquiries regarding this notification can be directed to Jordan Hoover, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimi-

zation and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at [jorhoover@pa.gov](mailto:jorhoover@pa.gov) or (717) 783-8973.

---

**Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101.**

---

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

*Contact: Joseph L. Delgrippe, Regional Planning and Recycling Coordinator.*

The Department of Environmental Protection (Department) approved the Northumberland County Municipal Waste Plan Revision on July 11, 2023.

Persons aggrieved by an action may appeal, 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 the 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 may contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create 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, 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.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.



Questions concerning this approval should be directed to Joseph L. DelGrippe, Regional Planning and Recycling Coordinator, Waste Management Program, at the Northcentral Regional Office at 570-916-8648.

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

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

**47-00001:** In accordance with 25 Pa. Code §§ 129.96—129.115, the Pennsylvania Department of Environmental Protection (DEP) has made a preliminary determination to approve an alternative Reasonably Available Control Technology (RACT 2 and 3) plan and seeks an approval of an amendment to the State Implementation Plan (SIP) for the Montour, LLC Steam Electric Station (SES) located in Derry Township, **Montour County**. And in accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection intends to modify the facility's Title V Operating Permit. The proposed permit revision also includes applicable presumptive RACT 3 requirements for other existing sources at the facility. The facility is located at 18 McMichael Rd, Washingtonville, PA 17821. The facility's representative to contact concerning this application is Ms. Kathleen Potter, Senior Environmental Professional. Her phone number is 610-601-0305. The facility's major emission sources include two tangential bituminous coal-fired boilers with nominal maximum heat inputs of 7,317 and 7,239 MMBtu/hr, two #2 fuel oil-fired auxiliary boilers rated at maximum heat inputs of 249 and 269 MMBtu/hr, as well as emergency diesel engines and fire pumps.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT 2 and 3 approval for the facility, which are intended to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standard (NAAQS) for ozone. The proposed amendments to the RACT 2 and 3 determinations, if finally approved, will be incorporated into a revised operating permit (47-00001) for the facility. The relevant RACT 2 and 3 requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT 2 or 3 determination will be excluded from the SIP submittal; this includes the provisions of the Department's presumptive RACT 3 requirements in accordance with 25 Pa. Code § 129.112, as they apply to existing sources. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations.

The following is a summary of the proposed amendments to the RACT 2 and 3 determination for this operation that will be submitted to the EPA as a SIP revision:

- The total combined NO<sub>x</sub> emissions from Units 1 and 2 shall not exceed 0.100 lb/MMBtu on a 30-operating day rolling average.
- Daily NO<sub>x</sub> emissions from Unit 1 shall not exceed 17,561 lb per unit operating day.
- Daily NO<sub>x</sub> emissions from Unit 2 shall not exceed 17,374 lb per unit operating day.

- Units 1 and 2 may not fire coal after December 31, 2025.

- The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits: (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR parts 60 and 75, appendix F, Procedure 1; (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR part 75; and (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C.

- The permittee shall: (a) Operate the SCR systems associated Unit 1 and/or 2 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler. (b) Utilize reagent in the SCR systems at a rate that is optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and (c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions.

- The permittee shall create and maintain records of: (a) the hourly heat input for each unit; (b) The specific hourly ammonia injection amounts for each unit; and (c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years.

- The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month reporting period. The periodic report shall contain data for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility.

- The permittee shall be in compliance with the case-by-case NO<sub>x</sub> RACT requirements within 45 days of the effective date of the modified TVOP 47-00001, except for the Facility-Wide 30-Operating Day Rolling Average NO<sub>x</sub> Emission Rate Requirement, for which the compliance date is the day that the permittee has operated for 30 operating days after, and possibly including, the initial compliance date.

- Units 1 and 2 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065. In the event there is a conflict between the FIP requirements and the conditions in TVOP 47-00001, the permittee shall comply with the more stringent provision.

A public hearing will be held if requested by August 18, 2023 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on August 30, 2023, at 1:00 PM at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Megan Lehman at 570-327-3659. The last day to pre-register to speak at a hearing, if one is held, will be August 23, 2023.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at: <https://www.dep.pa.gov/>

About/Regional/North-central-Regional-Office/Community-Information/Pages/default.aspx. We ask that you contact Megan Lehman at 570-327-3659 or monitor our Web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Megan Lehman at 570-327-3659 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 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, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. A 30-day comment period from the date of this notice will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 and 3 Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Appointments for scheduling a review may be made by calling the Department at 570-327-0550.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Megan Lehman at 570-327-3659 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

Application received on December 30, 2022.

### **Monroe County Municipal Solid Waste Disposal Capacity Advertisement for Proposals.**

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

*Contact: Berit Case 570-826-2018.*

In accordance with the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of July 28, 1988, P.L. 556, No. 101, 53 P.S. §§ 4000.101, et. seq. ("Act 101") and § 272 of the Pennsylvania Rules and Regulations, 25 Pa. Code, Chapter 272, as amended, the **Monroe County Municipal Waste Management Authority** is hereby soliciting proposals for municipal solid waste disposal capacity for all municipal solid waste (MSW), including construction/demolition waste (C/D) and municipal sewage sludge (Sludge) generated from within **Monroe County** for a minimum of ten (10) years commencing January 1, 2025. This volume of material is for the sole use of the Monroe County Municipal Waste

Management Authority and must be reserved for their use as stated herein and is to be utilized as part of an Integrated Waste Management System for the benefit of the residents of Monroe County.

The Monroe County Municipal Waste Management Authority (Waste Authority) will hold a Mandatory Pre-Bid Meeting 30 days prior to the Bid Due Date. The Meeting will be held at the Waste Authority offices, located at 183 Commercial Boulevard, Blakeslee, PA 18610 at 1:00 p.m., prevailing time on Monday, September 11, 2023.

Sealed proposals will be received by the Monroe County Municipal Waste Management Authority at its offices, located at 183 Commercial Boulevard, Blakeslee, PA 18610, until 12:00 noon, prevailing time on Monday, October 9, 2023. All proposals will be officially opened by the Monroe County Municipal Waste Management Authority at 1:00 p.m. on Monday, October 9, 2023, at the Waste Authority Offices.

Copies of the Request for Proposals (RFP) may be purchased on or after Thursday, July 11, 2023, from the Office of the Monroe County Municipal Waste Management Authority, (570) 643-6100, by pre-payment of a non-refundable amount of \$25.00 per proposal. Proposers should make checks payable to: Monroe County Municipal Waste Management Authority or contact the Waste Authority to pay by credit/debit card.

All proposals must be made on the Proposal Forms and be in accordance with the Instruction to Proposers contained in this Request for Proposals. The Proposer is required to submit one (1) original and one (1) copy of the Proposal to the Monroe County Municipal Waste Management Authority at the address listed as follows. Envelopes containing the proposals must be sealed and clearly labeled to show the name and address of the proposer, the statement "Proposal for Municipal Solid Waste Disposal Capacity" and be addressed to:

Monroe County Municipal Waste Management  
Authority  
Attention: James Lambert  
183 Commercial Boulevard  
Blakeslee, PA 18610

Notice given by:

1. Direct mail to all permitted PA MSW and C&D Landfills and Resource Recovery Facilities.
2. Advertised in the Pocono Record.
3. Advertised in the national publication Waste Dive.
4. In the *Pennsylvania Bulletin*.

### **Notice of Request for Assurance of Municipal Solid Waste Disposal Capacity Berks County Solid Waste Authority.**

*Central Office, Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.*

*Contact: Teesha Truesdale 717-787-7382.*

The Berks County Solid Waste Authority (the Authority) has begun the process of revising the Berks County Municipal Waste Management Plan (the Plan), pursuant to Title 25, Chapter 272, Subchapter C of the Pennsylvania Department of Environmental Protection ("PADEP") Rules and Regulations. The Plan is intended to ensure that the County has sufficient processing and disposal capacity for municipal waste generated in the County

during the period beginning on October 7, 2024 and extending ten years from the date of approval of the Plan by PADEP (the Plan Period).

The Authority is hereby soliciting proposals from Disposal Facilities for the provision of non-exclusive disposal or processing capacity for municipal solid waste, including construction/demolition waste and sewage sludge, generated within Berks County (the County) during the Plan Period.

Berks County does not flow control waste and does not intend to flow control waste during the Plan Period. The County cannot guarantee the disposal of any minimum quantity of municipal waste at any Disposal Facility. The County and the Authority are searching for Disposal Facilities interested in entering into agreement(s) to provide non-exclusive disposal capacity for waste generated in Berks County during the Plan Period. Selected Disposal Facilities will be identified in the forthcoming Plan as facilities assuring disposal capacity.

Owners or operators of Disposal Facilities interested in assuring disposal capacity for waste generated in Berks County during the Plan Period shall submit a letter of interest to the Authority, to the attention of Executive Director, Jane Meeks, 633 Court Street, Reading, PA 19601, with an e-mailed copy to [jmееks@berkscswa.com](mailto:jmееks@berkscswa.com). The letter of interest must be received by September 15, 2023 and shall include:

- (a) The name, PADEP permit number, and location of the Disposal Facility;
- (b) The company name(s) of the owner and operator of the Disposal Facility;
- (c) The name, title, and contact information for an appropriate representative of the Disposal Facility; and
- (d) The remaining capacity (in tons) and estimated remaining lifetime (in years) of the Disposal Facility, with mention of any reasonably anticipated expansions.

The County and the Authority reserve the right to reject any or all proposals, to waive any irregularities and/or information in any proposal, and to make selections in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

[Pa.B. Doc. No. 23-975. Filed for public inspection July 21, 2023, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 205.7 (relating to basement or cellar):

Care Pavilion Nursing and Rehabilitation Center  
6212 Walnut Street  
Philadelphia, PA 19139  
FAC ID # 292002

Elan Skilled Nursing and Rehab, A Jewish Senior Life Community  
1101 Vine Street  
Scranton, PA 18510  
FAC ID # 360402

Quality Life Services—New Castle  
520 Friendship Street  
New Castle, PA 16101  
FAC ID # 850302

Saint John Specialty Care Center  
P.O. Box 928  
500 Wittenberg Way  
Mars, PA 16046  
FAC ID # 970802

Southwestern Veterans Center  
7060 Highland Drive  
Pittsburgh, PA 15206  
FAC ID # 068802

The Caring Place  
103 North 13th Street  
Franklin, PA 16323  
FAC ID # 017102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 204.5(a) (relating to resident rooms):

Quality Life Services—New Castle  
520 Friendship Street  
New Castle, PA 16101  
FAC ID # 850302

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 23-976. Filed for public inspection July 21, 2023, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Public-Private Partnerships Board Meeting

The Public-Private Partnerships Board will hold a meeting on Thursday, August 31, 2023, at 10 a.m. in the Forest Room, Plaza Level, Keystone Building, Harrisburg, PA. For more information, contact Maddie Vergos, (717) 787-3154, [mvergos@pa.gov](mailto:mvergos@pa.gov).

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 23-977. Filed for public inspection July 21, 2023, 9:00 a.m.]



## DEPARTMENT OF TRANSPORTATION

### State Transportation Innovation Council Business Meeting

The State Transportation Innovation Council will hold its business meeting on Wednesday, July 26, 2023, from 9 a.m. to 12 p.m. in the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093-0309. For more information, including an agenda and registration, contact Anja Walker, (717) 425-6288, anjwalker@pa.gov.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 23-978. Filed for public inspection July 21, 2023, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The August 8, 2023, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is tentatively scheduled for Tuesday, September 12, 2023. The meeting will begin at 9 a.m. in

Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board," then "2023 Meetings").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the September 12, 2023, meeting can be directed to Laura Griffin at [laurgriffi@pa.gov](mailto:laurgriffi@pa.gov) or (717) 783-8727.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 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,  
*Chairperson*

[Pa.B. Doc. No. 23-979. Filed for public inspection July 21, 2023, 9:00 a.m.]

## GOVERNOR'S OFFICE

### Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication semi-annually an agenda of regulations under development or consideration.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The information provided is current as of July 15, 2023. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>Department of Aging</b>			
Older Adult Daily Living Centers 6 Pa. Code Chapter 11	Summer 2023, as Proposed	The purpose of 6 Pa. Code Chapter 11 is to protect the health, safety and well-being of persons with functional impairments for the licensure and operation of Older Adult Daily Living Centers (OADLC). These regulations—the statutory authority for which is found in Act 118 of 1990 and in 62 P.S. Chapter 2 § 1511—were adopted on July 2, 1993 and effective October 12, 1993. The Pennsylvania Department of Aging is responsible for the enforcement of these regulations. OADLC services provide a structured program of services to clients who require the service along with valuable respite to caregivers. The proposed rulemaking would update the existing regulatory language to address changes in other statutes, regulations, codes, ordinances, and other professional standards and practices, along with addressing the increasing frailty of clients served in OADLC.	Steven Horner, Deputy Secretary (717) 425-5065



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Agriculture</i></b>			
Agricultural Conservation Easement Purchase Program 7 Pa. Code Chapter 138e (# 2-192)	Expected publication proposed Q1, 2023	The regulation will revise the regulation to address the five amendments of the Agricultural Area Security Law that occurred since 2004, when the regulation was last revised. The revision will accomplish a “housekeeping” update to reflect the Department’s experience in administering the Agricultural Conservation Easement purchase program.	Stephanie Zimmerman (717) 705-7796
Milk Sanitation 7 Pa. Code Chapter 59a (# 2-194)	Expected publication on proposed Q1, 2023	The regulation will: 1) accomplish a “housekeeping” update to the technical Milk Sanitation regulations; 2) allow for the lawful production and sale of raw milk butter; and 3) lower the maximum permissible somatic cell count for milk.	Sheri Morris (717) 787-4315
Pesticide Rules and Regulations 7 Pa. Code Chapter 128	Expected publication proposed Q4, 2023 or Q1, 2024	The current regulation is being revised to: 1) meet the updated Federal EPA Pesticide Certification Rule as required by EPA; 2) add clarifying language where needed; and 3) add/remove certain regulatory requirements to accommodate pesticide use needs in the Commonwealth.	Jessica Lenker (717) 772-5212
<b><i>Department of Banking and Securities (DOBS)</i></b>			
Amendment of regulations at 10 Pa. Code Part VII. Securities	Fall 2023, as Proposed	This rulemaking would add annual continuing education for investment adviser representatives and an Examination Validity Extension Program for investment adviser representatives.	Stefanie Hamilton (717) 787-1471
<b><i>Department of Conservation and Natural Resources (DCNR)</i></b>			
Conservation of Pennsylvania Native Wild Plants 17 Pa. Code Chapter 45	Summer 2023, as Final	Pursuant to section 5307(c) of the Wild Resource Conservation Act (32 P.S. § 5307(c)) and sections 305(a)(9) and 313(g) of the Conservation and Natural Resources Act (71 P.S. §§ 1340.305(a)(9) and 1340.313(g)), the regulation updates existing regulatory classification lists of Pennsylvania native wild plant species, including certain scientific names, common names and reference sources.	Rebecca Bowen (717) 772-0258 Lisa Maiorana (717) 783-0139
Prescribed Burning Practices Act, Act of July 17, 2009, P.L. 76, No. 17 (32 P.S. § 425)	Fall 2024	DCNR and other agencies and organizations have been utilizing prescribed fires (controlled burns) on publicly-owned forests and grasslands in the Commonwealth since 2009. At this time, there is significant interest and need to expand the use of prescribed fire and allow its use to manage privately-owned lands in Pennsylvania. To do so safely, DCNR feels that it is necessary to establish some baseline regulations for the training and certification of prescribed burn managers and for the review and approval of prescribed burn plans.	Michael Kern (717) 783-7957

