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The Courts
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No. 587, October 2023

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the Pennsylvania Bulletin

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacodeandbulletin.gov.

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 7]

[EXECUTIVE ORDER NO. 2023-19]

Expanding and Governing the Use of Generative Artificial Intelligence Technologies Within the Commonwealth of Pennsylvania

September 20, 2023

Whereas, the integration of Generative Artificial Intelligence (AI) into Pennsylvania's economy and the daily lives of Pennsylvanians requires the Commonwealth to ensure it is used responsibly and ethically in the Commonwealth's operations; and

Whereas, responsible use of Generative AI can help Commonwealth agencies more efficiently communicate with and serve Pennsylvania's customers, residents, visitors, and industry when the technology is made available for the agency's use; and

Whereas, Generative AI cannot and should never replace human creativity, moral judgment, or lived experiences of Pennsylvanians; and

Whereas, Generative AI's full potential can only be achieved by the Commonwealth when its use is grounded in a balanced approach prioritizing our employees, encouraging the innovative uses of technology to better serve Pennsylvanians, and aligning with industry standards on proportionate and adaptive policies; and

Whereas, responsible and ethical use of Generative AI by the Commonwealth should be conducted within a governance structure that ensures transparency, tests for bias, addresses privacy concerns, and safeguards our values.

Now, Therefore, I, Josh Shapiro, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby create the Generative AI Governing Board and order and direct the following:



Governor

Fiscal Note: GOV-2023-19. No fiscal impact; recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 7. MISCELLANEOUS PROVISIONS

Subchapter KKK. USE OF GENERATIVE ARTIFICIAL INTELLIGENCE TECHNOLOGIES

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§ 7.991. Definitions.

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

Adaptability—The resilience of policy to withstand and keep up with the natural advancement of technology.

Agency—A Commonwealth agency under the Governor's jurisdiction.

Bias—Erroneous or prejudiced assumptions in artificial intelligence and machine learning processes that may affect generative AI output.

Board—The Generative AI Governing Board.

Generative AI—Generative Artificial Intelligence—Technology or tools that use predictive algorithms to create new content including audio, code, images, text, simulations and videos.

OA—The Office of Administration.

Proportionality—The scope and scale of a policy-making response that corresponds to the context-specific needs of the end-user, the persons or entities using a tool or process, or the risk inherent in the desired outcome.

§ 7.992. Purpose.

The values, governance structures and policy in this subchapter are intended to establish responsive and responsible standards for the governance of generative AI when used by an agency and to ensure that the use of generative AI does not assist or enable activities that violate the laws of the Commonwealth or the United States.

§ 7.993. Core values governing the use of generative AI technology in this Commonwealth.

(a) An agency shall weigh the design, development, procurement and deployment of generative AI technology based on the following core values:

(1) *Accuracy*—When using generative AI, an agency shall confirm that the generative AI produces accurate and verifiable information. The OA shall develop policies on how best to audit and verify generative AI outputs to ensure clear and accurate information.

(2) *Adaptability*—The fast-evolving nature of generative AI and its potential use cases require an agency to establish and maintain an ability and willingness to recognize and adapt to shifting risks and opportunities. Moving at the speed of business requires the Commonwealth to make investments that promote continued research and diligence; engage with external stakeholders and subject matter experts; and learn from other government partners.

(3) *Employee empowerment*—While using generative AI, an agency shall ensure its employees are both better serving residents of this Commonwealth and improving their own skillset for a changing economy and professional development. The Commonwealth and the OA shall create training opportunities for employees to grow their skills in utilizing, understanding and managing generative AI tools or technology.

(4) *Equity and fairness*—An agency shall use generative AI in a way that does not unlawfully discriminate against or disparately impact individuals or communities based on or due to ancestry, disability, age, sex, national origin, familial status, race, gender, religious creed, color, sexual orientation, gender identity or gender expression. An agency shall use generative AI in a human-centered and equitable manner testing for and protecting against bias so that its use does not favor or disadvantage any demographic group over others.

(5) *Innovation*—The Commonwealth should be a public sector leader in harnessing generative AI to improve the delivery of public services to customers, residents, visitors and industry and to enable an agency to be more effective and efficient in their daily work. An agency shall proactively and iteratively evaluate and present to the board for consideration potential salient use cases of generative AI.

(6) *Mission aligned*—When using generative AI, an agency shall ensure that it is used in service of their core missions to serve customers, residents, visitors and industry, and to support Commonwealth employees.

(7) *Privacy*—The design, development, procurement and deployment of generative AI by an agency must not adversely affect the privacy rights of users. An agency shall ensure that training related to the use of generative

AI and the input of data into those tools complies with applicable laws, regulations and policies concerning the privacy rights of users.

(8) *Proportionality*—The OA shall develop policies that encourage or control the use of generative AI in a context-specific manner that is consistent with these core values, but which does not unnecessarily burden end users or an agency.

(9) *Safety and security*—The OA shall lead the development and implementation of standards, procedures and policies to safeguard and secure the data provided to the Commonwealth by customers, residents, visitors and industry against unauthorized uses and intrusions.

(10) *Transparency*—An agency shall ensure transparency and accountability in the design, development, procurement and deployment of generative AI in a manner that respects and strengthens public trust. When using generative AI tools to create content, agency external-facing services or dataset inputs or outputs shall disclose the use of generative AI; and what bias testing was done, if any.

(b) The OA shall proactively consider the core values listed in subsection (a) in all activities, policies and processes that leverage or intersect with technologies that enable automated decision-making.

§ 7.994. Generative AI Governing Board responsibilities.

The board shall recommend to the OA employee-centered guidance and direction on the design, development, procurement and deployment of generative AI in an agency, including policies on the utilization of generative AI; a mechanism that provides for internal and external feedback on policies to the extent that disclosure of these policies would not jeopardize the security of any individual or entity or Commonwealth personnel, infrastructure, systems or data; the receipt of updates and training from subject matter experts on the evolving field of generative AI technology; and the establishment of the values set forth in § 7.993 (relating to core values governing the use of generative AI technology in this Commonwealth). Specifically, the board shall have the responsibility to:

(1) Make recommendations regarding an agency's request to utilize generative AI technology, based upon a review process that evaluates the technology's bias and security, and whether the agency's requested use of generative AI adheres to the values set forward in § 7.993.

(2) Develop and recommend processes and procedures by which an agency should apply the values expressed in § 7.993 to the process of procuring and implementing generative AI tools.

(3) Encourage an agency to utilize generative AI when it improves service delivery and service administration and lead the process to identify the most efficient use cases for the implementation of generative AI.

(4) Collaborate with the Department of General Services and the OA to develop generative AI government procurement recommendations that outline problems and opportunities rather than prescriptive solutions; balance the public benefits of using generative AI against potential risks; assess the accessibility, limitations and potential historical bias of available sources to be used by generative AI; and ensure the procurement process maintains a level playing field for generative AI offerors.

(i) Provide recommendations on an agency's requested use of generative AI technology.

(ii) Engage experts in generative AI from the private sector and leading education institutions to advise, as needed, on short and long-term research goals, industry trends and ecosystem-wide best practices.

(iii) Provide labor and workforce organizations in this Commonwealth and other external stakeholders the opportunity to receive feedback or submit input to the board regarding generative AI and its use.

§ 7.995. Generative AI Governing Board composition.

- (a) The Board shall consist of 12 members including all of the following:
- (1) The Governor's Chief of Staff or the Chief of Staff's designee.
 - (2) The Governor's Director of Digital Strategy or the Director's designee.
 - (3) The Governor's Chief Transformation and Opportunity Officer or the Officer's designee.
 - (4) The Governor's Secretary of Policy and Planning or the Secretary's designee.
 - (5) The Governor's General Counsel or the General Counsel's designee.
 - (6) The Secretary of Administration or the Secretary's designee.
 - (7) The Deputy Secretary for Information Technology (Chief Information Officer) or the Deputy Secretary's designee,
 - (8) The Chief Information Security Officer or the Officer's designee.
 - (9) The Chief Data Officer or the Officer's designee.
 - (10) The Chief Privacy Officer or the Officer's designee.
 - (11) The Department of General Service's Deputy Secretary for Procurement or the Deputy Secretary's designee.
 - (12) The Department of Labor and Industry's Deputy Secretary for Workforce Development or the Deputy Secretary's designee.
- (b) The board shall meet monthly and be administratively housed within the Governor's Office.
- (c) The board shall be chaired by the Secretary of Administration.
- (d) The OA's Special Assistant for Emerging Technologies will assist in establishing an agenda, workplan, timeline and meeting schedule.

§ 7.996. Commonwealth generative AI use policy.

- (a) The OA shall convene a working group including, but not limited to, members of the board to periodically recommend updates to Information Technology policies related to generative AI in accordance with the values and guidelines expressed in this subchapter.
- (b) Upon request by Agency leadership, the working group shall recommend guidelines for the proper use of generative AI by agency employees in the execution of their work duties.
- (c) The OA shall provide comprehensive training and instruction to Commonwealth employees who utilize generative AI to ensure the employees are using generative AI tools responsibly and are prepared for the changing skills demanded of the Commonwealth's workforce due to generative AI.

§ 7.997. Implementation.

This subchapter shall be implemented consistent with applicable law. This subchapter is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies or entities, its officers, employees or agents, or any other persons.

§ 7.998. Effective date.

This subchapter shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

[Pa.B. Doc. No. 23-1397. Filed for public inspection October 13, 2023, 9:00 a.m.]

THE COURTS

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Civil Division Local Rules of the Court of Common Pleas; No. AD-2023-251-PJ Rules Docket

Order of Court

And Now, this 15th day of September 2023, it is hereby *Ordered* that the following local rules of the Court of Common Pleas of Allegheny County, Pennsylvania, Civil Division, adopted by the Board of Judges, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

KIM BERKELEY CLARK,
President Judge

Local Rule 205.2(a). Requirements Governing the Physical Characteristics of Pleadings, Petitions, Motions, and Other Legal Papers. Cover Sheets.

(1) *Basic Requirements.*

(a) Footnotes shall be single-spaced.

Note: See Pa.R.Civ.P. 204.1 for other requirements.

(b) All attachments, supporting documents, and exhibits shall be on eight and one-half inches by eleven inches paper at the time of filing with the Department of Court Records.

(i) A smaller document shall be reproduced, if possible, on eight and one-half inches by eleven inches paper.

(ii) A larger document shall be reduced and reproduced to eight and one-half inches by eleven inches size, provided it will still be legible.

(iii) If it is not possible to obtain a legible photocopy of the document or exhibit because of unique characteristics or inherent limitations, e.g., maps, surveys, computer printouts, data processing cards, drafter's plans, tracing paper, red pencil marks, colored paper, tape recordings, cassettes, movies, etc., the filing party shall present the document or material to the Department of Court Records to be stamped, docketed, and filed. Each such special filing shall be accompanied by one (1) cover sheet.

(c) In any case where a reproduced document under subdivision (b) above has been included in the pleadings or where a filing has been made under subdivision (b), and such reproduced document is not legible, an exact recitation of the contents of the document or evidence or, by agreement of the parties, the material sections of the same, shall be typed on white paper, eight and one-half inches by eleven inches in size, in twelve point type with double-spacing and margins of one inch on each side and the top and bottom of the page. This retyped document shall bear a certification of accuracy by counsel for the filing party.

Note: Local Rule 205.2(a) does not affect the provisions of Pa.R.Civ.P. 1019(i), requiring that copies of certain writings be attached to pleadings.

(2) *Proposed Orders of Court.*

Every preliminary objection, petition and motion shall include a proposed order of court which shall be the last page of the preliminary objection, petition, or motion.

[(3) *Other Filing Requirements.*

(a) Every document shall be attached only at the top left corner of the pages with one staple or, if the document is too thick for a staple, then at the top of the pages with a metal fastener (not a binder clip).

(b) Cloth tape is prohibited and shall not be used to cover the staple or metal fastener.

(c) "Bluebacks" shall not be used.

Note: It is recommended that the case number be entered at the top or bottom right corner on every page of every filing because of the possibility that pages of a filing may come apart.]

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020.)

Local Rule 205.4. Electronic Filing of Legal Papers in Allegheny County.

Note: This Local Rule has been promulgated in compliance with Pa.R.Civ.P. 239.9(a) which provides, "If a court permits or requires the electronic filing of legal papers with the Department of Court Records, the court must promulgate a local rule designated Local Rule 205.4 which sets forth in detail the practice and procedure to file a legal paper electronically and includes the matters set forth in this rule."

(a)(1) [**Except as noted in the subsections below,] Beginning on MM/DD/YY, use of the Allegheny County Department of Court Records Civil/Family Division (hereinafter "DCR") electronic filing system is [**permissive**] **mandatory** for the filing of all legal papers, including original process, in all actions and proceedings brought in or appealed to the court **except as noted in the subsections below or as otherwise ordered by the Court.****

Note: A "legal paper" is defined in Pa.R.Civ.P. 205.4(2) as "a pleading or other paper filed in an action, including exhibits and attachments."

A. [Use of the DCR's electronic filing system is mandatory for all actions and proceedings involving personal injury or death allegedly caused by asbestos.

B.] Use of the DCR's electronic filing system is not permitted for the following Civil Division Filings:

1. Initial filings in Petitions for Name Change;

[**Note: Secondary filings in Petitions for Name Change may be filed electronically.]**

2. Initial filings for Exemplification of Records;

[**Note: Secondary filings involving Exemplification of Records may be filed electronically.**

3. Cases or filings under seal.

4.] 3. Initial filings for appeals from a Judgment Entered by a Magisterial District Judge in cases seeking possession of residential property ("Landlord Tenant Disputes").

[C. The following filings are permitted to be filed through the DCR's electronic filing system but will not be scheduled for argument unless a party obtains a hearing date as indicated below:

1. The following secondary filings in General Docket and Arbitration Docket cases, for which procedures for scheduling argument are set forth in the local rules indicated below: (i) preliminary objections (see Local Rule 1028(c)), (ii) petitions (see Local Rule 206.4(c)); (iii) motions for judgment on the pleadings (see Local Rule 1034(a)); and (iv) motions for summary judgment (see Local Rule 1035.2(a)).

2. The following secondary filings in Housing Court cases for which procedures for scheduling argument are set forth in the local rules indicated below: (i) preliminary objections (see Local Rule 1028(c)), (ii) petitions (see Local Rule 206.4(c)); (iii) motions for judgment on the pleadings (see Local Rule 1034(a)); and [(iii)] (iv) motions for summary judgment (see Local Rule 1035.2(a)).

D.] C. Use of the DCR's electronic filing system is not permitted for the following Family Division filings:

1. Legal papers relating to Protection from Abuse matters which must be processed with the PFA office in Family Division before they can be filed.

2. Legal papers relating to custody, partial custody or visitation matters which must be processed through the Generations office before they can be filed.

3. Legal papers relating to spousal or child support must be processed through Family Division before they can be filed.

4. Legal papers relating to divorce which contain or address counts or counterclaims for support, alimony pendente lite, alimony or custody, partial custody, and visitation, must be processed through the offices to which reference is made in (D)(1), (2) or (3) of this subsection.

Note: Divorce pleadings which do not include or address any of the counts enumerated above may be filed electronically, including but not limited to, § 3301(c) or § 3301(d) affidavits of consent, counter-affidavits, waiver of notice of intention to request entry of a decree, notice of intention to request a divorce decree, and praecipe to transmit the record.

5. All legal papers which must be presented to a Family Division Judge in motions court before filing with the office of the DCR.

(b)(1) Legal papers may be filed using the DCR's electronic filing system in the following file formats only: Portable Document Format (.pdf), Microsoft Word (.doc or .docx) [, WordPerfect for Windows, version 6.0 or higher (.wpd), TIF (.tif), GIF (.gif), JPEG (.jpg), or PCX (.pcx)] In the event any legal paper or exhibit is submitted to the DCR in a hard-copy format, the DCR shall convert to, receive, and maintain such legal paper or exhibits as a PDF, and the DCR shall return the hard-copy legal paper or exhibit to the filing party for retention as required by Pa.R.Civ.P. 205.4(b)(5).

(c)(1) [RESERVED]

(2) [The DCR's electronic filing website is [dcr.alleghenycounty.us](https://www.alleghenycounty.us) ("www" does not appear before and ".com" does not appear after this web address).

Persons may access the DCR's electronic filing system by first registering and establishing a User ID and password using the "Register" link at the DCR's electronic filing website. The User ID for Pennsylvania licensed attorneys is their Supreme Court of Pennsylvania identification number issued by the court. Non-attorney users may, at the time of registration, designate any combination of letters or numbers they may wish to use as a User ID] All legal papers or exhibits shall be filed using the DCR electronic filing system, which can be accessed on the DCR's Website at <https://dcr.alleghenycounty.us>.