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Corrections (DOC)</i></b>			
Inmate Correspondence 37 Pa. Code § 93.2	Fall 2024	Inmate correspondence regulations are being revised to reflect new DOC procedures for processing mail. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Inmate Visiting Privileges 37 Pa. Code § 93.3	Fall 2024	Inmate visiting privileges regulations are being revised to reflect DOC changes to its visiting policy. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Purchase for Inmates by Family and Friends 37 Pa. Code § 93.4	Fall 2024	Purchase for inmates by family and friends regulations are being revised for clarification and to more accurately comport with current standards. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Motivational Boot Camp 37 Pa. Code §§ 93.301—93.308	Fall 2024	Motivational Boot Camp Regulations are being revised to correct statutory citations and reflect changes in procedures.	Tracey Tubbs (717) 728-7763
<b><i>Department of Education (PDE)</i></b>			
Regulations of Special Education Services and Programs 22 Pa. Code Chapter 14	Fall 2023, as Final-Omitted	This regulation supports Pennsylvania's people with an intellectual disability by updating the language in 22 Pa. Code relating to education by replacing the terms "mentally retarded" and "mental retardation" with the terms "intellectually disabled" or "intellectual disabilities." The regulation is promulgated under the authority of Sections 1372 and 26-2603-B, of the Public School Code of 1949, as amended, (24 P.S. §§ 13-1372 and 26-2603-B).	Karen Molchanow (717) 787-3787
Regulations of Charter School and Cyber Charter School Services and Programs for Children with Disabilities 22 Pa. Code Chapter 711	Fall 2023, as Final-Omitted	This regulation supports Pennsylvania's people with an intellectual disability by updating the language in 22 Pa. Code relating to education by replacing the terms "mentally retarded" and "mental retardation" with the terms "intellectually disabled" or "intellectual disabilities." The regulation is promulgated under the authority of Sections 1701-A—1732-A, 1749-A(b)(8), 1751-A, of the Public School Code of 1949, as amended, 24 P.S. §§ 17-1701-A—17-1732-A, 17-1749-A(b)(8), 17-1751-A and §§ 875-101—875-503 of the Early Intervention Services System Act, as amended, 11 P.S. §§ 875-101—875-503.	Carrie Rowe (717) 783-9807

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Environmental Hearing Board (EHB)</i></b>			
Practice and Procedure 25 Pa. Code Chapter 1021 (# 106-14)	Submitted to IRRC and Legislative Committees as proposed rulemaking 6/6/2023. Final rulemaking expected in late 2023 or early 2024.	This rulemaking would amend the following Rules of Practice and Procedure for the Board: 25 Pa. Code § 1021.2 (Definitions); 25 Pa. Code § 1021.51 (Commencement, form and content of notice of appeal) to clarify who should receive notice of the filing of a notice of appeal; 25 Pa. Code § 1021.61 (Supersedes) to address reopening the record; 25 Pa. Code § 1021.63 (Circumstances affecting grant or denial of supersedeas) to amend the section on likelihood of injury; 25 Pa. Code § 1021.81 (Intervention) to add a Comment; 25 Pa. Code § 1021.92 (Procedural motions) to clarify that all requests whether by motion or letter must be accompanied by a proposed order; 25 Pa. Code § 1021.94a (Summary judgment) to correct a typographical error; 25 Pa. Code § 1021.133 (Reopening of record) to address reopening the record after a supersedeas hearing; 25 Pa. Code §§ 1021.182—1021.191 (Attorneys fees and costs) to clarify the procedure for seeking costs and attorney fees in certain types of proceedings. The proposed rulemaking would also add a new rule at 25 Pa. Code § 1021.5 on Citations to Board decisions.	Maryanne Wesdock Senior Assistant Counsel (412) 565-5245
<b><i>Department of Environmental Protection (DEP)</i></b>			
Noncoal Mining Clarifications and Corrections 25 Pa. Code Chapter 77 (# 7-554)	Quarter 3, 2023, Publication, as Final	This rulemaking proposes to clarify and correct existing regulatory requirements for noncoal mining. The rulemaking also proposes to update the blasting section to be consistent with the recently revised Chapter 211 and to reflect current technology. (Noncoal Surface Mining Conservation and Reclamation Act, Clean Streams Law)	Sharon Hill (717) 787-6842 shill@pa.gov
Environmental Protection Performance Standards for Conventional Oil and Gas Operators 25 Pa. Code Chapter 78 (# 7-539)	Quarter 4, 2023, EQB Consideration, as Proposed	This rulemaking proposes to amend the Oil and Gas regulations applicable to conventional operators (Chapter 78) to update the environmental protection performance standards related to oil and gas activities. (2012 Oil and Gas Act, Clean Streams Law, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014)	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov
Waste Management and Related Issues at Conventional Oil and Gas Well Sites 25 Pa. Code Chapter 78 (# 7-540)	Quarter 1, 2024, EQB Consideration, as Proposed	This proposed rulemaking relates primarily to the proper management of waste generated at conventional oil and gas well sites. The purpose of this regulation is to update the performance standards for surface activities at conventional well sites to ensure that these activities are conducted in a manner that protects the health, safety, and environment and property of Pennsylvania's residents.	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Annual Fee for Unconventional Operations 25 Pa. Code Chapter 78a (# 7-573)	Quarter 4, 2023, EQB Consideration, as Proposed	This rulemaking proposes to establish an annual fee for unconventional operations. The annual fee will provide a stable source of funding through FY 2027-2028. (2012 Oil and Gas Act, Clean Streams Law, Dam Safety and Encroachments Act, Solid Waste Management Act)	Kurt Klappkowski (717) 772-2199 kklappkowski@pa.gov
Administration of the Land Recycling Program Vanadium MSC 25 Pa. Code Chapter 250 (# 7-572)	Quarter 3, 2023, EQB Consideration, as Final	The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the toxicity value and medium specific concentrations (MSCs) established under the Statewide health standard for vanadium based on the most recent published scientific information. MSCs are concentrations of contaminants in soil and groundwater that are protective of human health and the environment under various exposure scenarios. This rule will focus on updates to the vanadium toxicity value and updates to the vanadium soil and groundwater MSCs. DEP is required by § 250.11 to propose appropriate MSC changes based on current scientific information no more than 36 months after the effective date of the most recently promulgated MSCs. (Land Recycling and Environmental Remediation Standards Act)	Mike Maddigan (717) 772-3609 mmaddigan@pa.gov
Administration of the Land Recycling Program 25 Pa. Code Chapter 250 (# 7-575)	Quarter 3, 2023, EQB Consideration, as Proposed	The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the medium specific concentrations (MSCs) established under the Statewide health standard based on the most recent published scientific information. MSCs are concentrations of contaminants in soil and groundwater that are protective of human health and the environment under various exposure scenarios. This rule will focus on updates to the models used to calculate the MSCs for lead in soil and potential changes to how the MSCs for PAH's are calculated. These regulations identify the formulas DEP must use to calculate MSCs and the sources of the toxicological information. This rulemaking also proposes to clarify administrative elements of Chapter 250. DEP is required by § 250.11 to propose appropriate MSC changes based on current scientific information no more than 36 months after the effective date of the most recently promulgated MSCs. (Land Recycling and Environmental Remediation Standards Act)	Mike Maddigan (717) 772-3609 mmaddigan@pa.gov
Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices 25 Pa. Code Chapters 227 and 228 (# 7-555)	Quarter 3, 2023, Publication, as Final	This rulemaking proposes to update Chapter 227 to stay current with advances that have occurred in the uses of non-medical X-ray equipment. The revisions will ensure consistency with other government agencies that similarly regulate these devices. (Radiation Protection Act)	John Chipppo (717) 787-2480 jchipppo@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Sewage Facilities Program 25 Pa. Code Chapters 71—73 (# 7-570)	Quarter 2, 2024, EQB Consideration, as Proposed	This rulemaking proposes to update 25 Pa. Code Chapters 71, 72 and 73 to implement recent amendments to the Pennsylvania Sewage Facilities Act made by Act 26 of 2017 and Act 34 of 2020, and to address a number of other issues in these regulations, which were last revised significantly in 1997. The regulatory revisions in this proposed rulemaking will include site suitability criteria for sites with shallow soils, which will provide additional opportunities for new land development in a manner that provides safe, effective long-term sewage disposal. This proposed rulemaking will also include other regulatory revisions and updates to ensure that the planning, permitting, operation, and maintenance of sewage facilities sufficiently protect public health and safety, the waters of the Commonwealth, and property values. (Pennsylvania Clean Streams Law, Pennsylvania Sewage Facilities Act)	Jay Patel (717) 783-2283 jaypatel@pa.gov
Water Quality Standards for Site-Specific Criteria for Methylmercury and Clarifications to the Process for Developing Site-Specific Criteria 25 Pa. Code Chapter 93 (# 7-571)	Quarter 3, 2023, EQB Consideration, as Proposed	This rulemaking proposes to update 25 Pa. Code Chapter 93 with site-specific water quality criteria for methylmercury for unnamed tributary to Ebaughs Creek located in York County. In addition, proposed updates will revise provisions to allow for a more efficient regulatory review process to incorporate site-specific criteria into the water quality standards in 25 Pa. Code Chapter 93, which would allow site-specific criteria to be incorporated into National Pollutant Discharge Elimination System (NPDES) permits more quickly. (Pennsylvania Clean Streams Law, Federal Clean Water Act)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov
Water Quality Standards— Triennial Review of Water Quality Standards and Updates to Toxics Management Strategy— Statement of Policy 25 Pa. Code Chapters 93 and 16 (# 7-577 and # 7-582)	Quarter 3, 2023, EQB Consideration, as Proposed	This rulemaking revises the Commonwealth's water quality criteria and standards in Chapter 93 and updates the Chapter 16 Statement of Policy to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act. (40 CFR 131.20)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Water Quality Standards— Class A Stream Redesignations 25 Pa. Code Chapter 93 (# 7-583)	Quarter 4, 2023, EQB Consideration, as Proposed	The proposed regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC). In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC's fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov
Water Quality Criteria— Copper Biotic Ligand Model 25 Pa. Code Chapter 93 (# 7-584)	Quarter 4, 2023, EQB Consideration, as Proposed	This rulemaking proposes to establish updated copper water quality criteria for the protection of aquatic life, replacing the current hardness-based water quality criteria with the biotic ligand model currently used for the development of site-specific criteria for copper in freshwater systems. (Pennsylvania Clean Streams Law, Federal Clean Water Act)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov
Notification Requirements for Unauthorized Discharges to Waters of the Commonwealth 25 Pa. Code Chapter 93 (# 7-585)	Quarter 1, 2024, EQB Consideration, as Proposed	This rulemaking proposes to clarify the immediate notification requirements for unauthorized discharges of a substance that would cause or threaten pollution to waters of the Commonwealth, endanger downstream users or damage property. (Pennsylvania Clean Streams Law)	Manyi Liu (717) 787-5017 malieu@pa.gov
MAX Delisting 25 Pa. Code Chapter 261a (# 7-566)	Quarter 3, 2023, EQB Consideration, as Final	This rulemaking proposes to amend 25 Pa. Code Chapter 261a to exclude the wastewater sludge generated from the treatment disposal impoundment and landfill leachate and contact stormwater at the MAX Environmental Technologies, Inc. Bulger and Yukon facilities from the list of hazardous wastes under the Resource Conservation and Recovery Act of 1976 (RCRA) and Solid Waste Management Act and their implementing regulations. The regulatory changes in this rulemaking, once promulgated, will codify delisting the wastewater sludge from the Bulger and Yukon Facilities as a hazardous waste. (Solid Waste Management Act, Resource Conservation and Recovery Act)	Tom Mellott (717) 783-3390 mtmellott@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Revisions to the Nutrient Management Regulations 25 Pa. Code Chapter 83, Subchapters D and E (# 7-581)	Summer 2023, SCC Consideration, as Proposed	The State Conservation Commission proposes to revise the nutrient management regulations to more effectively address nutrient losses from concentrated animal operations and farms which receive manure from those operations. The proposed revisions to these regulations include incorporating advances in nutrient management knowledge and technology, as well as updating provisions on the protection of water quality regarding nutrient management. (Conservation District Law, Nutrient Management Act, Conservation and Natural Resources Act)	Frank Schneider (717) 705-3895 fschneider@pa.gov
<b><i>Department of Health (DOH)</i></b>			
Certified Lifeguards 28 Pa. Code § 18.42	August 2023, as Final-Form	The Public Bathing Law authorizes the Department to develop regulations related to lifeguards. The Department is proposing to amend existing regulations for certified lifeguards to remove all named lifeguard certifying authorities. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on June 25, 2022.	Neil Mahalingam (717) 783-2500 Melisa Rader (717) 787-4366 Richard Pugh (717) 736-7393
Communicable and Noncommunicable Diseases 28 Pa. Code Chapter 27	January 2024, as Proposed	The Department is proposing to update the list of diseases, conditions and infections, to update the requirements for reporting diseases, conditions and infections, and to update the regulations generally to align with national standards and to improve disease surveillance, investigation and response.	Neil Mahalingam (717) 783-2500 Mason Myers (717) 783-2500 Kirsten Waller (717) 787-3350 Sharon Watkins (717) 787-3350
Clean Indoor Air Act (CIAA)	October 2023, as Proposed	Regulations are needed to further clarify and define the CIAA (35 P.S. §§ 637.1 et seq.). Such regulations would result in more consistent implementation of the CIAA and additional clarity for establishments that apply for an exception to the CIAA.	Anna LeMano (717) 783-2500 Will Sunday (717) 783-6600
<b><i>Department of Human Services (DHS)</i></b>			
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5231	Winter 2024, as Final-Form	This regulation will expand psychiatric rehabilitation services to individuals 14 years of age or older, but under 18 years of age, who meet admission requirements and individuals diagnosed with posttraumatic stress disorder, attention deficit hyperactivity disorder or anxiety disorders and amend outdated language throughout.	Ana Arcs (717) 409-3653
Covered Outpatient Drugs 55 Pa. Code Chapters 1101, 1121, 1141, 1142 and 1144	Summer 2023, as Proposed	This regulation includes technical amendments to Title 55 of the <i>Pennsylvania Code</i> , Chapters 1101, 1121, 1141, 1142 and 1144. In addition to the technical amendments, the payment methodology for covered outpatient drugs has been amended in Chapter 1121 to comply with the Covered Outpatient Drugs final rule issued by the Centers for Medicare & Medicaid Services.	Ana Arcs (717) 409-3653
Chapter 1101 Scope and Copayment 55 Pa. Code Chapter 1101	Winter 2024, as Proposed	This regulation revises Title 55 of the <i>Pennsylvania Code</i> , Chapter 1101 to amend the scope and copayment sections to reflect changes made to the Medical Assistance Program resulting from Medicaid Expansion.	Ana Arcs (717) 409-3653

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Payment for Certified Registered Nurse Anesthetists 55 Pa. Code Chapter 1150	Winter 2024, as Proposed	This regulation revises Title 55 of the <i>Pennsylvania Code</i> , Chapter 1150, to recognize and provide direct payment to certified registered nurse anesthetists who are enrolled in the Medical Assistance Program when in compliance with State Board of Nursing regulations at Title 49 of the <i>Pennsylvania Code</i> , Section 21.17 (relating to anesthesia).	Ana Arcs (717) 409-3653
Non-Physician Prescriber for Home Health Services 55 Pa. Code Chapters 1123 and 1249	Summer 2024, as Proposed	This regulation revises Title 55 of the <i>Pennsylvania Code</i> , Chapters 1123 and 1249, to add Medical Assistance enrolled non-physician practitioners, allowed under State and Federal regulations, to the provider types who can prescribe home health services, durable medical equipment and medical supplies.	Ana Arcs (717) 409-3653
Storage and Use of Medical Marijuana in Facilities 55 Pa. Code Chapters 3270, 3280, 3290, 3700, 3800, 5310, 6400 and 6600	Fall 2023, as Proposed	This regulation will amend Chapters 3270, 3280, 3290, 3700, 3800, 5310, 6400 and 6600 as directed by Section 2105 of Act 16 of 2016, the Medical Marijuana Act, regarding possession and use of medical marijuana by children and employees in childcare centers or other social services centers.	Ana Arcs (717) 409-3653
Protective Services for Adults 55 Pa. Code Chapter 15	Winter 2025, as Final-Form	This regulation will govern the investigation of allegations of abuse, neglect, exploitation or abandonment of adults between the ages of 18 and 59 years, and the provision of protective services as indicated by the results of those investigations. The authority for the regulation and resulting services is provided by Act 70 of 2010, the Adult Protective Services Act.	Ana Arcs (717) 409-3653
Crisis Intervention Services 55 Pa. Code Chapter 5250	Winter 2024, as Proposed	This regulation codifies the minimum standards for the issuance of licenses to provide behavioral health crisis intervention services in the Commonwealth.	Ana Arcs (717) 409-3653
Crisis Intervention Services 55 Pa. Code Chapter 1350	Winter 2024, as Proposed	This regulation establishes the conditions for MA payment of crisis intervention services.	Ana Arcs (717) 409-3653
Children with Developmental Disabilities due to a Medically Complex Condition 55 Pa. Code Chapters 3800 and 6400	Fall 2023, as Proposed	This regulation clarifies that community homes licensed under Chapter 6400 may serve children with a developmental disability due to a medically complex condition.	Ana Arcs (717) 409-3653
Administration of County Children and Youth Social Service Programs 55 Pa. Code Chapter 3130	Fall 2023, as Proposed	This regulation will replace Chapter 3130 to align with current practice models and support implementation of improvements consistent with the Child and Family Services Review findings and amendments to State and Federal laws.	Ana Arcs (717) 409-3653



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Residential and Day Treatment Facilities 55 Pa. Code Chapter 3800	Fall 2023, as Proposed	Chapter 3800 will be rescinded and replaced with four regulatory chapters that are program specific to populations being served. Chapter 3802—Child Residential Facilities; Chapter 3830—Secure Care and Secure Detention Facilities for Youth; Chapter 3840—Transitional Living Settings for Youth; Chapter 3820—Day Treatment. The new regulatory chapters will update programmatic requirements incorporating the Family First Prevention Services Act.	Ana Arcs (717) 409-3653
Psychiatric Residential Treatment Facilities 55 Pa. Code Chapters 1330, 3800 and 5330	Fall 2023, as Proposed	This regulation will provide foundational standards to meet the complex mental health needs of children, youth and young adults receiving services in psychiatric residential treatment facilities. Specifically, the proposed rulemaking will codify the minimum licensing standards, Medical Assistance (MA) participation requirements and MA payment conditions for RTFs that are currently licensed and certified by the Department.	Ana Arcs (717) 409-3653
Subsidized Child Care Eligibility 55 Pa. Code Chapters 3041 and 3042	Fall 2023, as Final-Form	This regulation will rescind Chapter 3041 and replace it with Chapter 3042 to add requirements imposed by the 2014 Reauthorization of the Child Care Development Block Grant and amend other requirements regarding redetermination, continuation of subsidy during job loss, reporting and verification, financial eligibility and prioritized groups.	Ana Arcs (717) 409-3653
Child Care Regulations 55 Pa. Code Chapters 3310 and 3320	Fall 2023, as Proposed	These regulations will update and modernize the child care requirements by consolidating the three existing chapters of 55 Pa. Code 3270, 3280 and 3290 into two new chapters.	Ana Arcs (717) 409-3653
County Mental Health and Intellectual Disability Fiscal Manual 55 Pa. Code Chapter 4300	Winter 2023, as Proposed	This regulation will be amended to add the requirement that counties receiving State and/or Federal funds for services from DHS are required to submit requested reports and data or counties may receive financial penalties until all reports and data are provided.	Ana Arcs (717) 409-3653
Intermediate Care Facilities For Individuals With An Intellectual Disability 55 Pa. Code Chapter 6600	Fall 2023, as Proposed	This regulation will be amended to add definitions, individual rights and incident management requirements to increase protections for individuals and reduce inefficiencies by aligning requirements between intermediate care facilities and home and community-based service settings.	Ana Arcs (717) 409-3653
Restitution and Reimbursement	Winter 2023, as Proposed	This regulation updates the restitution provision of Chapter 255 to align State penalties for intentional program violations with Federal policy. The proposed regulation also adds Medical Assistance recipients to the intentional program violation provisions.	Ana Arcs (717) 409-3653
Confidentiality of Records 55 Pa. Code Chapter 5100	Winter 2024, as Proposed	This regulation amends Chapter 5100 to be consistent with the HIPAA regulations for confidentiality of records and Act 32 of 2022.	Ana Arcs (717) 409-3653

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Nursing Facility Reimbursement 55 Pa. Code Chapters 1187 and 1189	Fall 2025	This proposed regulation will meet new Centers for Medicare & Medicaid Services requirements for Nursing Facility per diem reimbursement. The current rate setting methodology will no longer be supported by CMS. This regulation will amend Chapters 1187 and 1189 to a new methodology that meets CMS requirements.	Ana Arcs (717) 409-3653
<b><i>Pennsylvania Insurance Department (PID)</i></b>			
Producer Licensing Modernization Regulatory Updates	Summer 2023, as Proposed	Repeal outdated regulations and replace with a new chapter implementing sections 601-A—699.1-A of the Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), which will set forth requirements and standards for insurance producers in this Commonwealth.	Eric Carlisle Regulatory Coordinator (717) 346-5628
Health Insurer Applications, Collecting Data for Race and Ethnicity	Summer 2023, as Final	Modify Chapter 89 to permit insurers to collect race and ethnicity data on applications to promote equity initiatives.	Eric Carlisle Regulatory Coordinator (717) 346-5628
<b><i>Department of Labor and Industry (L&amp;I)</i></b>			
Flammable and Combustible Liquids Title 34, Part I, Chapters 14 and 14a Bureau of Occupational and Industrial Safety	Winter 2023, as Proposed	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel.	Matthew Kegg (717) 783-6304
Bureau of Workers' Compensation Title 34, Chapter 123 Subchapter B. Impairment Ratings	Fall 2023, as Final-Form	Update regulations to reflect new statutory provisions and changes to the IRE process enacted by Act 111 of 2018.	Marianne Saylor (717) 886-9001
Uniform Construction Code Regulations Title 34, Part I, Chapter 405 Bureau of Occupational and Industrial Safety	Winter 2023, as Proposed	Update regulations related to lifting devices based on Act 68 of 2018 and adopt certification standards for third party inspection agencies.	Matthew Kegg (717) 783-6304
Sign Language Interpreter and Transliterator State Registration Act Title 34, Part XV, Chapter 501 Office of Deaf and Hard of Hearing	Fall 2023, as Proposed	Update regulations related to registration and examination of sign language interpreters.	Melissa Hawkins (717) 783-4912
UCBR—Title 34, Chapter 101 (relating to the manner in which hearings shall be conducted and appeals filed)	Spring 2024	Update regulation based on implementation of the new UC Claims System, amendments to the UC statute and potential for virtual hearings.	Brian Parr (717) 787-4857
Services for the Blind and Visually Impaired Currently Title 55, Part IV, Adult Services Manual, Subpart D Non-residential Agencies/Facilities/Services Chapter 2430 to be moved to Title 34	Winter 2023, as Proposed	Deletion of current regulations and creation of new regulations for the Business Enterprise Program to reflect operational changes, based on the transfer of the program from the Department of Welfare to L&I, Act 15 of 1999.	Dawn Sokol (814) 871-4401

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Military and Veterans Affairs (DMVA)</i></b>			
Bureau of Veterans' Affairs 43 Pa. Code Chapter 5	Fall 2023, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations related to the former Bureau of Veterans' Affairs that is now the Bureau of Programs, Initiatives, Reintegration and Outreach. The statutory authority for these regulations Sections 1704(7) and 7701 of the Military and Veterans Code (51 Pa.C.S.). These regulations are out-of-date. They were last updated in 1991.	Ed Cherry (717) 861-8503
Veterans' Homes Regulations 43 Pa. Code Chapter 7	Spring 2024, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S. § 903(10)). These regulations are out-of-date. They were last updated in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Ed Cherry (717) 861-8503
Fort Indiantown Gap 43 Pa. Code (new Chapter)	Spring 2024, as Proposed	Fort Indiantown Gap is owned by the Commonwealth of Pennsylvania and operated by the Department of Military and Veterans Affairs. The post is home to tens of thousands of Soldiers and civilians every year for training and other activities. Department wishes to promulgate regulatory authority and installation regulations that enhance the safety of military and civilian personnel and protect the military and Commonwealth property. The statutory authority for these regulations Chapter 7 § 708 of the Military and Veterans Code (51 Pa.C.S.).	Ed Cherry (717) 861-8503
<b><i>Municipal Police Officers' Education and Training Commission (MPOETC)</i></b>			
Administration of the Municipal Police Officers' Education and Training Program 37 Pa. Code Chapter 203 (# 17-80)	Fall 2023, as Proposed	Title 53 Pa.C.S. § 2164(14) conveys powers and duties to the Municipal Police Officers' Education and Training Commission to make such rules and regulations and to perform such other duties as may be reasonably necessary or appropriate to implement the education and training program for police officers. Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's municipal police officers, are necessary to modernize these regulations, as they have not undergone a major revision since 1996. The amendments that will be proposed are the product of an extensive review project that included key stakeholders of the regulated community.	Sergeant Travis Messenger (717) 705-0843

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Law Enforcement Background Investigations and Employment Information Act 57 of 2020 (# 17-87)	Fall 2023, as Proposed Temporary rulemaking published in the <i>Pennsylvania Bulletin</i> on March 6, 2021.	Act 57 of 2020 (P.L. 613, July 14, 2020, No. 57) established the requirement for background investigations and employment information for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish and maintain an electronic database containing separation records of law enforcement officers; establish minimum background investigation standards; and promulgate regulations.	Sergeant Travis Messenger (717) 705-0843
Administration of Mental Health Evaluations for Law Enforcement Officers Act 59 of 2020 (# 17-88)	Fall 2023, as Proposed Temporary rulemaking published in the <i>Pennsylvania Bulletin</i> on March 20, 2021.	Act 59 of 2020 (P.L. 624, July 14, 2020, No. 59) established the requirement for mandatory mental health evaluations for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish procedures for confidentiality of mental health evaluations and related records; other procedures as necessary; and promulgate regulations.	Sergeant Travis Messenger (717) 705-0843
<b><i>Pennsylvania Commission on Crime and Delinquency (PCCD)</i></b>			
Sheriffs' and Deputy Sheriffs' Education and Training Program 37 Pa. Code Chapter 421	2023, as Proposed	The Sheriffs' and Deputy Sheriffs' Education and Training Board (Board), an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 421 (relating to the Board) due to statutory changes in Act 114 of 2014 (Act of Jul. 9, 2014, P.L. 1006, No. 114).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
County Probation and Parole Officers' Firearm Education and Training Commission 37 Pa. Code Chapter 79	2023, as Proposed	The County Adult Probation and Parole Advisory Committee (CAPPAC), an advisory committee within the Commission on Crime and Delinquency, plans to transfer and amend the regulations at 37 Pa. Code Chapter 79 to a newly created 37 Pa. Code Chapter 491 due to statutory changes in Act 115 of 2019 (Act of Dec. 18, 2019, P.L. 776, No. 115).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
Constables' Education and Training Board 37 Pa. Code Chapter 431	2023, as Proposed	The Constables' Education and Training Board, an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 431 (relating to Constables' Education and Training Board) to update policies and procedures.	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
Crime Victims Compensation 37 Pa. Code Chapter 411	2023, as Proposed	The Victims Services Advisory Committee, an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 411 (relating to Crime Victims Compensation) to update policies and procedures to reflect statutory changes in Act 77 of 2022 (Act of Jul. 11, 2022, P.L. 775, No. 77).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Pennsylvania Infrastructure Investment Authority (PENNVEST)</i></b>			
Pennsylvania Infrastructure Investment Authority (PENNVEST) Assistance and Clean Water State Revolving Fund 25 Pa. Code Sections 963.1—963.20, including inter alia: 963.12(a) 963.13(c) 963.13(e) 963.15(a) 963.15(c) 963.16 963.18(c) 963.20	Summer/Fall 2023, as Proposed The PENNVEST Board voted to approve the proposed rulemaking on January 29, 2020.	Revisions under consideration include, inter alia: Amendments to 25 Pa. Code §§ 963.1—963.20 to be consistent with statutory revisions imposed by P.L. 51, No. 16, enacted June 19, 2013, the Federal Water Resources Reform and Development Act of 2014, the Water Infrastructure Improvements for the Nations Act of 2016, the Infrastructure Investment and Jobs Act of 2021 and guidance revisions implemented by the Department of Environmental Protection, to reflect updates to business practices, and to incorporate any provisions necessary to accommodate for the deletion of 25 Pa. Code § 965 in its entirety, including, but not limited to the following: (1) Amend 25 Pa. Code § 963.12(a)(1) by revising the section to provide for the eligibility of certain interior plumbing costs. (2) Delete 25 Pa. Code § 963.12(a)(3) and § 963.12(c)(3) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the purchase of land that qualify as eligible costs under § 963.11(a)(4). (3) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor. (4) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment of principal and interest on the 60th month. (5) Delete 25 Pa. Code § 963.13(e) requiring PENNVEST to set aside 10% of the available finance assistance for advance funding assistance due to a lack of demand. (6) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization. (7) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date. (8) Amend 25 Pa. Code § 963.15(c)(6) by revising the sentence to define “bond interest rate” to mean the rate of interest paid by the Commonwealth in its issuance of general obligation bonds immediately preceding the application cut-off date for the next regularly scheduled PENNVEST Board meeting.	Shawn W. Weis (717) 783-6776