(A) To obtain access to the DCR's electronic filing system, attorneys and any unrepresented party must register for a User ID and Password using the "Register" Link at the DCR's website. The User ID for Pennsylvania licensed attorneys is their Supreme Court of Pennsylvania identification number issued by the court. Non-attorney users may, at the time of registration, designate any unique combination of letters or numbers they may wish to use as a User ID.

(B) After registering for a User ID and password, attorneys may designate another User ID to act as their proxy for the purposes of electronic filing.

(C) Out-of-State Attorneys who have been admitted Pro Hac Vice by Order of Court can register for an account as if they were a Non-attorney user under (c)(2)(A). To gain the same access as Pennsylvania Licensed attorneys, the Out of-State Attorney must contact the Department of Court Records at civil@alleghenycounty.us.

(d)(1) The following credit and debit cards may be used on the DCR's electronic filing website to pay filing-related fees: Visa, MasterCard, Discover, and American Express. Such fees may also be paid by depositing in advance sufficient funds with the DCR. The DCR may also accept payments by electronic checking/ACH (Automatic Clearing House). See the DCR website for additional information.

(A) The procedures for payment of the fees and costs of the DCR shall be set forth on the DCR's Website—<https://dcr.alleghenycounty.us>

Note: A Party may proceed without paying DCR's filing related fees if an attorney files a Praecipe to Proceed In Forma Pauperis, or the Party files, and the court grants, a Petition to Proceed In Forma Pauperis pursuant to Pa.R.Civ.P. 240, et seq. Failure to comply with Pa.R.Civ.P. 240, et seq, may result in the Party's appeal being stricken or a Judgment of Non-Pros entered against them.

[(2) [RESERVED]

(3) [(Intentionally omitted as Allegheny County has not designated a third party to operate the electronic filing system.)]]

(e) [RESERVED]

(f) When a legal paper has been successfully transmitted electronically, the following procedures shall be followed:

(1) [When a legal paper has been successfully transmitted electronically, the DCR's electronic filing website shall generate a printable acknowledge-

ment page and shall transmit to the filer an initial email confirming the electronic receipt of the legal paper and the date and time thereof. Subsequently, after the DCR has processed the electronic filing, the DCR shall transmit, to the filer, an email stating the date and time of acceptance of the filing or stating that the filing has not been accepted and the reasons for nonacceptance. A legal paper will not be considered filed if the DCR responds to the filing by notifying the filer that the filer has not (i) maintained with the DCR sufficient funds to pay the fees and costs of the filing or (ii) authorized payment by credit or debit card of such fees and costs.] The DCR's electronic filing system shall generate a printable acknowledgement page and shall transmit to the filing party an initial email confirming the electronic receipt of the legal paper and the date and time thereto.

(2) Subsequently, after the DCR has processed the electronic filing, the DCR shall transmit, to the filing party, an email stating the date and time of acceptance of the filing or stating that the filing has not been accepted and the reasons for non-acceptance.

(3) If the DCR accepts a filing, it shall be deemed to have been filed as of the date and time it was received by the DCR's electronic filing system.

(4) A legal paper will not be considered filed if the DCR responds to the filing by notifying the filing party that they have not (i) maintained with the DCR sufficient funds to pay the fees and costs of the filing or (ii) authorized payment by credit or debit card of such fees and costs. The DCR is authorized to reject a filing of a legal paper submitted without the requisite payment.

[(2)] (5) The DCR shall maintain an electronic file for the legal papers, including original process, in any civil action or proceeding at law or in equity brought in or appealed to the court, including any action pursuant to the Eminent Domain Code of 1964 or the Municipal Claims Act of 1923.

[(3) [RESERVED]

(4) The procedures for payment of the fees and costs of the DCR shall be set forth on the DCR website: dcr.alleghenycounty.us (www.does not appear before and ".com" does not appear after this web address).

(5) [RESERVED]]

(6) Neither the Court, nor the DCR is required to maintain a hard copy of any legal paper, or exhibits, or order filed or maintained electronically under this rule.

(7) If the DCR refuses to accept a legal paper for filing, the DCR shall transmit to the filing party an email specifying the reason. Subject to the provisions of Pa.R.Civ.P. 205.4(e)(1), a legal paper refused for filing shall be deemed as not having been filed.

(A) Except as set forth in subparagraph (C) below, if the DCR refuses to accept a filing, the filing will nonetheless be deemed to have been filed at the date and time it was first received by the DCR's electronic filing system if:

(1) Within three (3) business days, the filing party resubmits the legal paper through the electronic filing system curing the defect noted by the DCR in the rejection.

(2) Once the legal paper is resubmitted, the filing party must notify the DCR of the resubmitted filing via an email to civil@alleghenycounty.us, identifying the original submission ID number of the rejected filing, the submission ID number of the resubmitted filing, the reason the DCR originally rejected the filing and a brief explanation how the defect was cured in the resubmitted filing. Both submission ID numbers can be found on the acknowledgment page provided by the DCR at the time of submission.

Note: Parties are encouraged to use the cure provisions of subparagraph (A) in only those instances where the party will be prejudiced if the legal paper is not deemed to have been filed at the date and time it was originally received by the DCR's electronic filing system.

(B) If the DCR refuses to accept a filing and the filing party fails to comply with subparagraph (A), the filing party may still cure the defect and resubmit the filing, but the accepted filing will be deemed to have been filed at the date and time it was received by the DCR's electronic filing system.

(C) Submitting a legal paper for filing without (1) sufficient funds to pay the fees and costs of the filing, or (2) authorizing payment of the fees by credit card, debit card or other means is not curable under (f)(7)(A).

(g) If a legal paper is electronically filed and accepted, the DCR will automatically notify all case participants with verified emails who have previously submitted electronic filings in the same case. The DCR is authorized to serve all case participants with verified emails who have previously submitted electronic filings in the same case with any Notice required under Pa.R.Civ.P. 236 or other rules of court. The filing party shall serve all others as required by rules of court.

(Editor's Note: Adopted April 5, 2012, effective February 22, 2013. Amended December 27, 2019, effective February 19, 2020. Amended November 29, 2021, effective January 11, 2022.)

Local Rule 206.4(c). Procedures for the Disposition of Petitions.

(1) *Scope.*

This local rule describes the procedures for an application to strike and/or open a default judgment or a judgment of non-pros governed by Pa.R.Civ.P. 206.1, et seq.

Note: This court has not promulgated a local rule, numbered Local Rule 206.1(a)(2), which provides for any other application to be governed by Rule 206.1, et seq.

(2) *General Docket and Arbitration Docket Cases—Striking and/or Opening a Default Judgment or a Judgment of Non-Pros.*

(a) A petition to strike and/or open a default judgment or a judgment of non-pros shall be presented to the General Motions Judge. It may be presented only after service of a copy of the petition and notice of the date of presentation on all other parties. Except in cases of emergency or with the consent of all other parties, the

date of presentation shall be at least ten (10) days after service of a copy of the petition and notice of the date of presentation.

Note: The court does not schedule the date and time of presentation. The petitioner selects a date and time at which the General Motions Judge is hearing motions and petitions. See Civil Division link on the Website of the Common Pleas Court of Allegheny County (www.alleghenycourts.us) for the name and courtroom of the judge who is sitting as the General Motions Judge and the times that matters which have not been scheduled with the court may be presented. Ordinarily, unscheduled matters may be presented each day at 9:30 A.M. and 1:30 P.M.

If the case is on the trial list, the petition shall be presented to the Calendar Control Judge. See Local Rule 208.3(a)(3).

(b) If, upon presentation of the petition, a rule to show cause is entered, the court order issuing the rule shall set the time within which the answer to the petition shall be filed and the time within which depositions shall be completed. If the court order does not set an argument date, at any time after the date by which the depositions were to be completed, any party may order the cause for argument before the General Motions Judge by filing a praecipe to set a date and time for the final argument and transmitting a copy of the praecipe to the following email address: Civilgenmotions@alleghenycourts.us. The Chief Motions Clerk shall notify the moving party of the time and date for the final argument and the moving party shall promptly serve written notice thereof upon all other parties to the proceedings.

(c) Depositions and other evidence that a court may consider shall be filed at least fourteen (14) days before the argument date.

(d) Briefs are required. The brief of the moving party shall be filed with the Department of Court Records and served on all other parties at least fourteen (14) days prior to the argument. The brief of the party opposing the petition shall be filed at least seven (7) days prior to the argument.

(3) *Housing Court Cases—Striking and/or Opening Default Judgments and Judgments of Non-Pros.*

(a) **[The original and a copy of the] All** petitions to strike and/or open a default judgment or a judgment of non-pros **[(or a copy if filed electronically)]** shall be **[taken to the Housing Court Clerk (Housing Court Help Desk: First Floor City County Building, 414 Grant Street, Pittsburgh, PA 15219)]. [The clerk will place, on the original and the copy of the petition, a date and time for an argument before the Housing Court Judge. The clerk will file the original petition with the Department of Court Records and return the copy to the party filing the petition. This party shall promptly serve copies of the petition on all other parties with notice of the date and time of the argument] electronically filed pursuant to Local Rule 205.4.**

(b) The Petitioner must request that the petition be scheduled for oral argument by submitting the petition and a proposed order in Microsoft Word

format to the Housing Court Help Desk email at HCHelpdesk@alleghenycourts.us. Once the moving party receives the argument date, the moving party shall immediately serve copies of the petition on all other parties with notice of the date and time of the argument.

[b] (c) The Petitioner shall notify a Housing Court Clerk (412-350-4462) if the petition scheduled for argument becomes moot. Otherwise, if the petitioner does not appear on the date of the argument, the court will enter an order dismissing the petition for failure of the moving party to appear.

Note: A form for filing a petition to strike and/or open a default judgment for pro se petitioners is available at the Housing Court Help Desk **and on the Court's website.**

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020. Adopted November 29, 2021, effective January 11, 2022.)

Local Rule 208.2(d). Uncontested Motion Certification.

(1) A motion that is represented to be uncontested shall contain a certification, substantially in the form found on the Court's "Uncontested Motions Coversheet", by the moving party or counsel for the moving party that they have conferred with all interested parties, the full text of the motion and proposed order has been disclosed, and that the requested relief is uncontested. Uncontested Motions shall be presented pursuant to Local Rule 208.3(a)(6)(b)(iii).

Local Rule 208.2(e). Certification of Good Faith Attempt to Amicably resolve Discovery Motions.

(1) All Discovery Motions shall contain a certification, substantially in the form found on the Court's "Discovery Motions Form," that the moving party has conferred with all other parties in an attempt to resolve the discovery disputes at issue. In the event the moving party was unable to confer with any party, the attempts made to confer with that party shall be specifically set forth in the Motion.

Local Rule 208.3(a). Procedures for the Disposition of Motions.

(1) As used in this rule, "motion" means any application to the court made in any civil action or proceeding except as provided by subdivisions (b)(1) and (2) of Pa.R.Civ.P. 208.1.

(a) This court has not promulgated a local rule, numbered Local Rule 208.3(b), because this court has not imposed requirements for the filing of a response or a brief with respect to any motion. However, the parties are encouraged to submit briefs when it is anticipated that the court will want to consider briefs before deciding the issue.

(b) This local rule does not govern motions filed in specially assigned cases (see the court's website page for a list of the specially assigned case types) or any other case specially assigned by an order of court to a single judge. Procedures for disposition of motions in specially assigned cases may be established by case management orders, standard operating procedures, or other directives issued by the assigned judge.

Note: At the time of these amendments the following matters are identified on the Court's website as specially assigned case types: Abandoned & Blighted Property Conservator (see Local Rules 701 et seq.), Asbestos, Class Action, Commerce & Complex Litigation Center, Construction, County Beverage Tax, Election, Eminent Domain, Mortgage Conciliation, Pennsylvania Liquor Control Board, Prisoner Rights, Right-to-Know, Save Your Home, Special Name Change (see Local Rule 505), Structured Settlement Approvals, Toxic Substance, Water Exoneration Hearing Board Appeals, and Zoning. This list is periodically updated.

(c) Procedures for disposition of the following are set forth in the following local rules:

(i) Preliminary objections (governed by Local Rule 1028(c)),

(ii) Motions for judgment on the pleadings (governed by Local Rule 1034(a)),

(iii) Motions for summary judgment (governed by Local Rule 1035.2(a)), and

(iv) Petitions to strike and/or open a default judgment or a judgment of non-pros (governed by Local Rule 206.4(c)).

(2) Procedure applicable to all motions: A motion may be presented only after service of the copy of the motion and notice of the date, time, and location of presentation on all other parties. Except in cases of emergency, or with the consent of all other parties, the date of presentation shall be at least ten (10) days after service of a copy of the motion and the notice of the date of presentation.

Note: If after reviewing Sections (3) through (6) below questions remain as to where a motion should be presented or which judges should hear a particular motion, please send an inquiry email to Civilgenmotions@allegheycourts.us.

(3) Calendar Control Judge

(a) The Calendar Control Judge shall hear the following:

(i) All motions in any case that has been listed for trial or has appeared on a published trial list shall be presented to the Calendar Control Judge. This includes all motions that would otherwise have been heard by the General Motions Judge or the Discovery Motions Judge.

Note: The docket will show if a case has been listed for trial on a published trial list. For docket entries, go to <https://dcr.allegheycounty.us> and click on Civil/Family Division, then "Search" and enter the docket number.

(ii) All motions relating to the following matters, regardless of whether a case has been listed for trial or has appeared on a published trial list:

(a). the compromise, settlement, and discontinuance of an action to which a minor is a party;

Note: See Local Rule 2039 for the procedures governing a petition presented pursuant to Pa.R.Civ.P. 2039.

(b). the compromise, settlement, and discontinuance of an action to which an incapacitated person is a party;

Note: See Local Rule 2064 for the procedures governing a petition presented pursuant to Pa.R.Civ.P. 2064.

(c). praecipes to place at issue; and

(d). contested motions for continuance of an arbitration hearing, other than in Housing Court cases, which are presented to the Housing Court Judge. Such motions

shall be presented using the Cover Sheet and Adjournment of Hearing Form (Form 208.3(a)) which is available on the Court's website at <https://www.allegheycourts.us/civil/arbitration.aspx>.

Note: To reschedule an arbitration hearing date with agreement of all parties, an Adjournment of Hearing Form shall be presented to the arbitration email at civilarb@allegheycourts.us. These procedures are published on the Court's website at <https://www.allegheycourts.us/courts/arbitration.aspx>.

(b) *Presentation:*

(i) The Calendar Control Judge does not schedule the date or time of presentation. The moving party/petitioner selects the date and time for presentation.

Note: Calendar Control Motions are generally held at 9:30 a.m. Please refer to the Calendar Control Judge's standard operating procedures and the Calendar Control Motions schedule, which can be found at: [https://www.allegheycourts.us/Civil/Calendar_Control_New.aspx] <https://www.allegheycourts.us/civil/about/calendar-control>.

(ii) A courtesy copy shall be provided to the Calendar Control Judge in advance of presentation of the motion.

(4) *Discovery Motions Judge*

(a) The Discovery Motions Judge shall hear the following:

(i) All discovery motions for General and Arbitration Docket cases that have not yet appeared on a published trial list or been assigned a trial date; with the exceptions set forth below in subsection (iv) this includes Arbitration Docket cases which have been assigned an arbitration hearing date (although such motions are disfavored);

Note: The scheduling of an arbitration hearing does not constitute appearance on a published trial list or the assignment of a trial date.

(ii) All motions relating to pre-complaint discovery;

(i) Discovery in aid of execution;

(ii) All motions to dismiss based upon affidavits of non-involvement pursuant to Pa.R.Civ.P. No. 1036, et seq.

(b) The following discovery motions will not be heard by the Discovery Motions Judge and shall be heard by the General Motions Judge:

(i) Requests for injunctive relief, including discovery on requests for injunctive relief; and

(ii) Discovery disputes relating to or arising out of a Rule to Show Cause issued by the General Motions Judge.

(c) Discovery motions assigned to a specific Judge shall be heard by the assigned judge.

(d) *Presentation*

(i) [**The Discovery Motions Judge does not schedule the date of time of presentation, but typically hears all motions at 2:00 p.m. on Fridays, unless otherwise indicated. Scheduling is not required**] **The Discovery Motions Judge shall determine the method of submission, hearing date/time, and format of hearings, at the Discovery Motions Judge's discretion, pursuant to the procedures located on the Court's Website.**

(ii) Absent compelling circumstances, the court requires the parties to conduct a meaningful “meet and confer” prior to presentation of any contested motion. The court will inquire into the specifics of the meet and confer during the hearing.