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		(9) Amend 25 Pa. Code § 963.16 to provide the parameters of a loan or bond guarantee program to be provided by PENNVEST. (10) Amend 25 Pa. Code § 963.18(c)(2)(iii) to increase the threshold for PENNVEST's prior written approval of change orders from \$25,000 or 2 percent of the amount of the project's construction cost, whichever is less, to \$50,000. (11) Delete 25 Pa. Code § 963.20 eliminating the requirement for a second opinion project review for projects in excess of \$10M.	
<b><i>Pennsylvania State Police (PSP)</i></b>			
Purchase and Possession of Partially-Manufactured Frame or Receiver for Pistol or Rifle 37 Pa. Code (new Chapter) (# 17-89)	Fall 2023, as Proposed	Title 18 Pa.C.S. § 6111.1 requires the Pennsylvania State Police to administer the provisions of the Uniform Firearms Act. The Office of Attorney General, Official Opinion 2019-3, 49 Pa.B. 7659 (December 28, 2019), establishes a partially-manufactured frame or receiver for a pistol or rifle as a firearm as defined within the Uniform Firearms Act. The purpose of the proposed rulemaking is to ensure clear guidance is given to licensees/sheriffs and the public in processing the sale/transfer and possession of a partially-manufactured frame or receiver for a pistol or rifle.	Sergeant Travis Messenger (717) 705-0843
<b><i>Department of Revenue (DOR)</i></b>			
Amendments to Local Option Small Games of Chance (SGOC) 61 Pa. Code Chapter 901a	October 2023, as Proposed	The Department is proposing to replace Chapter 901 with a new Chapter 901a as a result of the amendments to the SGOC law. The proposed rulemaking will reorganize and clarify the SGOC regulations as well as incorporate necessary changes to implement Acts 2 and 184 of 2012 and Acts 90 and 92 of 2013.	John Brenner (717) 705-3906
Amendments to Realty Transfer Tax (RTT) Regulations 61 Pa. Code Chapter 91	March 2024, as Proposed	Amendments to the RTT regulations are being proposed to improve the clarity and effectiveness of the regulations. The proposed amendments will be consistent with Department policy and language in the RTT statute.	John Brenner (717) 705-3906
Corporate Net Income Tax 61 Pa. Code § 153.26a (Proposed Rulemaking) Sales factor sourcing sales of services	March 2024, as Proposed	Under the authority contained in section 6 of the Fiscal Code (72 P.S. § 6) and section 401 of the TRC (72 P.S. § 7401(3)), the Department proposes the addition of § 153.26a (relating to sales factor sourcing sales of services). Act 52 of 2013 enacted a revised methodology for sourcing revenue from sales of services in the computation of CNIT. The proposed rulemaking will establish the processes for sourcing service income and the apportionment of taxpayers' business income to this Commonwealth and ensure that all taxpayers implement uniform methods for sourcing their sales of services to this Commonwealth. Informal public outreach was conducted October/November 2020.	Jack Frehafer (717) 623-2695

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Corporate Net Income Tax 61 Pa. Code Chapter 153 (Proposed Rulemaking) Business income and nonbusiness income	October 2023, as Proposed	Under the authority contained in section 6 of Fiscal Code (72 P.S. § 6) and section 401 of the TRC (72 P.S. § 7401(3)), the Department is proposing amendments to the CNIT regulations by adding section 153.24a (relating to business and nonbusiness income) due to legislative changes and further development of the Unitary Business Principle of the United States Constitution in case law. Informal public outreach was conducted January/February 2020.	Michael Vadner (717) 346-4640
Personal Income Tax 61 Pa. Code §§ 5.1 et. seq. (Proposed Rulemaking)— Amendments (Payment by Electronic Funds Transfer) Payment Methods for Obligations Due the Commonwealth	October 2023, as Proposed	Under the authority contained in section 9 of The Fiscal Code (72 P.S. § 9), the Department and Treasury jointly propose amendments to Chapter 5, Payment Methods for Obligations Due the Commonwealth. The proposed rulemaking will be adding additional tax types such as 1099-Miscellaneous Withholding, Alternative Fuels Tax, Cigarette Tax, Consumer Fireworks Tax, Pari-Mutuel Tax, Public Transportation Assistance Taxes and Fees, Tavern Games Tax, Tobacco Products Tax, Unstampable Little Cigar Tax, Vehicle Rental Tax, Wine Excise Tax, the addition of credit/debit as an acceptable form of electronic payment and remove any reference to a specific address for the delivery of certified or cashier's checks. Informal public outreach was conducted July/August 2022.	John Brenner (717) 705-3906
<b><i>Department of State (DOS)</i></b>			
<b><i>State Board of Accountancy</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 11.5a and 11.5b (# 16A-5517)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>General Revisions 49 Pa. Code §§ 11.16, 11.23a, 11.56, 11.57, 11.82 and 11.84—11.87 (# 16A-5519)</p>	<p>Winter 2023, as Proposed</p>	<p>First, this proposed rulemaking is a general update of the Board’s regulations to comply with the Act 110 of 2022 amendments to the CPA Law relating to examinations, education requirements, verification of experience and peer review, as well as the Act 100 of 2021 requirements regarding virtual supervision. Second, this rulemaking provides a CPE “safe harbor” for licensees supervising attest services; require licensees supervising, signing or authorizing another to sign an accountant’s report for attest services to comply with the competency requirements; and fix a typographical error. Third, the rulemaking amends the Board’s regulations to implement continuous testing of the CPA Exam. Currently, section 11.16(a) of the Accountancy regulations states that the CPA examination will be administered within specific testing windows within of each quarter of every year. As of July 1, 2020, Prometric, the testing administrator for the Uniform CPA Examination, began administering the CPA Exam throughout the year, without testing windows. This proposed rulemaking would amend section 11.16(a) by eliminating testing windows. Section 11.16(a) would also be amended so that CPA test takers would not have to wait until the next quarter to retake a failed section of the CPA Exam. <i>Statutory Authority:</i> Section 3(a)(12) of the CPA Law (63 P.S. § 9.3(a)(12)) authorizes the Board to promulgate and enforce regulations as are necessary and proper to carry into effect the provisions of the CPA Law. The proposed rulemaking includes subject matter from two previously-identified rulemakings, namely, 16A-5516 (Competence to Supervise Attest Services) and 16A-5518 (Continuous Testing CPA Exam), which were combined into a unitary general revisions rulemaking in order to best address the amendments to the CPA Law as well as Uniform Accountancy Act (UAA) Model Rule changes recently announced by the National Association of State Boards of Accountancy (NASBA).</p>	



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Architects Licensure Board</i></b>			
Licensure by Endorsement 49 Pa. Code Chapter 9 (# 16A-4120)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Jessica Harris (717) 783-3397
Rolling Clock Removal 49 Pa. Code §§ 9.41a and 9.46 (# 16A-4121)	Fall 2023, as Proposed	This regulation removes the rolling clock requirement which places a 5-year expiration date on passed divisions of the Architect Registration Examination (ARE), thereby aligning the Board's requirements with those of the National Council of Architectural Registration Boards (NCARB) and most other states.	Jessica Harris (717) 783-3397
<b><i>State Board of Auctioneer Examiners</i></b>			
Act 88 Amendments 49 Pa. Code Chapter 1 (# 16A-6410)	Fall 2023, as Proposed	The act of July 20, 2016 (P.L. 789, No. 88) (Act 88 of 2016) amended the Auctioneer Licensing and Trading Assistant Registration Act by updating its provisions, eliminating auction house licenses, and creating a registration for trading assistant companies. It also redefined terms, altered qualifications for auctioneers to include a combination of education and apprenticeship. This proposed rulemaking is needed to fully implement Act 88 of 2016. The Board has drafted the proposed rulemaking and anticipates consideration of same at an upcoming public meeting (remaining meetings in 2023 are scheduled for July 10, September 11 and November 13, 2023).	Terrie Kocher (717) 783-3397

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 1.3, 1.27 and 1.28 (# 16A-6412)	Fall 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. Final-form rulemaking was approved by the Board at its May 8, 2023 public meeting, and is expected to be delivered by Fall 2023.	Terrie Kocher (717) 783-3397
<b>State Board of Barber Examiners</b>			
General Revisions 49 Pa. Code Chapter 3 (# 16A-429)	Winter 2023, as Proposed	The proposed rulemaking would update the Board's regulations to delete obsolete provisions and outdated terminology. It would also update the regulations to make them consistent with the Barber License Law and current practices of the Board and its licensees.	Sharona Evans (717) 772-8538
Licensure by Endorsement 49 Pa. Code §§ 3.16 and 3.17 (# 16A-4212)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sharona Evans (717) 772-8538
<b>State Board of Chiropractic</b>			
Volunteer License 49 Pa. Code § 5.20 (# 16A-4321)	Winter 2023, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Shakeena Chappelle (717) 214-5702

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 5.91—5.96 (# 16A-4322)	Summer 2023, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Chiropractic obtain required training in child abuse recognition and reporting. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on November 5, 2022. No comments were received from the public, IRRC, or either legislative standing committee. The final-form rulemaking is expected to be delivered Summer 2023.	Shakeena Chappelle (717) 214-5702
General Revisions 49 Pa. Code Chapter 5 (# 16A-4328)	Spring 2023, as Proposed	This proposed rulemaking would update the Board's regulations to include provisions related to government employee liability coverage and sexual misconduct.	Shakeena Chappelle (717) 214-5702
Licensure by Endorsement 49 Pa. Code §§ 5.1, 5.11a, 5.13a and 5.13b (# 16A-4334)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The Board is drafting the proposed regulatory package.	Shakeena Chappelle (717) 214-5702
Schedule of Fees 49 Pa. Code § 5.6 (# 16A-4335)	Summer 2023, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 1101 of the Chiropractic Practice Act (63 P.S. § 625.1101). The proposed regulatory package has been prepared and is currently undergoing the necessary internal review required by Executive Order 1996-1.	Shakeena Chappelle (717) 214-5702

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>Commissioner of Professional and Occupational Affairs</b>			
Consideration of Criminal Convictions 49 Pa. Code Chapter 43b, Subchapters C and E, §§ 43b.201 and 43b.401—43b.531 (# 16A-66)	Spring 2024, as Final	This proposed rulemaking is required to implement provisions of the act of July 1, 2020 (P.L. 545, No. 53), relating to the consideration of criminal history record information by licensing boards and commissions under the Bureau of Professional and Occupational Affairs, including schedules of criminal convictions that may constitute grounds to refuse to issue, suspend or revoke a license, certificate, registration or permit for each occupation or profession regulated by the various boards/commissions. <i>Statutory Authority:</i> Section 3117 of the act of July 1, 2020 (63 Pa.C.S. § 3117) requires the Commissioner to promulgate a regulation codifying the schedules of criminal offenses within two years. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on November 19, 2022. The Commissioner will review comments and meet with each licensing board to begin drafting the final-form regulation in 2023.	Cynthia Montgomery (717) 783-7200
<b>Bureau of Notaries, Commissions &amp; Legislation</b>			
Notaries Public 4 Pa. Code Part VIII, Subpart C (# 16-61)	Winter 2023, as Proposed	The rulemaking implements the act of October 9, 2013 (P.L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA).	Martha Brown (717) 783-0736
<b>State Board of Cosmetology</b>			
Schedule of Civil Penalties 49 Pa. Code § 43b.5 (# 16A-4517)	Winter 2023, as Proposed	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology promulgated by the Commissioner of Professional and Occupational Affairs under the authority of the act of July 2, 1993 (P.L. 345, No. 48) (Act 48). The State Board of Cosmetology (Board) has participated in the Act 48 citation program from its inception in 1996 and has not increased the amounts in the schedule of civil penalties since they were originally promulgated. The Board believes that it is necessary to increase the civil penalties in order to improve their deterrent effect.	Val Eaton (717) 783-3402
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 7 (# 16A-4518)	Winter 2023, as Proposed	The proposed rulemaking implements part of the Act 136 of 2014 (P.L. 2476, No. 136), which allows massage therapists to practice within the licensed square footage of cosmetology or esthetician salons and requires the Board and the State Board of Massage Therapy to jointly promulgate regulations to carry out these provisions. <i>Statutory Authority:</i> Sections 11 and 9.3 of the Act of May 3, 1933 (P.L. 242, No. 86), commonly referred to as the Beauty Culture Law, 63 P.S. §§ 517 and 515.3.	Val Eaton (717) 783-3402



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapter 7 (# 16A-4521)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Val Eaton (717) 783-3402
<b><i>State Board of Crane Operators</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 6.16 and 6.17 (# 16A-7104)	Winter 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on April 2, 2022. The Board has drafted the final-form rulemaking package and will present same to the Governor's Office for review pursuant to Executive Order 1996-1; delivery expected by 4th Quarter 2023.	Jessica Harris (717) 783-1404

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Dentistry</b>			
Anesthesia Update 49 Pa. Code §§ 33.3, 33.115a and 33.331—33.344 (# 16A-4621)	Winter 2023, as Proposed	The Board's current regulations relating to the administration of general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia were promulgated in 2005. Noting that the standard of care has evolved since that time, the Board wishes to update the regulations to adopt more current standards and provide additional guidance to anesthesia permit holders. <i>Statutory Authority:</i> Sections 3(o) and 11.2 of the Dental Law (63 P.S. §§ 122(o) and 130c). Section 130c authorizes the Board to establish requirements relating to the use of general anesthesia, conscious sedation and nitrous oxide/oxygen analgesia. Section 3(o) provides the general authority of the Board "to adopt, promulgate and enforce such rules and regulations as may be deemed necessary by the Board."	Christina Townley (717) 783-4862
Volunteer License 49 Pa. Code § 33.110 (# 16A-4625)	Winter 2023, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Christina Townley (717) 783-4862
General Revisions 49 Pa. Code Chapter 33 (# 16A-4628)	Winter 2023, as Proposed	The State Board of Dentistry has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, EFDA program approval, licensure by criteria approval, acceptable proof of professional liability insurance, use of titles, advertising, unprofessional conduct, multi-disciplinary professional corporations, exclusion of auxiliary personnel from performing radiological procedures and continuing dental education. It would also implement two new licensure categories: restricted faculty licenses and temporary volunteer dental licenses.	Christina Townley (717) 783-4862
Schedule of Civil Penalties— Dentists, Dental Hygienists and EFDAs 49 Pa. Code § 43b.14a (# 16A-4630)	Winter 2023, as Proposed	This proposed regulation would amend the schedule of civil penalties for practicing on a lapsed license, permit or certificate and other violations of the Dental Law, including failure to complete continuing education. <i>Statutory Authority:</i> 63 Pa.C.S. § 3108 authorizes the Commissioner to set forth schedules of civil penalties.	Christina Townley (717) 783-4862

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 33.107a and 107b (# 16A-4635)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Christina Townley (717) 783-4862
Opioid Prescribing and Education 49 Pa. Code Chapter 33 (# 16A-4637)	Winter 2023, as Proposed	The State Board of Dentistry proposes this rulemaking to set forth the minimum acceptable standards of practice that a dentist licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors, and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will also amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking will adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102, requires the board to adopt the curriculum by joint regulation and § 5103.	Christina Townley (717) 783-4862