Note: See Local Rule 208.2(e) regarding the requirements for the “Certification of Good Faith Attempt to Amicably resolve Discovery Motions”.

(iii) All parties must bring an additional coversheet/caption for the benefit of the Court Reporter.

(iv) [**The moving party shall, upon entering the court room, present to the clerk all motions and coversheets. The moving party shall indicate whether the motion is contested or uncontested/unopposed. If a party is unable to represent to the clerk affirmative assent to a motion being uncontested/unopposed, the motion shall be classified as contested**] The moving party shall indicate whether the motion is contested or uncontested/unopposed. If a party is unable to represent to the clerk affirmative assent to a motion being uncontested/unopposed, the motion shall be classified as contested. See explanatory note below.

a. Uncontested or unopposed motions will be heard first, followed by contested motions.

Note: In presenting a motion as uncontested or unopposed, counsel certifies to the court that a copy of the motion, exhibits, and any proposed order was served on every other party or attorney of record [**including notice of the time, date, and location for presentation, and at least ten days have passed, or counsel has obtained the consent or affirmation that said motion is not opposed. Mere failure of the opposing party to appear at precisely 2:00 p.m. does not render a motion uncontested/ unopposed. The court in its discretion will determine when enough time has elapsed to render the motion uncontested/ unopposed**].

(5) *Housing Court Judge*

(a) The Housing Court Judge shall hear the following:

(i) All motions involving Housing Court cases. (See Local Rule 76 Definitions for information relating to which cases shall be assigned to the Housing Court or ruled upon the Housing Court Judge.);

(ii) All contested requests for the continuance of an arbitration hearing in a Housing Court matter; and

(iii) All Motions for Late Appeal of Disposition from a Magisterial District Judge in a Landlord Tenant Proceeding.

(b) *Presentation:*

(i) **Except for initial filings as set forth in Local Rule 205.4(a)(1)(B)(3) (i.e., Motions to File Late Appeal), all Housing Court Motions must be [filed electronically] electronically filed pursuant to Local Rule 205.4. [or in person with the Department of Court Records. No motion will be scheduled for argument unless requested as set forth in subsection (a) or (b) below.**

a. **For electronically filed motions, the party must request that the motion be scheduled for oral argument by submitting the motion to the Housing Court Help Desk email at HCHelpdesk@alleghencourts.us.**

b. **If the motion is not electronically filed, the original and a copy of the (motion shall be taken to the Housing Court Clerk (Housing Court Clerk at the Housing Court Help Desk: First Floor City County Building). The clerk will place, on the original and the copy of the motion, a time and date for an argument before the Housing Court Judge. The clerk will file the original with the Department of Court Records and return the copy to the party filing the motion. This party shall immediately serve copies of the motion on all other parties with notice of the date and time of the argument.]**

(a) **Prior to electronically filing the motion with the Department of Court Records, the moving party must request an argument date by submitting the motion to the Housing Court Help Desk email at HCHelpdesk@alleghencourts.us. The Help Desk will provide a date and time for argument, which the moving party shall include in a notice of presentation when electronically filing the motion. The Court may not hear argument if the docketed motion does not have a completed Notice of Presentation, with the date and time of argument provided by the Housing Court Help Desk.**

(b) **After electronically filing the motion with the provided argument date, the Moving party shall serve a copy of the motion on all other parties with the notice of the date and time of the argument.**

Note: [**The moving party will not receive an oral argument date unless the moving party either takes the motion to the Housing Court Help Desk or submits the motion to the Help Desk email: HCHelpdesk@alleghencourts.us.] For further information concerning Housing Court procedures, forms and protocols, Parties should go to the Court’s website at <https://www.alleghencourts.us/civil/about/housing-court/>.**

(i) The party seeking a contested continuance of an arbitration hearing shall present to the Housing Court Judge an Adjournment of Hearing Form (FORM 208.3(a)) (see subsection (3)(a)(ii)(d) above), which may be obtained from the Housing Court Clerk at the Housing Court Help Desk: First Floor City-County Building, or by going to the Court’s website, and specifically the arbitration page where such forms are available to download.

Note: If all parties agree to the continuance, the Housing Court Clerk has the authority to sign the Adjournment of Hearing continuing the case (FORM 208.3(a)) (see subsection (3)(a)(ii)(d) above).

(ii) Motion for Late Appeal shall be filed in person pursuant to Local Rule 205.4(a)(1)(A)(3) with the Department of Court Records and a copy immediately provided to the Housing Court Clerk (See Housing Court Help Desk: First Floor City County Building, for Forms relating to Motions for Late Appeal).

(a). The Housing Court Clerk will schedule the motion with the Housing Court Judge. The motion will generally be scheduled on a date which provides all other parties with ten (10) days’ notice of the scheduled argument date. However, if an eviction is scheduled, the Housing Court Clerk will make every effort to schedule argument on Motion for Late Appeal before the scheduled eviction, although the Court may not be able to schedule a hearing before the eviction date. The filing party is responsible for informing the Housing Court Clerk of the date of any scheduled eviction.

(b). The filing party is required to serve the Motion for Late Appeal upon the opposing party, and if the filing party is the tenant, also required to serve the Motion for Late Appeal upon the Magisterial District Court issuing the Disposition.

(6) *General Motions Judge*

(a) The General Motions Judge shall hear the following for any General and Arbitration Docket case that has not yet appeared on a published trial list or been listed for trial:

- (i) All motions relating to the following:
 - (a). pleadings including amendments, joinder of parties, late joinder of additional defendants;
 - (b). withdrawal and disqualification of counsel;
 - (c). discontinuances, consolidation, severance, and coordination of actions in different counties (Pa.R.Civ.P. 213.1);
 - (d). transfers between Arbitration and General Docket;
 - (e). certificates of merit (Pa.R.Civ.P. 1042.1, et seq.);
 - (f). requests for injunctive relief, including discovery on requests for injunctive relief; and
 - (g). discovery disputes relating to or arising out of a Rule to Show Cause issued by the General Motions Judge.
- (ii) All motions for any Arbitration Docket case prior to listing for trial, except:
 - (a). discovery motions, which shall be presented to the Discovery Motions Judge;
 - (b). the compromise, settlement, and discontinuance of an action to which a minor is a party, which shall be presented to the Calendar Control Judge;
 - (c). the compromise, settlement, and discontinuance of an action to which an incapacitated person is a party, which shall be presented to the Calendar Control Judge;
 - (d). contested requests for the continuance of an arbitration hearing, which shall be presented to the Calendar Control Judge.

(iii) All petitions to strike and/or open a default judgment or a judgment of non-pros (the procedure including presentation, for which is found at Local Rule 206.4(c), not below);

(iv) All motions not otherwise addressed in Local Rules 208.3, 1028(c), 1034(a), or 1035.2(a).

(b) *Presentation:*

(i) The General Motions Judge [**typically**] hears motions daily at 9:30 a.m. [**and 1:30 p.m.**] in Courtroom 703. The General Motions Judge does not schedule the date or time of presentation. The moving party/petitioner selects the date and time for presentation.

(ii) The original motion must be **electronically** filed pursuant to **Local Rule 205.4** with the Department of Court Records. A copy of the motion shall be provided to the Chief Motions Clerk prior to presentation.

(iii) A motion which is uncontested, and which contains the certification required by Local Rule 208.2(d), may be presented in person or by emailing the Motion with a proposed order in Microsoft Word format to civiluncontestedmotions@alleghenycourts.us.

(iv) For all Contested Motions, a copy of the Motion shall be provided to the Judge assigned to sit as the General Motions Judge on the date the motion is noticed for presentation pursuant to subparagraph (i). If the motion is resolved or is moot prior to the noticed argument date, the moving party shall notify the Judge to whom they provided notice.

Note: Judicial Assignments for General Motions can be found at <https://www.alleghenycourts.us/civil/about/general-motions/>. Procedures for providing copies of the motion can be found in each Judge's Standard Operating Procedures, found at <https://www.alleghenycourts.us/civil/judicial-chambers-operating-procedures>.

[iii.] v. The [Chief] General Motions Supervisor/ Clerk will file any order issued by the Court.

(7) Form 208.3(a). Arbitration Adjournment of Hearing Form and Cover Sheet.