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Funeral Directors</b>			
Licensure by Endorsement 49 Pa. Code § 13.77.1 (# 16A-4832)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	J. Leslie Warner (717) 214-7781
<b>State Board of Landscape Architects</b>			
Schedule of Civil Penalties—Landscape Architects 49 Pa. Code Chapter 43b (# 16A-6120)	Winter 2023, as Proposed	This proposed regulation would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law. <i>Statutory Authority:</i> 63 Pa.C.S. § 3108 authorizes the Commissioner to set forth schedules of civil penalties.	Terri Kocher (717) 772-8528
Licensure by Endorsement 49 Pa. Code Chapter 15 (# 16A-6121)	Winter 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Terri Kocher (717) 772-8528
<b>State Board of Massage Therapy</b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 20 (# 16A-722)	Fall 2023, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Massage Therapy obtain required training in child abuse recognition and reporting.	Paul Keller (717) 783-7155
General Revisions 49 Pa. Code §§ 20.1—20.54 (# 16A-725)	Winter 2023, as Proposed	This proposed rulemaking updates several provisions, including education, scope of practice, and examinations. <i>Statutory Authority:</i> Section 4(2) of the Massage Therapy Act, 63 P.S. § 627.4(2).	Paul Keller (717) 783-7155



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 20 (# 16A-726)	Winter 2023, as Proposed	This proposed rulemaking enacts part of the act of September 24, 2014 (P.L. 2476, No. 136), which allows massage therapists to practice in cosmetology or esthetician salons. <i>Statutory Authority:</i> Act 136 requires the Board and the State Board of Cosmetology to jointly promulgate regulations implementing the new law; Section 4(2) of the Massage Therapy Law, 63 P.S. § 4(2), provides the Board's general authority to promulgate regulations. Preparation of proposed regulatory package completed; delivery of same to IRRC expected 3rd Quarter of 2023.	Paul Keller (717) 783-7155
Licensure by Endorsement 49 Pa. Code Chapter 20 (# 16A-727)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Paul Keller (717) 783-7155
Virtual Education 49 Pa. Code Chapter 20 (# 16A-728)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to allow for instruction of massage therapy students via a "virtual platform," defined as a "live-stream synchronous videoconferencing or similar virtual presence technology." This regulation implements the act of December 22, 2021 (P.L. 488, No.100) (Act 100 of 2021).	Paul Keller (717) 783-7155
Schedule of Fees 49 Pa. Code Chapter 20 (# 16A-729)	Spring 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 11 of the Massage Therapy Law (63 P.S. § 627.11).	Paul Keller (717) 783-7155
<b><i>State Board of Medicine</i></b>			
Volunteer License 49 Pa. Code Chapter 16 (# 16A-4934)	Winter 2023, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Saiyad Ali (717) 783-4852

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Status Change and Continued Competency 49 Pa. Code Chapter 16 (# 16A-4945)	Fall 2023, as Proposed	This regulation defines the status types of existing licensees (active, active-retired, inactive, expired), provides the scope of practice for the active-retired license type created by the MCARE Act, and provides specific authorization for the Board to require a competency evaluation following a period of inactive practice. The regulation further replaces the term “registration” with “renewal” to reflect the ministerial act the Board performs upon a licensee’s application at or near the time of license expiration.	Saiyad Ali (717) 783-4852
Fees 18 Pa. Code § 16.13 (# 16A-4951)	Winter 2023, as Proposed	The rulemaking would update the fees for initial applications and reduce the biennial renewal fees of the State Board of Medicine to reflect recent analysis by the budget office of Board finances and fee-for-service costs.	Saiyad Ali (717) 783-4852
Registration of Naturopathic Doctors 49 Pa. Code Chapter 18 (# 16A-4953)	Fall 2023, as Final	The final rulemaking will amend the Board’s regulations to implement the Naturopathic Doctor Registration Act, Act of Nov. 3, 2016, P.L. 997, No. 128, 63 P.S. §§ 272.101—272.301, which provides for the registration of naturopathic doctors. The regulation establishes fees, registration requirements, continuing education requirements, standards of practice, required records, advertising, grounds for discipline and types of discipline. The proposed regulation was published in the <i>Pennsylvania Bulletin</i> on December 18, 2022. Thereafter, the Board published an advance notice of final rulemaking (ANFR) on June 3, 2023, requesting additional public comment regarding certain key terms and definitions and corresponding amendments incorporating the key terms, as well as amendments to address clarity and lack of ambiguity.	Saiyad Ali (717) 783-4852
Physician Assistants 49 Pa. Code Chapter 18 (# 16A-4955)	Fall 2023, as Proposed	This regulation implements Act 79 of 2021 by removing the requirement that a supervising physician countersign 100% of the patient files, by allowing all written agreements between physicians and physician assistants to be “filed” with the State Board of Medicine (Board) instead of “approved” by the Board, by specifying that physician assistants may practice without the onsite presence or personal direction of the supervising physician, by allowing for more autonomy in the language of the written agreement filed with the Board and by increasing the number of physician assistants that a supervising physician may supervise. This proposed regulation will amend the existing physician assistant regulations to conform with the amendments made to the MPA under Act 79 of 2021 and to remove outdated language.	Saiyad Ali (717) 783-4852

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Acupuncturists and Practitioners of Oriental Medicine 49 Pa. Code Chapter 18 (# 16A-4956)	Summer 2023, as Final	This rulemaking would revise the regulations relating to acupuncturists and practitioners of oriental medicine (POM) to transform the current POM license into a one-time registration, make amendments to reflect legislative changes regarding acupuncturists which have occurred since the prior regulatory amendments on the topic, and to address acceptable testing scores due to new test formats. The rulemaking is in accordance with the Governor's recommendation for occupational licensure reform. The final rulemaking was delivered on May 22, 2023, and is on the agenda for IRRC's July 13, 2023, public meeting.	Saiyad Ali (717) 783-4852
Licensure by Endorsement 49 Pa. Code Chapter 17 (# 16A-4958)	Fall 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on August 13, 2022. The Board has drafted the final-form regulation and will be submitting same for internal review as required by Executive Order 1996-1.	Saiyad Ali (717) 783-4852
Opioid Prescribing and Education 49 Pa. Code Chapter 16 (# 16A-4960)	Winter 2023, as Proposed	The rulemaking will add to the current regulation regarding prescribing, administering, and dispensing, to clarify that unprofessional conduct violates the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors), or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will also amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102, requires the board to adopt the curriculum by joint regulation.	Saiyad Ali (717) 783-4852

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Examiners of Nursing Home Administrators</b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 39 (# 16A-6218)	Fall 2023, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Examiners of Nursing Home Administrators obtain required training in child abuse recognition and reporting.	Thomas Leech (717) 783-7142
Licensure by Endorsement 49 Pa. Code § 39.8a (# 16A-6220)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Thomas Leech (717) 783-7142
<b>State Board of Nursing</b>			
Volunteer License 49 Pa. Code Chapter 21, Subchapter F and §§ 21.601—21.607 (# 16A-5139)	Fall 2023, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45 requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Cindy Miller (717) 783-7142
Nursing Education Programs 49 Pa. Code Chapter 21 and Chapter 33 (# 16A-5141)	Winter 2023, as Proposed	This proposed rulemaking consolidates and updates pre- and post-licensure education regulations for registered nurses, licensed practical nurses and certified registered nurse practitioners and updates IV therapy terminology. This proposed rulemaking updates pre-licensure education regulations for registered nurses and licensed practical nurses. <i>Statutory Authority:</i> Sections 2.1(k), 6.2 and 11.2 of the Professional Nursing Law, 63 P.S. §§ 212.1(k), 216.2 and 221.2; and sections 17.5 and 17.6 of the Practical Nursing Law, 63 P.S. §§ 667.5 and 667.6. This rulemaking would also incorporate by reference the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016 adopted by the Board on June 10, 2022. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102.	Cindy Miller (717) 783-7142



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement and Reactivation 49 Pa. Code §§ 21.30a, 21.156a and 21.1101—21.1104 (# 16A-5143)	Fall 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. In addition, this regulation delineates the specific number of practice hours in another jurisdiction needed as an option to prove continued competence when a license has lapsed or been inactive for 5 or more years. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on December 10, 2022.	Cindy Miller (717) 783-7142
CRNA Licensure 49 Pa. Code Chapter 21 (# 16A-5145)	Winter 2023, as Proposed	This rulemaking will add certification and scope of practice provisions per Act 60 of 2021. <i>Statutory Authority:</i> Section 8.8 and 8.9 of the Professional Nursing Law (63 P.S. §§ 218.8 and 218.9).	Cindy Miller (717) 783-7142
Opioid Prescription and Education and Organ Donation Education 49 Pa. Code Chapter 21 (# 16A-5146)	Fall 2023, as Proposed	This rulemaking would add mandatory education on pain management or the identification of addiction under Act 124 of 2016 (ABC-MAP Act) and on organ and tissue donation and recovery under Act 90 of 2018 (Donate Life PA Act).	Cindy Miller (717) 783-7142
<b><i>State Board of Occupational Therapy Education and Licensure</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code §§ 42.41, 42.42, 42.45 and 42.47 (# 16A-679)	Summer 2023, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Occupational Therapy Education and Licensure obtain required training in child abuse recognition and reporting. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on October 22, 2022; the Board is drafting the final-form regulation. No comments were received from the public, IRRC, or either legislative standing committee. The Board voted to adopt final-form rulemaking at its June 1, 2023, public meeting, and expects to deliver it Summer 2023.	Christina Townley (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 42.1, 42.9 and 42.10 (# 16A-6713)	Winter 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The final rulemaking was redelivered on June 8, 2023, and is on the agenda for IRRC's July 13, 2023, public meeting.	Christina Townley (717) 783-1389
<b>State Board of Optometry</b>			
Volunteer License 49 Pa. Code § 23.26 (# 16A-5214)	Winter 2023, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Shakeena Chappelle (717) 214-5702
Child Abuse Reporting Requirements 49 Pa. Code §§ 23.111— 23.116 (# 16A-5215)	Fall 2023, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Optometry obtain required training in child abuse recognition and reporting. Proposed rulemaking published April 29, 2023. The Board will review any comments received and begin drafting the final-form regulation.	Shakeena Chappelle (717) 214-5702

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 23.27— 23.27b (# 16A-5218)	Winter 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The final rulemaking was delivered on May 22, 2023, and is on the agenda for IRRC's July 13, 2023, public meeting.	Shakeena Chappelle (717) 214-5702
Opioid Prescribing and Education 49 Pa. Code Chapter 23 (# 16A-5219)	Winter 2023, as Proposed	The State Board of Optometry proposes this rulemaking to set forth the minimum acceptable standards of practice that an optometrist licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors, and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102, requires the board to adopt the curriculum by joint regulation.	Shakeena Chappelle (717) 214-5702
Interpretation of § 23.86(g) (relating to sources of continuing education)— statement of policy 49 Pa. Code § 23.301 (# 16A-5220)	Fall 2023, as Proposed	This statement of policy will clarify the Board's current interpretation of "individual study" contained in § 23.86(g).	Shakeena Chappelle (717) 214-5702

Regulation Being Considered	Proposed Date of Promulgation	Need and Legal Basis for Action	Agency Contact
<b>State Board of Osteopathic Medicine</b>			
Volunteer License 49 Pa. Code Chapter 25 Subchapter L §§ 25.601—25.607 (# 16A-5323)	Winter 2023, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Priscilla Turek (717) 346-1188
Child Abuse Reporting Requirements 49 Pa. Code §§ 25.401—25.416 (# 16A-5326)	Summer 2023, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Osteopathic Medicine obtain required training in child abuse recognition and reporting. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on October 22, 2022. No comments were received from the public, IRRC, or either legislative standing committee. The Board approved final-form regulation at its June 14, 2023 public meeting and expects to deliver it Summer 2023.	Priscilla Turek (717) 346-1188
Licensure by Endorsement and Licensure Requirements 49 Pa. Code Chapter 25 (# 16A-5336)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. This proposed regulation will also address the current transition and ultimate merger of the American Osteopathic Association (AOA), the American Association of Colleges of Osteopathic Medicine (AACOM) and the Accreditation Council for Graduate Medical Education (ACGME), creating a single accreditation system for all graduate medical education. The regulation will also amend the existing licensure by endorsement requirement in § 25.242, which requires an applicant receive a passing score on an osteopathic manipulative therapy examination (the practical examination), by removing the requirement in its entirety.	Priscilla Turek (717) 346-1188



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Opioid Prescribing and Education 49 Pa. Code Chapter 25 (# 16A-5337)	Winter 2023, as Proposed	The rulemaking will add to the current regulation regarding prescribing, administering, and dispensing, to clarify that it is unprofessional conduct to violate the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors), or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102, requires the board to adopt the curriculum by joint regulation.	Priscilla Turek (717) 346-1188
<b>State Board of Pharmacy</b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 27 (# 16A-5430)	Fall 2023, as Proposed	This proposed regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Pharmacy obtain required training in child abuse recognition and reporting.	Melanie Zimmerman (717) 783-7156
Licensure by Endorsement 49 Pa. Code §§ 27.25a and 27.25b (# 16A-5432)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Melanie Zimmerman (717) 783-7156
Pharmacy Technicians 49 Pa. Code Chapter 27 (# 16A-5433)	Winter 2023, as Proposed	This rulemaking will set up the registration requirements for pharmacy technicians and pharmacy technician trainees in accordance with the amendments made to the Pharmacy Act (Act 140 of 2020). Initial stakeholder outreach conducted; preparation of proposed rulemaking package currently underway.	Melanie Zimmerman (717) 783-7156

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Immunizations 49 Pa. Code Chapter 27 (# 16A-5434)	Winter 2023, as Final-Omitted	This rulemaking will implement Act 80 (Act of July 11, 2022, P.L. No. 80) which amended the Pharmacy Act to allow pharmacists and pharmacy interns to administer influenza and COVID-19 immunizations to children 5 years of age and older, and expanded who could supervise a pharmacy intern while such immunizations are administered. The Board's regulations will be revised to make relevant provisions consistent with Act 80.	Melanie Zimmerman (717) 783-7156
ABC-MAP Opioid Education 49 Pa. Code § 25.271(c) (# 16A-5435)	Winter 2023, as Proposed	The rulemaking will amend the Board's continuing education requirements to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. <i>Statutory Authority:</i> Section 6(k)(9) of the Pharmacy Act, 63 P.S. § 390-6(k)(9).	Melanie Zimmerman (717) 783-7156
<b><i>State Board of Physical Therapy</i></b>			
Students in Educational Program 49 Pa. Code Chapter 40 (# 16A-6519)	Fall 2023, as Proposed	This proposed rulemaking would clarify an issue related to students enrolled in Board-approved schools of physical therapy who perform acts of physical therapy incidental to the student's course of study. Furthermore, this rulemaking would clarify that all PTs and PTAs may to obtain 100% of the required continuing education (CE) hours via online continuing education.	Michelle Roberts (717) 783-7134
Early Exam and CE for Clinical Instruction 49 Pa. Code Chapter 40 (# 16A-6522)	Fall 2023, as Proposed	This proposed rulemaking would allow physical therapist students, and physical therapist assistant students, to sit for the requisite examinations up to 90 days prior to graduation from their respective programs. Additionally, this proposed rulemaking would allow physical therapists (PTs) and physical therapist assistants (PTAs) who provide clinical instruction to student PTs and student PTAs, at clinical facilities affiliated with accredited programs, to receive a limited amount of continuing education credits for providing clinical instruction to student PTs and student PTAs. Furthermore, the proposed rulemaking will amend the Board's regulations to allow applicants to register for the National examination with the examination provider, without having to first obtain the Board's permission. Preparation of proposed regulatory package completed; delivery of same to IRRC expected 3rd Quarter of 2023.	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapter 40 (# 16A-6523)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7134
<b><i>State Board of Podiatry</i></b>			
Sexual Misconduct 49 Pa. Code Chapter 29 (# 16A-448)	Winter 2023, as Proposed	This proposed regulation would define and prohibit sexual behavior with patients and sexual exploitation.	Priscilla Turek (717) 346-1188
Authority to Perform Acupuncture 49 Pa. Code Chapter 29 (# 16A-449)	Fall 2023, as Proposed	This regulation is required to regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. <i>Statutory Authority:</i> Section 3(b) of the Acupuncture Registration Act (63 P.S. § 1803).	Priscilla Turek (717) 346-1188
Volunteer License 49 Pa. Code Chapter 29 § 29.55 (# 16A-4411)	Winter 2023, as Final-Omitted	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Priscilla Turek (717) 346-1188
Child Abuse Reporting Requirements 49 Pa. Code §§ 29.91—29.97 (# 16A-4412)	Fall 2023, as Proposed	This regulation updates the Board's regulations on mandatory reporting of suspected child abuse and implements the training/continuing education mandated by recent amendments to the Child Protective Services Law (CPSL), 23 P.S §§ 6301—6386. <i>Statutory Authority:</i> Section 6383(b)(2) of the CPSL requires the Board to promulgate regulations consistent with the CPSL; Section 15 of the Podiatry Practice Act (act), 63 P.S. § 42.15, directs the Board to adopt regulations to carry out the purposes of the act.	Priscilla Turek (717) 346-1188