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

COVER SHEET

	CIVIL DIVISION
Plaintiff	GD No _____
v.	*(Use AR or LT No. for Arbitration Cases and BV No. for Assessment Appeals.)
	Type of Pleading
Defendants	Adjournment of Arbitration Hearing
	Filed on behalf of
	(Name of Filing Party)

[] Counsel of Record
[] Individual, if Pro Se

Address, Telephone Number, and Email Address:

Attorney's State ID: _____

Attorney's Firm ID: _____

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY PENNSYLVANIA
ARBITRATION SECTION**

vs

No. _____, 20 ____
Presently listed _____
No. of Times Continued _____
Landlord/Tenant Action _____

A false certification of consent of all parties is subject to the provisions of 18 Pa.C.S.A. § 4904(a) pertaining to unsworn falsification to authorities and is sanctionable under 42 Pa.C.S.A. § 2503.

ADJOURNMENT OF HEARING

On _____, 20 _____, on order of court, the date of hearing is adjourned to _____, 20 _____.

Stipulation

BY THE COURT:

REASON FOR CONTINUANCE:

Note: A Microsoft Word version of this form can be obtained and downloaded from the Civil Arbitration page of the Court's website at <http://www.alleghencourts.us/civil/about/about-arbitration/>.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020.)

Local Rule 212.1. Pre-Trial Procedure for All Actions in the Civil Division of the Court of Common Pleas of Allegheny County. Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.

1. Pa.R.Civ.P. 212.1 through 212.3 and Local Rules 212.1 through 212.3 apply to all civil actions, both jury and nonjury, to be tried in the Civil Division; appeals from Compulsory Arbitration shall be exempt unless such cases include a demand for a jury trial, and under such circumstances parties involved in such a case must comply with Local Rules 212.1 through 212.3.

2. *Definitions.* In these rules, the following words shall have the following meanings:

a. *"pretrial conference"*—a conference scheduled by the Court in accordance with Pa.R.Civ.P. 212.3 in which, in addition to matters set forth in Pa.R.Civ.P. 212.3, the Court shall:

i. determine whether the parties have complied with this local rule; and

ii. attempt an amicable settlement of the case. b

b. *"Conciliating Judge"*—the Judge assigned to conduct the pre-trial conference.

3. *Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.* Notices required by Pa.R.Civ.P. 212.1 shall be given by publication in the *Pittsburgh Legal Journal*, and notice shall be provided to unrepresented parties and to those out of county counsel identified in paragraph 6 of the Praecepto to Place the Case at Issue (see FORM 214w).

Note: As soon as there is a published trial list, trial dates appear as docket entries in each individual case on

the trial list. Docket entries are available online at: <https://dcr.alleghenycounty.us/> and click on Civil/Family Division, then “Case Search” (in upper right corner) and enter the docket number. Additionally, published trial lists are also available on the Civil Division’s website [at: www.alleghenycourts.us] <https://apps.alleghenycourts.us/Civil/CaseScheduling.aspx>.

Trial lists are generally published in the *Pittsburgh Legal Journal* 6 months prior to commencement of the trial term. Pre-trial deadlines are generally as follows: 16 weeks prior to commencement of the trial term for the close of discovery; 14 weeks prior to commencement of the trial term for plaintiffs’ pre-trial statements; 12 weeks prior to commencement of the trial term for all other parties’ pre-trial statements; and 45 days prior to the commencement of the trial term for completion of mediation pursuant to Local Rule 212.7. The general schedule set forth in this Note is only advisory and may vary from the controlling dates and deadlines published in the *Pittsburgh Legal Journal*.

Editor’s Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020.

Local Rule 212.3. Conduct of Pre-Trial Conference.

(1) The conduct of the pre-trial conference shall be in conformity with Pa.R.Civ.P. 212.3.

(2) Notice of the time, date and Conciliating Judge for the pre-trial conference shall be provided by publication in the *Pittsburgh Legal Journal*, and notice shall be provided to unrepresented parties and to those out-of-county counsel who submitted notice of their address to the Calendar Control section of the Civil Division at the time the case was placed at issue.

Note: The dates and times of pre-trial conciliations are also available on the Civil Division’s website at: [www.alleghenycourts.us] <https://apps.alleghenycourts.us/Civil/CaseScheduling.aspx>.

(3) Any application for rescheduling a pre-trial conference shall be addressed to the Conciliating Judge before whom the pre-trial conference is scheduled.

Note: See Local Rule 214(5)(f) regarding petitions to continue the trial of cases on the General Docket.

(4) Unless excused by the Conciliating Judge, each party with a financial interest and each non-party with a financial interest (such as insurers) shall be present with full authority to settle the case. However, parties without a financial interest need not attend.

(5) The Judge presiding at the pre-trial conference may impose such sanctions as are deemed appropriate against counsel and/or the party(ies) for failure to comply with this rule.

(6) *Housing Court Judge.* Actions involving residential landlord tenant disputes (which include the rental of property involving a mobile home), statutory appeals from public housing and federal Section 8 grievance hearings, and all code enforcement matters involving properties leased or rented to residential tenants shall be assigned to the Housing Court and heard by the Housing Court Judge.

Note: Pre-trial conferences and other pre-trial procedures in cases assigned for trial to a particular Judge may be conducted according to the procedures directed by that Judge.

Editor’s Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020.

Local Rule 212.7. Mandatory Mediation.

(1) All parties shall participate in a formal mediation process no later than 45 days prior to commencement of the assigned trial term, as published in the *Pittsburgh Legal Journal* pursuant to Local Rule 212.1(3). his requirement shall apply unless:

(a) The Calendar Control Judge excuses the case from mediation upon motion and good cause shown; or

Note: At the discretion of the Calendar Control Judge, “good cause” may include, but is not limited to, the expense of mediation relative to a party’s perceived valuation of the case, as well as a party’s inability to afford the expense of mediation.

Local Rule 213. Petitions for Consolidation. Survival Actions.

(1) Petitions for Consolidation shall bear the captions of each case as to which consolidation is requested, including all issue numbers, **and shall be filed at all cases as to which consolidation is requested.**

[2. At the time of presentation of a petition for consolidation of cases, counsel shall bring sufficient copies of the petition, so that there will be one copy of the petition for the Court file of every case as to which consolidation is requested.

3.] 2. Transfer and consolidation of survival actions and related wrongful death actions are governed by Pa.R.Civ.P. 213.

Note: As to settlement of survival actions, see Local Rule 2206 and Orphans’ Court Local Rule 12.16F.

Editor’s Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 214. Issue Docket, Trial Lists and Trials.

(1) *Issue Docket—General Docket (“GD”) Cases.*

(a) After the expiration of sixty (60) days from the date of service of the original complaint upon each defendant, and after all of the pleadings in a case are closed, any of the parties may file a praecipe to place the case at issue, thereby signifying that the case is ready to be listed for trial. The Praecipe to Place the Case at Issue shall be in the same form as FORM 214 (see subsection (b) below). Cases placed at issue receive consecutive numbers (“issue numbers”) which are used to track the placement of cases on a trial list. After an issue number is assigned to a case, it shall be included on the caption and cover sheet of all subsequent filings. The Department of Court Records shall keep an issue docket of cases placed at issue. The Calendar Control Office of the Court of Common Pleas shall create the civil trial lists from those cases which have been placed at issue.

Note: The Court has provided a mandatory form of Praecipe to Place Case at Issue, FORM 214 (see subsection (b) below), which requires that counsel provide the Court with certain information regarding the case, to facilitate the orderly assembly of trial lists.

Note: See Local Rule 4003.5(7)(a) regarding priority on trial lists for professional liability and product liability cases which meet certain criteria. The form to be used to obtain priority placement on trial lists for such cases is found at FORM 4003.5D at Local Rule 4003.5(10)(d). This

form is filed, at the appropriate time, in addition to the Praecepto to Place Case at Issue.

(b) —**Form 214. Form of Praecepto to Place Case at Issue.**

[**CASE CAPTION, INCLUDING DOCKET NUMBER**]

PRAECEPTO TO PLACE CASE AT ISSUE

The undersigned party hereby certifies the accuracy of the following information to the Court, and requests that the Department of Court Records assign an issue number to this case, list this case on the issue docket, and place it in order on the next available trial list:

1. At least sixty days have passed since the service of the original complaint on all defendants.
2. All pleadings have been filed.
3. All preliminary motions and objections have been disposed of.
4. There are _____ plaintiffs and _____ defendants remaining in the case. Plaintiffs remaining in the case, and their counsel, are: (list the parties and their counsel). Defendants who have actually been served and who remain in the case, and their counsel, are: (list the parties and their counsel).
5. According to documents filed in the case, the following parties are not presently represented by counsel and should be provided with notice of earliest trial date pursuant to Local Rule 212.1(3) at the following addresses: (list unrepresented parties and their mailing addresses).
Alternative 5. According to documents filed in the case, there are no unrepresented parties in this case at this time.
6. According to documents filed in the case, the following parties are presently represented only by out-of-county counsel. Such counsel should be provided with notice of earliest trial date pursuant to Local Rule 212.1(3): (list party, their out-of-county counsel, and counsel’s mailing address).
Alternative 6. According to documents filed in the case, there are no parties in this case who are represented only by out-of-county counsel.
7. I estimate that the following number of days will be required for the trial of this case, including the time required for jury selection, closing arguments and charge:
 - No more than 1 trial day
 - 2 to 3 trial days
 - 4 to 6 trial days
 - 7 to 10 trial days
 - 11 to 15 trial days
 - More than 15 trial days
8. A jury trial has/has not [circle one] been requested in this case.
9. If this is a civil action that raises only claims for equitable relief, see Local Rule 1001 and FORM 1001 at Local Rule 1001(3).

Dated: _____

Respectfully submitted,

By: _____

(Identification of pro se party or counsel)

(Address and telephone number of pro se party or counsel)

(2) *Exceptions to Issue Docket.*

The following types of cases need not be placed at issue or otherwise certified ready for trial:

- (a) cases pending on the Compulsory Arbitration docket (AR) and (LT);
- (b) appeals from Compulsory Arbitration;
- (c) cases originally filed in the general docket (GD) and transferred to Compulsory Arbitration; and
- (d) cases in which a new trial has been granted by either the court of original or appellate jurisdiction.

Note: In cases in which a new trial has been granted, prompt written notice of the granting of such relief should be given by plaintiff to the Calendar Control Office of the Civil Division.

(3) *Removal from The Issue Docket.*

Cases which have been stricken from the issue docket shall receive new issue numbers after full compliance with this local rule and the filing of a subsequent Praecepto to Place Case at Issue.

(4) *Trial Terms.*

Civil Division trial terms are generally scheduled for five- or six-week periods commencing each January, March, May, September, and November.

(5) *Trial Lists. Call of The List. Date of Trial.*

(a) *Initial Publication of Trial Lists.* The trial dates for each term and the cases scheduled to be tried during that term are published approximately one hundred and

twenty (120) days prior to the beginning of each of the trial terms in the *Pittsburgh Legal Journal*. It shall be the responsibility of in-county counsel to monitor the *Pittsburgh Legal Journal* for the initial listing of a case on a trial list. Publication of trial lists in the *Pittsburgh Legal Journal* is the only form of notice given to in-county counsel of the listing of a case for trial. Unrepresented parties and out-of-county counsel who submit notice of their address to the Calendar Control Office of the Civil Division (see Local Rule 212.1(3)) are mailed a notice of earliest trial date.

Note: As soon as there is a published trial list, trial dates appear as docket entries in each individual case on the trial list. Docket entries are available online at: [**Department of Court Records.county.allegheny.pa.us (no www. and no .com or .org)**] <https://dcr.alleghenycounty.us>. **Additionally, published trial lists are also available on the Civil Division's website at: www.alleghencourts.us.**

(b) *Pre-trial Discovery Deadlines.* Deadlines for the completion of discovery are published with the trial list in the Procedure, so that the response may be served on or before the date set for completion of discovery.

Note: Generally, discovery is required to be completed sixty (60) days prior to the commencement of the trial term in which the case is listed for trial.

(c) *Call of the List.* Each day during the trial term at 9:00 a.m., the Calendar Control Judge calls the daily trial list. Counsel for each party in each case listed for the first time on that date shall appear at said time, personally or through a representative, and shall advise the Court, when the case is called:

- whether counsel for each party is ready for trial (each party, in turn, advises the court);
- the expected time required to try the case; and/or
- of any settlements which have occurred.

Counsel shall be prepared to commence trial on and after the date of the Call of the List. Counsel shall be prepared to engage in conciliation immediately after the Call of the List, or at such other time as the Court may thereafter direct. Cases not commenced on the date listed will be called again the following day and each day thereafter, until the case is commenced, removed from the list by motion or settlement, or the trial term ends. Cases not commenced during the trial term are placed on a future trial list.

(d) *Daily Publication of Updated Trial List.* During each trial term, daily trial lists, updated to reflect settlements, continuances, cases called for trial, or other dispositions of cases, are published daily in the *Pittsburgh Legal Journal*. It is the responsibility of all parties to monitor the status of their cases on the updated trial list. Written notice of updates will not be sent.

Note: Updated trial lists are also available on the Civil Division website at: www.alleghencourts.us.

(e) *Date of Trial.* The dates for which cases are listed for trial are intended to serve as close estimates as to when each case will be reached for trial.

(f) *Trial Policy.*

(i) When the list of cases is first published, trial counsel must ascertain the readiness of their cases as to bills, reports, etc. and the availability of witnesses, doctors, experts, etc. involved in the case.

(ii) When it is ascertained that any person necessary for the trial of the case may not be available during the trial term, the deposition of that person for use at trial must be taken forthwith.

(iii) Requests for continuances or adjustments of the trial date should be made as soon as possible after the initial publication of the trial list. Last-minute requests for continuances ordinarily will not be granted to accommodate counsel, clients or witnesses for business trips, vacations, or any absence during trial terms or for failure to comply with any of the trial policy rules.

(iv) Counsel, as listed for the case, must be available and ready to try the case at the time it is called.

(v) If listed counsel are not available, absent compelling reasons, substitute counsel must be available.

(vi) A law firm not having sufficient trial counsel may be required to obtain substitute trial counsel.

(vii) If listed counsel is not available and no substitute counsel is provided, the case will proceed without counsel.

(viii) When called to select a jury, unless excused by the Court, counsel must appear within fifteen (15) minutes; if not present when so called, a clerk will select the jury and the case will be ordered to trial notwithstanding the absence of counsel.

(ix) The trial policy rules will be applied regardless of the directions or desires of clients.

Note: As to motions relating to cases appearing on a published trial list, see Local Rule 208.3(a)(3) regarding the Calendar Control Judge. As to pre-trial statements, see Local Rule 212.2.

(6) *Exception to Trial Lists.* Cases which have been assigned to an individual judge do not appear on a trial list; rather, such cases proceed to trial as ordered by the individual assigned judge. Local Rule 220.1 Voir Dire.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006.)

Local Rule 227.1. Post-Trial Motions. Filing of Appeals. Request for Transcript, Certification and Waiver Forms.

(1) *Post-Trial Motions.*

(a) Post-Trial Motions shall be **electronically** filed [**in the Office of the Department of Court Records**] pursuant to **Local Rule 205.4** and a copy shall be delivered to the Trial Judge. Argument shall be scheduled by the Trial Judge without praecipe.

(b) On all Motions for Post-Trial Relief, only those portions of the testimony relating to the questions raised need be transcribed. If counsel cannot agree on the evidence to be transcribed, the matter may be submitted to the Trial Judge. The reporter shall arrange the transcript so that omitted portions may be inserted in the event this becomes necessary. A moving party desiring to rely wholly or in part on a transcript of the testimony or on the charge of the Court shall **electronically** file [**in the Office of the Department of Court Records**] a certificate from the court reporter, stating that the testimony relied upon, or the charge has been ordered and is being transcribed. Such certificate shall be filed within a period of ten days from the filing of the Motion for Post-Trial Relief. Upon failure to file such certificate

within the time prescribed, it shall be conclusively presumed a transcript of said testimony is not necessary and is waived. When a Motion for Post-Trial Relief is abandoned at or before argument before the Court, or when it is found by the Court to have no merit or is denied, the cost of the transcript may be assessed against the party filing the Motion.

Unless accompanied by an affidavit stating the names of all witnesses expected to testify, and the substance of the testimony they are expected to offer, no Motion for a New Trial will be entertained on the grounds of after-discovered evidence.

Upon the filing of any Motion for Post-Trial Relief, the Court may, on its own motion or on the motion of any interested party, hold a post-trial hearing and/or conciliation.

(c) Unless accompanied by an affidavit stating the names of all witnesses expected to testify, and the substance of the testimony they are expected to offer, no Motion for a New Trial will be entertained on the grounds of after-discovered evidence.

(d) Upon the filing of any Motion for Post-Trial Relief, the Court may, on its own motion or on the motion of any interested party, hold a post-trial hearing and/or conciliation.

Note: See Pa.R.Civ.P. 106 regarding computation of time.