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Opioid Prescribing and Education 49 Pa. Code Chapter 29 (# 16A-4418)</p>	<p>Winter 2023, as Proposed</p>	<p>The rulemaking will add to the current regulation regarding prescribing, administering and dispensing, to clarify that it is unprofessional conduct to violate the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors) or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking will also amend the therapeutic drug list in order to update and make the list more current. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102, requires the board to adopt the curriculum by joint regulation. This rulemaking will amend the Boards Continuing Education regulation to allow for the carryover of 10 CE credits to the next renewal.</p>	<p>Priscilla Turek (717) 346-1188</p>
<p>Licensure by Endorsement and Qualifications for Licensure 49 Pa. Code Chapter 29 (# 16A-4419)</p>	<p>Winter 2023, as Proposed</p>	<p>This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. This regulation combined 16A-4415 (relating to qualifications for licensure), which proposes to update and clarify the requirements for licensure as a doctor of podiatric medicine. Combining was necessary to clarify Act 41 licensure requirements.</p>	<p>Priscilla Turek (717) 346-1188</p>



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Performance of Radiographic Procedures by Auxiliary Personnel 49 Pa. Code Chapter 29 (# 16A-4420)	Fall 2023, as Proposed	The proposed rulemaking would amend § 29.13 to delete the fee for the application for authorization to perform radiologic procedures. It would also amend § 29.81 to add the acronyms ARRT and ASPMA to the definition section. The proposal seeks to amend § 29.82 to provide for the Board's preapproval of an examination in radiology. The proposal seeks to amend § 29.83 to delete reference to the application forms and to require auxiliary personnel to submit applications and pay the fee directly to the testing service rather than applying to the Board. Additionally, the Board seeks to delete and reserve § 29.84 as it no longer administers the examination.	Priscilla Turek (717) 346-1188
<b><i>State Board of Psychology</i></b>			
Continuing Education 49 Pa. Code § 41.59 (# 16A-6317)	Fall 2023, as Proposed	The Board, in its effort to continually review the efficacy of its regulations, has again reviewed the continuing education regulations and has determined that amendments are needed to update, revise and clarify the continuing education requirements. This proposed rulemaking would amend the requirements relating to home study, instruction and carry over.	Thomas Leech (717) 710-2750
General Revisions 49 Pa. Code § 41.31 (# 16A-6320)	Fall 2023, as Proposed	This proposed rulemaking will update the Board's regulations to conform to changes made to the Professional Psychologists Practice Act by the Act of June 23, 2016 (P.L. 379, No. 53) (Act 53 of 2016). Act 53 of 2016 clarifies the scope of practice of psychology, grants the Board the power to issue temporary licenses to out of state licensees, revises and removes some of the previous exemptions to licensure, removes the time limitation pertaining to the retaking of the licensure examinations, eliminates the requirement that at least one year of supervised experience be obtained subsequent to the granting of the doctoral degree, gives the Board the ability to bar a suspended licensee from engaging in any other form of counseling or mental health practice, and requires licensees to report multiple licensure of any other health profession. <i>Statutory Authority:</i> Section 3.2(2) of the Professional Psychologists Practice Act, 63 P.S. § 1203.2(2).	Thomas Leech (717) 710-2750

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 41.1, 41.42, 41.45 and 41.47 (# 16A-6322)	Fall 2023, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Psychology obtain required training in child abuse recognition and reporting. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on October 22, 2022. No comments were received from the public, IRRC, or either legislative standing committee. The Board voted to adopt final-form rulemaking at its June 12, 2023, public meeting. The final-form rulemaking is expected to be delivered by Fall 2023.	Thomas Leech (717) 710-2750
Volunteer License 49 Pa. Code Chapter 41 (# 16A-6325)	Winter 2023, as Final	This proposed rulemaking implements amendments to the Volunteer Health Services Act made by the act of July 2, 2014 (P.L. 820, No. 86), which extended the coverage of the law to include mental health services. <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Thomas Leech (717) 710-2750
PCSAS Parity 49 Pa. Code §§ 41.1 and 41.31 (# 16A-6327)	Fall 2023, as Proposed	This proposed rulemaking increases acceptable accreditation programs to add PCSAS (Psychological Clinical Science Accreditation System).	Thomas Leech (717) 710-2750
<b><i>State Board of Certified Real Estate Appraisers</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 36.226 and 36.227 (# 16A-7024)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. Proposed regulatory package has been prepared and is currently undergoing the necessary internal review required by Executive Order 1996-1.	Kristel Hennessy Hemler (717) 214-7779

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Schedule of Fees 49 Pa. Code § 36.6 (# 16A-7025)	Spring 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 9 of the Real Estate Appraisers Certification Act (63 P.S. § 457.9). Initial stakeholder outreach conducted. The Board is currently in the midst of its biennial renewal, and nearing the end of fiscal year 2022-2023. The Board will be reevaluating this regulatory package once the renewal period has closed, particularly with regard to ascertaining the exact size of its licensee population and determining whether or not an adjustment of fees is necessary.	Kristel Hennessy Hemler (717) 214-7779
General Revisions 49 Pa. Code §§ 458.1— 458.16 (# 16A-7026)	Fall 2023, as Proposed	This proposed rulemaking will update several provisions, including definitions, permissible and prohibited activity and qualification of applicants, to conform with the Act 88 of 2020 amendments to the Assessors Certification Act. <i>Statutory Authority:</i> Section (3) of the Assessors Certification Act, 63 P.S. § 458.3. Board voted to approve proposed rulemaking; delivery of same to IRRC expected in 3rd Quarter 2023.	Kristel Hennessy Hemler (717) 214-7779
Broker Price Opinions 49 Pa. Code § 36.434 (# 16A-7027)	Spring 2024, as Proposed	This proposed rulemaking is needed for consistency with Act 75 of 2018, which amended the Real Estate Licensing Registration Act (RELRA) to allow licensed brokers, associate brokers and salespersons to perform BPO's in Pennsylvania.	Kristel Hennessy Hemler (717) 214-7779
Distance Education and PAREA 49 Pa. Code §§ 36.1, 36.11, 36.12, 36.12a, 36.13, 36.31, 36.43, 36.201, 36.224, 36.262 and 36.263 (# 16A-7029)	Fall 2023, as Proposed	The act of December 22, 2021 (P.L. 488, No. 100) (Act 100 of 2021) requires each licensing board to establish rules and regulations for continuing education that provides for distance education. This proposed rulemaking will update definitions and distance education standards for qualifying and continuing education courses. The rulemaking will affect certified residential and general real estate appraisers, licensed appraiser trainees, and Certified Pennsylvania Evaluators. The distance education standards will comply with new Federal requirements implemented by the Appraisal Qualifications Board (AQB) effective January 1, 2022. Act 100 of 2021 also requires the Board to establish rules and regulations providing for virtual supervision in a manner that meets the requirements for licensure and certification. PAREA is the concept of using simulated computer-based, virtual training to fulfill the experience requirement to become a certified real estate appraiser. Candidates meet virtually with certified real estate appraisers (for example, mentors) who will review the appraiser training material, provide support, and track the candidate's progress.	Kristel Hennessy Hemler (717) 214-7779

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
AMC Revisions (AMC Ownership Limitations) 49 Pa. Code § 36.412(b) (# 16A-7031)	Fall 2023, as Final-Omitted	The Board's AMC regulation regarding AMC ownership limitations is inconsistent with Federal regulations at 12 CFR 34.215(b)(1) and (2). Section 36.412(b) of the Board's AMC regulations states that an individual may not be an owner or key person if they had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered a license or certificate, unless the license or certificate was subsequently granted or reinstated to the individual. Under 12 CFR 34.215(b), however, an individual is not disqualified from becoming an owner or key person of an AMC if the Board determines that the individual's license or certificate was not revoked, suspended, refused or surrendered for substantive cause and the individual's license or certificate was granted or reinstated. The Board is drafting final-omitted rulemaking package.	Kristel Hennessy Hemler (717) 214-7779
<b>State Real Estate Commission</b>			
General Revisions 49 Pa. Code Chapter 35 (# 16A-5616)	Winter 2023, as Proposed	The proposed rulemaking would update the Commission's regulations to reflect changes in the law and practice in the industry, which include advertising and escrow requirements. <i>Statutory Authority:</i> Section 404 of the Real Estate Licensing and Registration Act, 63 P.S. § 455.404. This regulation was formerly entitled "Advertising." The Board decided to expand the regulation to include other general updates.	Deon Bowers (717) 772-8542
Licensure by Endorsement 49 Pa. Code § 35.230 (# 16A-5625)	Fall 2023, as Proposed	This rulemaking amends the Commission's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Deon Bowers (717) 772-8542
Broker Price Opinions 49 Pa. Code Subchapter J (# 16A-5626)	Winter 2023, as Proposed	The proposed rulemaking implements the act of June 29, 2018 (P.L. 500, No. 75) (Act 75 of 2018) which amended the Real Estate Licensing and Registration Act (63 P.S. §§ 455.101—455.902). The proposed regulations would add a new subchapter which sets forth limitations and requirements for broker price opinions, including required disclosures, signature requirements, permissible uses and required experience and education for brokers, associate brokers and salespersons.	Deon Bowers (717) 772-8542



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Social Workers, Marriage and Family Therapists and Professional Counselors</i></b>			
General Revisions 49 Pa. Code Chapters 47—49 (# 16A-6923)	Spring 2023, as Proposed	The Board has undertaken a comprehensive review of its regulations relating to qualifications for licensure, supervision of clinical experience, including the provision of supervision through electronic means, and continuing education. The purpose of this rulemaking is to eliminate outdated provisions, update standards to reflect modern technology and to modernize the Board's processes relating to licensure. This rulemaking also amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sandra Matter (717) 783-1389
Volunteer Licenses 49 Pa. Code Chapter 41 (# 16A-6924)	Spring 2023, as Final	This proposed rulemaking implements recent amendments to the Volunteer Health Services Act made by the act of July 2, 2014 (P.L. 820, No. 86), which extend the coverage of the law to include mental health services. <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Sandra Matter (717) 783-1389
<b><i>State Board of Examiners in Speech-Language Pathology and Audiology</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 45.601— 45.604 (# 16A-6808)	Winter 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sarah McNeil (717) 425-7398

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 45.401—45.407 (# 16A-6805)	Winter 2023, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Examiners in Speech-Language Pathology and Audiology obtain required training in child abuse recognition and reporting.	Sarah McNeil (717) 425-7398
<b><i>State Board of Vehicle Manufacturers, Dealers and Salespersons</i></b>			
Fee Increase 49 Pa. Code § 19.4 (# 16A-6015)	Winter 2023, as Final	This proposed rulemaking would increase application fees and biennial renewal fees for licensees of the Board such that revenues would be sufficient to meet projected expenditures. <i>Statutory Authority:</i> Section 30(a) of the Board of Vehicles Act (Act) (63 P.S. § 818.30(a)) requires an increase in fees when the expenses incurred by the Board to meet its obligations under the Act, including enforcement, exceed revenues. The proposed rulemaking published on June 12, 2021. The Board is drafting the final rulemaking. The final-form rulemaking was delivered to IRRC on October 12, 2022, and was subsequently approved by IRRC on December 8, 2022. The regulation is pending at the OAG; the Board expects that this regulation will be published in the <i>Pennsylvania Bulletin</i> in the 1st quarter of 2023.	Janice Cline (717) 772-0483
<b><i>State Board of Veterinary Medicine</i></b>			
Euthanasia 49 Pa. Code Chapter 31 (# 16A-5726)	Winter 2023, as Final	This proposed rulemaking is necessary to implement the act of October 24, 2012 (P.L. 1452, No. 182) (Act 182 of 2012) which amended the Animal Destruction Method Authorization Law to require the State Board of Veterinary Medicine to register animal organizations and to license euthanasia technicians to permit the organizations to purchase controlled substances and employ euthanasia technicians for the humane euthanasia of small domestic animals. The Board is preparing the final rulemaking package.	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapter 31 (# 16A-5730)	Fall 2023, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7134
Continuing Education 49 Pa. Code Chapter 31 (# 16A-5731)	Winter 2023, as Proposed	This rulemaking amends the Board's regulations to allow veterinarians to obtain 100% of the required 30 continuing education (CE) hours via online continuing education, and to clarify that veterinarians and CVTs are not required to complete continuing education during the biennial renewal cycle in which they first obtain certification or licensure.	Michelle Roberts (717) 783-7134
Fees 49 Pa. Code Chapter 31 (# 16A-5732)	Winter 2023, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 13 of the Veterinary Medicine Practice Act (63 P.S. § 485.13).	Michelle Roberts (717) 783-7134
<b><i>Department of Transportation (DOT)</i></b>			
Access to and Occupancy of Highways by Driveways and Local Roads 67 Pa. Code Chapter 441	Fall 2023	The Department will be promulgating a regulation to rewrite the entirety of Chapter 441 and to address comments received during the promulgation of an earlier promulgated Chapter 441 regulation redefining the term "owner." Also increase in fees to cover Department costs.	Mike Dzurko (717) 783-6080
Vehicle Equipment and Inspection 67 Pa. Code Chapter 175	Fall 2023	This rulemaking updates vehicle equipment and inspection standards to better reflect current technologies, consistent with recommendations made by the Department's Inspection Advisory Board.	Laura Krol (717) 346-1907
Intrastate Motor Carrier Safety 67 Pa. Code Chapter 231	Fall 2023	This rulemaking is necessary to waive hours of service limitations imposed by Federal law and other requirements for mass transportation organizations and their drivers, while establishing new requirements consistent with the public interest.	Danielle Spila (717) 787-1208
Vehicle Operations for Level 3—5 HAVs 67 Pa. new Chapter	Spring 2023	This rulemaking will create temporary regulations related to manned and unmanned operations standards for various levels (3—5) Highly Automated Vehicles (HAV)s.	Mark Kopko (717) 783-1903

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Mid-cabin Cameras in School Buses 67 Pa. Code Chapter 171	Fall 2023	This rulemaking will allow and provide requirements on the installation of mid-cabin cameras to be placed in school buses.	Angelia Gillis (717) 346-1907
Mental/Emotional Regulations 67 Pa. Code Chapter 83	Fall 2023	The Department has proposed amendments to this regulation adding to authorize additional disqualifications by a healthcare provider of anyone that has a mental/emotional loss that may impair an individual's ability to drive safely.	Angelia Gillis (717) 346-1907
<b><i>Office of Administration (OA)</i></b>			
Office of Administration Civil Service Reform 4 Pa. Code Chapters 608—615	Fall 2023, as Proposed	This proposed rulemaking is needed to continue the implementation of Act 71 of 2018 (P.L. 460, No. 71), 71 Pa.C.S. Part III, commonly referred to as "the Civil Service Reform Act" ("Act"). The Act transferred administration of the Commonwealth's merit system of employment from the State Civil Service Commission ("SCSC") to the Office of Administration ("OA"). Under Section 2203(b)(2) of the Act, 71 Pa.C.S. § 2203(b)(2), OA may promulgate proposed regulations to facilitate implementation of the merit system. On March 16, 2019, OA, pursuant to its statutory authority, published temporary regulations implementing the transfer of duties from SCSC to OA. In March 2022, OA promulgated a new set of temporary regulations to address policy and procedural changes made by OA since promulgating the March 16, 2019 temporary regulations.	Cynthia Williams (717) 772-0981
<b><i>Pennsylvania Municipal Retirement System (PMRS)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania State Employees' Retirement System (SERS)</i></b>			
No regulations being developed or considered at this time.			



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Drug and Alcohol Programs (DDAP)</i></b>			
Drug and alcohol treatment facility and recovery house licensing regulations 28 Pa. Code Part V, Chapters 701—717	Spring 2026, as Proposed	The Department plans to undergo a full-scale review and update of its regulations for licensure of drug and alcohol treatment facilities and recovery houses. Treatment facilities provide detoxification, inpatient, and outpatient treatment and rehabilitation to clients with substance use disorders (SUDs). Recovery houses provide supportive housing to individuals receiving outpatient treatment for SUD who may benefit from a substance-free environment and peer camaraderie, and must be licensed to accept funding or referrals from public sources. These regulations protect the public health and safety of clients and residents in treatment and housing settings. There has been substantial development in the field since the last comprehensive update to the treatment facility regulations in the 1980s. Prior to publishing proposed regulations, the Department will conduct significant background research and stakeholder engagement to draft all components of the regulatory package. The legal basis for the treatment facility regulations is section 1021 of the Human Services Code (62 P.S. § 1021) and the legal basis for the recovery house regulations is section 2312-A of the Administrative Code of 1929 (71 P.S. § 613.12).	Jordan Lewis (717) 736-7466
<b><i>Department of Community and Economic Development (DCED)</i></b>			
Industrial Housing and Components 12 Pa. Code Chapter 145 (# 4-100)	Summer 2023, as Proposed	The proposed regulation will revise section 145.93 to reduce the timing of factory inspections from every year to every two years, and will revise section 145.94 to increase fees.	Katherine Jones (717) 257-6574 Kathejones@pa.gov
<b><i>Department of General Services (DGS)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania Emergency Management Agency (PEMA)</i></b>			
No regulations being developed or considered at this time.			

[Pa.B. Doc. No. 23-980. Filed for public inspection July 21, 2023, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
59-001	Office of Attorney General Automotive Industry Trade Practices 53 Pa.B. 2590 (May 13, 2023)	06/12/23	07/12/23

**Office of Attorney General  
Regulation # 59-001  
(IRRC # 3373)**

**Automotive Industry Trade Practices  
July 12, 2023**

We submit for your consideration the following comments on the proposed rulemaking published in the May 13, 2023 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Office of Attorney General (OAG) to respond to all comments received from us or any other source.

**1. Compliance with the provisions of the RRA or the regulations of the Commission in promulgating the regulation.**

Section 5.2 of the Regulatory Review Act (RRA) directs the Independent Regulatory Review Commission (IRRC) to determine whether a regulation is in the public interest. 71 P.S. § 745.5b. In making this determination, IRRC must first consider whether an agency has the statutory authority to promulgate a regulation and whether it conforms to the intent of the General Assembly. 71 P.S. § 745.5b(a). IRRC must also consider criteria such as the clarity, feasibility and reasonableness of the regulation, and analyze the text of the Preamble and the proposed regulation and the reasons for the new language. 71 P.S. § 745.5b(b). IRRC also reviews the information a promulgating agency is required to provide in the Regulatory Analysis Form (RAF) pursuant to Section 5(a) of the RRA. 71 P.S. § 745.5(a).

The RAF and Preamble submitted with this proposal do not provide sufficient information to determine if the rulemaking is in the public interest. When the final-form regulatory package is submitted for consideration, we ask the OAG to provide additional information regarding the need and rationale for, as well as the applicability and fiscal impact of, the rulemaking. Our comments below on specific sections of the rulemaking also raise these concerns, but a more detailed explanation of the rulemaking in the context of the information required by the RAF is required. Specifically, we ask the OAG to provide additional information for the following sections of the RAF:

- **RAF # 11**—The OAG explains that from their “experience of investigating consumer complaints related to the sale of motor vehicles” stronger regulations are required. We ask the OAG to quantify the number and type of complaints it received from consumers over the last five years and to explain how the provisions included in the rulemaking will help prevent similar problems from occurring.

- **RAF # 15, # 16 and # 24**—These sections of the RAF require a promulgating agency to identify the types and numbers of persons, businesses, small businesses (as defined by Section 3 of the RRA) and organizations which will be affected by the regulation. The OAG has provided a general description of the types of business affected, but has not provided the information required by the RRA or

IRRC’s regulations. We ask the OAG to provide the required information in the RAF when the final-form regulation is submitted. In addition, if this rulemaking is applicable to businesses engaged in the sale of motor vehicles via an auction, those businesses should be included in the OAG’s response.

We also ask the OAG to explain if this rulemaking applies to out-of-state businesses that sell vehicles through electronic means, such as a website, to Pennsylvania residents. If so, how many of those businesses would be affected by the rulemaking?

- **RAF # 19 and # 23**—These sections of the RAF relate to the fiscal impact the rulemaking will have on the regulated community. The information provided by the OAG indicates that the rulemaking will not have a fiscal impact. We ask the OAG to revise this answer to include the cost associated with inspecting vehicles by auto dealers selling the vehicles and also businesses that auction vehicles, if applicable.

- **RAF # 29**—The dates for the schedule of review of this regulation should be updated when this rulemaking is submitted in final-form.

**2. Section 301.1. Definitions.—Statutory authority; Clarity; Implementation procedures.**

The definition of “advertisement” is being amended to include the phrase, “placed on a web site, in a mobile application, on a social media outlet or on any other electronic platform.” The OAG explains in RAF # 10 that the language is needed to “make explicit that advertisements for motor vehicles and motor vehicle goods and services must comply with Auto Regulations across all media.” We have three questions about the new language. If an auto dealer lists all of its automobile inventory on its website, would that action be considered an advertisement, and therefore subject the auto dealer to all of the requirements of Chapter 301? Is there a difference between a customer that finds an inventory list on a website via their own research compared to a customer that is persuaded to view a website through an advertisement? Finally, what obligations, if any, do out-of-state businesses have if they advertise in the Commonwealth, and what authority would the OAG have to enforce compliance by those businesses? In the Preamble to the final-form regulation, we ask the OAG to respond to these questions and to explain how it will implement and administer this revised definition in conjunction with the entirety of Chapter 301.

**3. Section 301.2. Advertising and sales presentations.—Statutory authority; Implementation procedures; Fiscal impact; Need; Reasonableness; Clarity.**

*Subsection (5)*

This subsection specifies what existing conditions must be disclosed by an advertiser or seller of a motor vehicle. The existing regulation includes six conditions and this rulemaking adds, “Any other material condition which substantially impairs vehicle use or safety.” A commentator believes this requirement is vague and asks the OAG

to explain what other conditions not covered by the existing six conditions would be required to be disclosed. We agree that the proposed language is vague and ask the OAG to clarify this provision in the final-form rulemaking. In addition, we ask the OAG to explain the need for this new requirement and provide examples of the types of problems they have encountered in the administration of Chapter 301.

*Subsection (5.1)*

The following language is being added to Section 301.2:

Except as to a sale of a motor vehicle to another motor vehicle dealer, the advertisement or offering of a motor vehicle for sale unless a certified inspection mechanic designated by the selling motor vehicle dealer has inspected the motor vehicle in accordance with 67 Pa. Code Chapter 175 (relating to vehicle equipment and inspection):

- (i) Not more than 30 days after the motor vehicle comes into the inventory of the selling motor vehicle dealer or advertiser; and
- (ii) Not more than 30 days after each time the motor vehicle accumulates 500 miles while in the inventory of the selling motor vehicle dealer or advertiser.

This provision has generated significant interest from the regulated community, particularly businesses that sell motor vehicles via auction. We believe many of the concerns may relate to a misunderstanding of the applicability of this language. The motor vehicle auction industry which sells salvaged and non-repairable vehicles that are advertised as such, and vehicles sold to other auto dealers for resale, believe this language would require them to provide the disclosures of Subsection (5) and perform the inspections required by this new subsection. Examples of problems that could arise from this interpretation include: the practicality of assessing and possibly repairing vehicles that are not owned by the auction business; certain auction businesses which sell thousands of cars per year do not have the staff to conduct that many vehicle inspections; the cost associated with the inspection requirement would be significant; written disclosures for salvage vehicles are not needed; and many buyers are motor vehicle dealers that understand the auto auction industry, and disclosures and inspections are not necessary for these types of transactions.

It is our understanding that this result is not the intent of the new language. When this rulemaking is returned in final-form, the OAG should provide a detailed explanation in the RAF and Preamble of how this new language will be applied to this industry. In addition, the language of Subsection (5.1) should be amended to clarify the intent of the OAG. We ask the OAG to consider language offered by the commentators that would provide exemptions for auto auctions that sell salvage vehicles and vehicles that are intended for resale. Alternatively, the OAG could include language in the final-form regulation that exempts certain types of transactions.

In addition, we ask the OAG to explain how this rulemaking will apply to auctions involving the sale of federal and state government-owned vehicles, vehicles sold by estate auctioneers that sell multiple vehicles per year, vehicles sold at auction to customers for their own use, and out-of-state auto auction businesses that sell to Pennsylvania residents.

*Public input hearing and Advance Notice of Final Rulemaking (ANFR)*

It may be beneficial for the OAG to conduct a second hearing on this matter before it submits the final-form

regulation. The OAG has cited Section 3.1 of the Unfair Trade Practices and Consumer Protection Law (73 P.S. § 201-3) as its statutory authority for this rulemaking. That section states, in part, "The Attorney General may adopt, after public hearing, such rules and regulations as may be necessary for the enforcement and administration of this act." As explained in RAF # 14, a public hearing was held on September 11, 2018 to solicit input on revisions to Chapter 301. We note that the resolution of objections and the building of consensus among interested parties is a primary goal of the RRA. Since this current proposed rulemaking includes provisions that were not included in the version that was discussed at the 2018 public hearing, and because this proposal, and the new provisions, have generated interest from the regulated community, a second hearing may help build the consensus between the OAG and the regulated community that is envisioned by the RRA.

If a second hearing is not conducted, as the OAG develops the final-form rulemaking, we suggest that they work closely with the regulated community to gain a better understanding of how their businesses operate and how the language of Subsection (5.1) applies to them and the impact it would have on them. We believe it would be beneficial for the OAG to issue an ANFR to solicit additional input on this rulemaking, including changes that could be included in the final-form rulemaking.

*Inspection requirements*

We also question how the inspection requirements will be administered and enforced. It is our understanding that even though the inspection must be conducted by a certified inspection mechanic in accordance with Pennsylvania Department of Transportation (Department) regulation at 67 Pa. Code Chapter 175, the inspection mandated by this proposed regulation is not an official vehicle inspection required by the Department. However, since this subsection broadly covers Chapter 175, it can be reasonably interpreted to be an official inspection. If the inspection concludes that the vehicle is in compliance with Chapter 175, what sort of documentation would be provided to the owner of the vehicle and/or eventual buyer of the vehicle? If there are deficiencies discovered during the inspection, what action must be taken and what sort of documentation must be provided to the owner or buyer of the vehicle? Would an accompanying emissions inspection required by the Department's 67 PA Code Chapter 177 regulations also be required at this time?

Finally, we question the need and rationale for requiring in-stock vehicles to be inspected after they have been driven 500 miles. We ask the OAG to explain why annual vehicle inspections required by the Department under Chapter 175 are not sufficient.

**4. Miscellaneous Clarity.**

The title Part V of Title 37 is being amended from "Bureau of Consumer Protection" to "Unfair Trade Practices." Commentators have questioned the rationale for this change and are concerned that it could expose out-of-state auto dealers to enforcement actions and private lawsuits for acts or omissions that occur outside of the Commonwealth. We ask the OAG to retain the existing title of Part V or explain the rationale for the proposed change.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 23-981. Filed for public inspection July 21, 2023, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Pennsylvania 2022 Private Passenger Automobile Data Call

The Insurance Department (Department) is conducting its annual Private Passenger Automobile Data Call (previously referred to as the "Act 6 Data Call"). The purpose of this three-part data call is to monitor the private passenger automobile insurance marketplace in this Commonwealth.

The 2022 data call letter, instructions and templates are available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (select "Companies," then "Industry Activity," then "Data Calls" under "Product and Rate Activity").

Additionally, the Department sent e-mail notification of this data call to all companies with positive private passenger automobile direct written premium in 2022.

#### Part 1

Insurance companies with Pennsylvania private passenger automobile direct written premium in 2022 are required to complete Parts 1 and 2. Data for more than one insurance company may not be combined into a single submission. This information is to be submitted to the Department no later than October 16, 2023.

#### Part 2

Insurance companies with no Pennsylvania private passenger automobile direct written premium in 2022 are required to submit only Part 2. This is to be submitted to the Department no later than October 16, 2023.

#### Part 3

The 20 largest insurance companies in terms of Pennsylvania private passenger automobile direct written premium in 2022 as well as a few other selected insurers that write a high volume of minimum limits policies are also required to complete Part 3. These companies are identified in the instructions for Part 3. The information requested in Part 3 will enable the Department to gain a better understanding of the potential impacts of any statutory increase to the minimum limits for motor vehicle insurance in this Commonwealth. Companies not identified in the instructions for Part 3 do not need to complete Part 3. Part 3 is to be submitted to the Department no later than October 16, 2023.

The Department will hold three conference calls to provide insurers a brief overview of Part 3 of this data call and the opportunity to ask questions. Further detail, including how to sign up, is provided in the instructions for Part 3.

Consistent with previous data calls, the Department will consider the data submitted as proprietary and handle the data accordingly. See the instructions for additional information regarding the completion of the individual parts.

Completed data call files should be submitted by e-mail to Dennis Sloand at [desloand@pa.gov](mailto:desloand@pa.gov).

The Department appreciates the companies' cooperation with this important study. Individuals who have ques-

tions should contact Dennis Sloand, Bureau of Property and Casualty Insurance, (717) 214-1927, [desloand@pa.gov](mailto:desloand@pa.gov).

MICHAEL HUMPHREYS,  
Insurance Commissioner

[Pa.B. Doc. No. 23-982. Filed for public inspection July 21, 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 and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). 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. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by August 7, 2023. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2023-3041362. Koloko Transportation, LLC** (7900 Linbergh Boulevard, Apartment 3205, Philadelphia, Philadelphia County, PA 19153) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the Counties of Chester, Delaware, Lancaster and Montgomery.

**A-2023-3041509. KMS Hauling, LLC** (388 Berry Road, Beech Creek, Clinton County, PA 16822) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Centre and Clinton, to points in Pennsylvania, and return.

**A-2023-3041595. Economica Limousine Car Services, LLC** (653 Schuylkill Avenue, Reading, Berks County, PA 19601) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Berks County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* JoAnn Ruchewicz, Esquire, 1716 Olive Street, Reading, PA 19604.

#### Application of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

**A-2023-3041624. Frank L. Morris, t/a Woolf Mobile and Hershey Car** (2626 Derry Street, Harrisburg, Dau-



phin County, PA 17111) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6319565, persons in limousine service, from points in Dauphin County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 23-983. Filed for public inspection July 21, 2023, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due August 7, 2023, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Croghan Trucking, LLC; Docket. No. C-2023-3038076

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Croghan Trucking, LLC, Respondent, maintains a principal place of business at 13919 North May Avenue 204, Oklahoma City, OK 73134.

2. On January 12, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8925686. Respondent was further advised "Certificate holder is advised to become familiar with the requirements of 52 Pa. Code. Failure to comply with all applicable requirements may subject the carrier to penalties, including fines, suspension of operating rights or cancellation of authority. Title 52 of the *Pennsylvania Code* may be accessed on the World Wide Web at [www.pacode.com](http://www.pacode.com)."

3. On February 13, 2023, PA PUC Enforcement Officer Enid Scharl attempted to contact the Respondent by phone and left a detailed message to contact the officer. Attempts were made by phone February 16, 2023, through April 19, 2023, with the same message recorded. A first class and certified letter was sent to the Respondent. Each of these attempts the Respondent has failed to respond.

4. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa.C.S. § 501(c) and, for failure to maintain adequate, efficient, and safe service and facilities, violated 66 Pa.C.S. § 1501. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8925686

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to Croghan Trucking, LLC, at PUC utility code no. 8925686.

Respectfully submitted,  
Andrew Turriziani, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

#### VERIFICATION

I, Andrew Turriziani, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8 June 2023

Andrew Turriziani, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Or, e-mailed to: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 23-984. Filed for public inspection July 21, 2023, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than August 7, 2023. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director 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-23-06-04. Jori B&B Trans, LLC** (7201 Revere Street, Apartment E1, Philadelphia, PA 19149): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David Temple, Esq., 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

**Doc. No. A-23-06-05. ELM Trans, LLC** (409 West South Avenue, Glenolden, PA 19036): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David Temple, Esq., 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

**Doc. No. A-23-06-06. Ritaj Trans, LLC** (1701 Megargee Street, Floor 2, Philadelphia, PA 19152): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David Temple, Esq., 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

**Doc. No. A-23-07-01. M & M Limousine & Transportation Service, Inc.** (2179 Clover Drive, Broomall, PA 19008): An application for a limousine CPC 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. 23-985. Filed for public inspection July 21, 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>
Brandon Barry—Layer Farm 1831 Texter Mountain Road Reinholds, PA 17596	Lancaster County/ West Cocalico Township	154	Layers	New	Approved
Samuel G. Stoltzfus—Ferris Lane Farm 137 Ferris Lane Loganton, PA 17747	Clinton County/ Logan Township	27.97	Duck	Amended	Approved
Schrack Farms—Home Farm 860 West Valley Road Loganton, PA 17747	Clinton County/ Greene Township	620	Cattle	Amended	Approved

RUSSELL REDDING,  
*Chairperson*

[Pa.B. Doc. No. 23-986. Filed for public inspection July 21, 2023, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

August 31, 2023	James H. Short Pension Forfeiture	10 a.m.
-----------------	--------------------------------------	---------

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOSEPH A. TORTA,  
*Executive Director*

[Pa.B. Doc. No. 23-987. Filed for public inspection July 21, 2023, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Grandfathering Registration Notice

The Susquehanna River Basin Commission lists the following Grandfathering (GF) Registration for projects under 18 CFR Part 806, Subpart E (relating to registration of grandfathered projects) from June 1, 2023, through June 30, 2023.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

### Supplementary Information

This notice lists GF Registration for projects, described as follows, under 18 CFR Part 806, Subpart E, for the time period previously specified:

1. Borough of Freeland Municipal Authority—Public Water Supply System, GF Certificate No. GF-202306252, Freeland Borough, Luzerne County, PA; Wells 4, 6 and 10; Issue Date: June 14, 2023.

2. The Hershey Company—19 East Chocolate Avenue Offices, GF Certificate No. GF-202306253, Derry Township, Dauphin County, PA; Wells 6, 8 and 12, and Quarry Pumps 16 and 17; Issue Date: June 14, 2023.

3. Knouse Foods Cooperative, Inc.—Biglerville Plant, GF Certificate No. GF-202306254, Butler Township and Biglerville Borough, Adams County, PA; combined withdrawal from Wells 2 and 3, combined withdrawal from Wells 4—8, and consumptive use; Issue Date: June 14, 2023.

4. Hazleton City Authority—Delano-Park Place Division, GF Certificate No. GF-202306255, Mahanoy Township, Schuylkill County, PA; Park Place Well 2; Issue Date: June 15, 2023.

5. Village of Oxford—Public Water Supply System, GF Certificate No. GF-202306256, Town of Oxford, Chenango County, NY; Wells 1 and 2; Issue Date: June 15, 2023.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

*Dated:* July 6, 2023

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 23-988. Filed for public inspection July 21, 2023, 9:00 a.m.]



## SUSQUEHANNA RIVER BASIN COMMISSION

### Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following projects from June 1, 2023, through June 30, 2023.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified.

#### *Water Source Approval—Issued Under 18 CFR 806.22(e):*

1. Niagara Bottling, LLC; Big Spring Facility; ABR-202306001; Boggs Township, Centre County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: June 14, 2023.

#### *Water Source Approval—Issued Under 18 CFR 806.22(f):*

1. BKV Operating, LLC; Pad ID: Plushanski Well Pad; ABR-201806001.R1; Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.1000 mgd; Approval Date: June 14, 2023.

2. Chesapeake Appalachia, LLC; Pad ID: Porter; ABR-201306001.R2; North Branch Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 14, 2023.

3. Chesapeake Appalachia, LLC; Pad ID: Shamrock; ABR-201306003.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 14, 2023.

4. Chesapeake Appalachia, LLC; Pad ID: Tinna; ABR-201306002.R2; Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 14, 2023.

5. Coterra Energy, Inc.; Pad ID: GillinghamR P1; ABR-201305017.R2; Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: June 14, 2023.

6. Coterra Energy, Inc.; Pad ID: HaynesW P1; ABR-201706001.R1; Harford Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: June 14, 2023.

7. Coterra Energy, Inc.; Pad ID: WaldenbergerP P1; ABR-201206002.R2; Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: June 14, 2023.

8. Range Resources—Appalachia, LLC; Pad ID: Laurel Hill B Unit; ABR-201306004.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 14, 2023.

9. Seneca Resources Company, LLC; Pad ID: Wood 626; ABR-201106006.R2; Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 14, 2023.

10. Chesapeake Appalachia, LLC; Pad ID: Brewer; ABR-201306007.R2; Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 21, 2023.

11. Coterra Energy, Inc.; Pad ID: ReynoldsR P1; ABR-201306008.R2; Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: June 21, 2023.

12. Repsol Oil & Gas USA, LLC; Pad ID: THORNE (07 080) G; ABR-201306005.R2; Apolacon Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: June 21, 2023.

13. Repsol Oil & Gas USA, LLC; Pad ID: TRAVER (07 081) E; ABR-201306006.R2; Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: June 21, 2023.

14. Chesapeake Appalachia, LLC; Pad ID: ODowd; ABR-201305006.R2; Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 22, 2023.

15. Coterra Energy, Inc.; Pad ID: BishopB P1; ABR-201305013.R2; Springville Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: June 22, 2023.

16. Chesapeake Appalachia, LLC; Pad ID: Spencer Drilling Pad; ABR-201306010.R2; Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 29, 2023.

17. Seneca Resources Company, LLC; Pad ID: Fuller 826; ABR-201606005.R1; Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 29, 2023.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

*Dated:* July 6, 2023

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 23-989. Filed for public inspection July 21, 2023, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on August 10, 2023, at 6:30 p.m. The public hearing will end at 9 p.m. or at the conclusion of public testimony, whichever is earlier. The Commission will hold this hearing in-person and telephonically. Individuals may attend in person at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA or join by telephone using the toll free number (877) 304-9269 and then entering guest passcode 2619070 followed by #. At this public hearing, the Commission will hear testimony on the projects listed in the supplementary information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for September 14, 2023, which will be noticed separately. The public should note that this public hearing will be the only opportunity to offer oral comments to the



Commission for the listed projects. The deadline for the submission of written comments is August 21, 2023.

For further information contact Jason Oyler, General Counsel and Secretary, (717) 238-0423, joyler@srbc.net. Information concerning the project applications is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf](http://www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf).

*Supplementary Information*

The public hearing will cover the following projects:  
*Projects Scheduled for Action:*

1. Project Sponsor and Facility: Bent Creek Country Club, Manheim Township, Lancaster County, PA. Applications for renewal of groundwater withdrawal of up to 0.464 mgd (30-day average) from Well 1 (600 Foot Well) and consumptive use of up to 0.464 mgd (peak day) (Docket No. 19920704).

2. Project Sponsor and Facility: BKV Operating, LLC (East Branch Wyalusing Creek), Jessup Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20180902).

3. Project Sponsor: Borough of Middletown. Project Facility: Middletown Water System, Middletown Borough, Dauphin County, PA. Application for renewal of groundwater withdrawal of up to 1.070 mgd (30-day average) from Well 6 (Docket No. 19970702).

4. Project Sponsor and Facility: Coterra Energy, Inc. (Tunkhannock Creek), Nicholson Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20180903).

5. Project Sponsor and Facility: Dillsburg Area Authority, Carroll Township, York County, PA. Application for renewal of groundwater withdrawal of up to 0.460 mgd (30-day average) from Well 7 (Docket No. 20070907).

6. Project Sponsor and Facility: Eagle Lake Community Association, Covington Township, Lackawanna County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.233 mgd from Well 1, 0.315 mgd from Well 2 and 0.104 mgd from Well 3.

7. Project Sponsor and Facility: East Berlin Area Joint Authority, Hamilton Township, Adams County, PA. Application for renewal of groundwater withdrawal of up to 0.130 mgd (30-day average) from Well 6 (Docket No. 20080950).

8. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.201 mgd (30-day average) from Well 14 (Docket No. 19981202).

9. Project Sponsor and Facility: EQT ARO, LLC (Pine Creek), McHenry Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20180901).

10. Project Sponsor and Facility: Indian Hills Golf and Tennis Club, Shamokin Township, Northumberland County, PA. Application for renewal of consumptive use of up to 0.099 mgd (30-day average) (Docket No. 19980504).

11. Project Sponsor and Facility: Inflection Energy (PA), LLC (Loyalsock Creek), Upper Fairfield Township,

Lycoming County, PA. Application for renewal of surface water withdrawal of up to 1.700 mgd (peak day) (Docket No. 20221214).

12. Project Sponsor: Lucky Bear, LLC. Project Facility: Liberty Forge Golf Course (Yellow Breeches Creek), Lower and Upper Allen Townships, Cumberland County, PA. Applications for renewal of surface water withdrawal of up to 0.432 mgd (peak day) and consumptive use of up to 0.375 mgd (peak day) (Docket No. 19980906).

13. Project Sponsor and Facility: Montgomery Water Authority, Clinton Township, Lycoming County, PA. Modification to increase groundwater withdrawal (30-day average) from Well 3 by an additional 0.098 mgd, for a total groundwater withdrawal of up to 0.318 mgd, and increase the total system withdrawal limit (30-day average) from 0.492 mgd to 0.730 mgd from Wells 1, 3 and 4 (Docket No. 20210304).

14. Project Sponsor and Facility: Nicholas Meat, LLC, Greene Township, Clinton County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.288 mgd from Well WS-1, 0.173 mgd from Well WS-3 and 0.144 mgd from Well WS-4.

15. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Susquehanna River), Terry Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20180909).

16. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Wappasening Creek), Windham Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20180910).

17. Project Sponsor and Facility: Seneca Resources Company, LLC (Crooked Creek), Middlebury Township, Tioga County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

18. Project Sponsor: South Slope Development Corporation. Project Facility: Song Mountain Ski Resort, Town of Preble, Cortland County, NY. Applications for renewal of surface water withdrawal of up to 0.999 mgd (30-day average) from an unnamed tributary to Crooked Lake, consumptive use of up to 0.249 mgd (30-day average) and groundwater withdrawal of up to 0.960 mgd (30-day average) from Well MW-3 (Docket No. 20070901).

19. Project Sponsor and Facility: S.T.L. Resources, LLC (Pine Creek), Pike Township, Potter County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

20. Project Sponsor: T & C Mobile Home & Construction Services, LLC. Project Facility: Glezen Mine, Town of Lisle, Broome County, NY. Application for consumptive use of up to 0.099 mgd (30-day average).

21. Project Sponsor and Facility: Village of Hamilton, Town of Hamilton, Madison County, NY. Applications for renewal of groundwater withdrawals (30-day averages) of up to 1.730 mgd from Payne Brook Well 1 and 1.500 mgd from Payne Brook Well 2 (Docket Nos. 19871101 and 19970706).

22. Project Sponsor and Facility: Village of Sidney, Town of Sidney, Delaware County, NY. Modification to extend the approval term of the groundwater withdrawal approval (Docket No. 19860201) to provide time for development of a replacement source for existing Well 2-88.

*Opportunity to Appear and Comment:*

Interested parties may call into the hearing to offer comments to the Commission on any business previously listed required to be the subject of a public hearing. Given the nature of the meeting, the Commission strongly encourages those members of the public wishing to provide oral comments to pre-register with the Commission by e-mailing Jason Oyler at joyler@srbc.net before the hearing date. The presiding officer reserves the right to limit oral statements in the interest of time and to control the course of the hearing otherwise. Access to the hearing by telephone will begin at 6:15 p.m. Guidelines for the public hearing are posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any business previously listed required to be

the subject of a public hearing may also be mailed to Jason Oyler, Secretary to the Commission, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <https://www.srbc.net/regulatory/public-comment/>. Comments mailed or electronically submitted must be received by the Commission on or before Monday, August 21, 2023, to be considered.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* July 6, 2023

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 23-990. Filed for public inspection July 21, 2023, 9:00 a.m.]