(2) Appeals. When filing documents necessary to effectuate an appeal of a Civil Division matter in accordance with the Pennsylvania Rules of Appellate Procedure and specifically Pa.R.A.P. 905 and 906, filings with this Court are made in the appropriate division of the Department of Court Records identified in Rule 1(3) of these Rules.

(a) Filing and Request for Transcript, Certification and Waiver Form.

(i) At the time of filing a Notice of Appeal in the Court of Common Pleas, and pursuant to Pa.R.A.P. 906, whether or not a transcript or waiver has already been filed, the appellant shall attach to all copies of the Notice of Appeal a copy of the completed and acknowledged Request for Transcript, Certification and Waiver, FORM

227.1A. FORM 227.1A can be obtained from the Allegheny County Office of Court Reporters or from the Fifth Judicial District of Pennsylvania's website under the Administration tab.

(ii) The Request for Transcript, Certification and Waiver must be completed by the party placing the order, signed by a Judge, if required by Pa.R.A.P. 1922(b), and delivered to the Manager of the Court Reporters to place an order for a transcript for any purpose.

(iii) FORM 227.1A also shall be prepared and filed to demonstrate waiver of a transcript or portion thereof in connection with an appeal.

(iv) The Manager of Court Reporters shall insert the date the Request form is received and shall acknowledge said receipt by signature.

(v) A copy of the form, as acknowledged by the Manager of Court Reporters, shall be satisfactory proof of a transcript order or waiver.

(vi) When a transcript is ordered, the Manager of Court Reporters shall obtain the signature of the court reporter and insert the estimated number of pages and the estimated completion date in the appropriate place on the form.

(vii) The copies of the Request form then shall be distributed to the designated persons by the Manager of the Court Reporters.

(b) Notice of Proof of Filing or Delivery of the Transcript.

(i) The Notice of Proof of Filing or Delivery of the Transcript (FORM 227.1B) (see subsection (d)(i) below) shall be filed with the Department of Court Records and distributed to the designated persons by the Manager of the Court Reporters.

(ii) If a requisite transcript or portion thereof has already been filed with the Department of Court Records, a photocopy of the Request for Transcript, Certification and Waiver (FORM 227.1A) and the Notice of Proof of Filing or Delivery of the Transcript (FORM 227.1B) may be attached to the Notice of Appeal.

(c) Transcripts of testimony may not be photocopied.

(d) Forms:

Form 227.1B. Notice of Proof of Filing or Delivery of the Transcript.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

_____ Civil Division

_____ Case No.:

NOTICE OF PROOF OF FILING OR DELIVERY OF THE TRANSCRIPT

Proceeding: _____ Complete Case _____

Plaintiff's Case _____

Date: _____ Defendant's Case _____

Charge _____

Judge: _____ Closing Argument _____

Other _____

I hereby certify that I have filed and/or delivered the above-described transcript with/to the following:

Date Signature _____

Department of Court Records _____

Attorney _____

Court Reporter _____

If no objections are made to the text of the transcript within five (5) days after such notice, the transcript will become part of the record.

Copies: Judge/Department of Court Records/Manager of Court Reporters/Attorney/Other

Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020.

Local Rule 234.1. Subpoena.

(1) The copy of any subpoena (the original of which issued from this Court) left with a witness who has been subpoenaed shall have endorsed on said copy the caption, the number and term of the case, and the name, office address and telephone number of the attorney causing the subpoena to be issued and served.

(2) A copy of [**the original**] **any** subpoena with a completed return of service shall be **electronically** filed [**with the Department of Court Records**] **pursuant to Local Rule 205.4.**

(3) Subpoenas duces tecum for production of hospital records shall be served between the hours of 9:00 a.m. and 5:00 p.m. and at least two days before the time stated in the subpoena for appearance. A one-day witness fee and round-trip mileage shall be tendered at the time the subpoena is served.

(4) Subpoenas requiring production of hospital records shall not be deemed to apply to x-rays or other data not strictly a part of a hospital record unless they are specifically requested in the subpoena.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020.

Service

Local Rule 440. [**Certificate of Service.**] Service of Legal Papers other than Original Process.

(A) Certificate of Service

(1) Copies of all legal papers other than original process that are required to be served on each party to the action pursuant to Pa.R.Civ.P. 440, shall include a Certificate of Service, which sets forth the date and manner of service.

(2) The Certificate of Service shall set forth the name of an attorney of record for each of the parties that is represented by counsel and the address at which service was made.

Note: The mere statement "Service upon all counsel of record" is not acceptable.

(3) If any parties are not represented by counsel, the Certificate of Service shall identify the party as being unrepresented by using a "pro se" designation and shall set forth the address at which service was made.

(4) The address listed in the Certificate of Service may be an e-mail address or telephone number used for a facsimile transmission where service was made in this fashion provided that such service is authorized under the Pennsylvania Rules of Civil Procedure.

(B) Notice of Change of Address

(1) If at any time during the course of an action, the Attorney of Record's address changes, the Attorney shall immediately electronically file a Notice of Change of Address with the Department of Court Records in each case in which they appear.

(2) If at any time during the course of an action, a pro se litigant's address changes, they must immediately file a Notice of Change of Address with the Department of Court Records in each case they are a case participant.

(3) The Notice of Change of Address shall be in a form similar to FORM 440(B) and shall provide:

i. The filing party name(s), the old physical address(es), and the new physical address(es);

ii. The filing party's old email address and the filing party's new email address, and;

iii. The effective date of the address change.

Form 440(B). Notice of Change of Address.

CASE CAPTION, INCLUDING DOCKET NUMBER

NOTICE

Department of Court Records, Civil Division
First Floor, City County Building
414 Grant Street
Pittsburgh, PA 15219

Re: CASE CAPTION and DOCKET NUMBER

(1) **This Change of Address is filed on behalf of** _____ .

(2) **The former address(es) of the filing party is (are):** _____

(3) **The new address(es) of the filling party is (are):** _____

(4) **This address change became effective as of** _____ , _____ .

Signed

Dated

Local Rule 502.1. Notice of Change of Ownership of Property. Change of Address. Withdrawal or Substitution of Counsel.

(1) If at any time during the course of an appeal filed pursuant to Local Rules 503 or 504 ownership of the property at issue is transferred, changed, or altered in any way, the property owner listed of record in the appeal is required to **electronically file pursuant to Local Rule 205.4** a notice of the transfer/change/alteration with the Department of Court Records, Civil/Family Division (FORM 502.1) (see subsection (2) below). The Notice shall provide the following information:

- (a) The name(s) and address(es) of the new owner(s) of the property;
- (b) The type of transfer/change/alteration (e.g., property sold, joint tenant added); and
- (c) The date of the transfer/change/alteration.

Note: An appeal to the Board of Viewers is an appeal to the Court of Common Pleas. See Local Rule 503(9). See Pa.R.Civ.P. 1012 for notice requirements when there is a withdrawal or substitution of counsel. See Pa.R.Civ.P. 440 and Local Rule 440 for requirements of service of legal papers.

Form 502.1. Change of Ownership. Change of Address.

NOTICE

Department of Court Records, Civil Division
First Floor, City County Building
414 Grant Street
Pittsburgh, PA 15219

Re: [ORIGINAL CASE CAPTION AND DOCKET NUMBER]

(1) The names(s) and address(es) of the new owner(s) of the property is (are):

(2) The ownership of the property that is the subject of the referenced assessment appeal has been changed, as follows (e.g., property sold, joint tenant added, etc.):

(3) The date of the transfer/change/alteration was: _____

Dated: _____

Signed: _____

Editor's Note: Adopted June 5, 2008, effective July 28, 2008.

Local Rule 503. Appeals From Real Estate Tax Assessment.

The following provisions shall govern all tax assessment appeals from the Disposition of Appeal from Real Estate Assessment of the Board of Property Assessment Appeals and Review:

Note: Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment Appeals and Review. New Local Rule 503 applies only to tax assessment appeals. For procedure governing tax exemption appeals, see Local Rule 504.

(1) *Parties.*

(a) The following parties must be listed in the caption of the appeal:

- (i) owner(s) of the real estate and/or taxable property;
- (ii) the municipality in which the property is located;
- (iii) the school district in which the property is located; and
- (iv) the County of Allegheny.

(b) Any entity other than those set forth in subsection (1)(a) of this local rule must file a Petition to Intervene with the Real Estate Tax Appeals Judge in accordance with the Pennsylvania Rules of Civil Procedure to become a party.

(2) *Caption.*

(a) The party filing the appeal shall be designated as the petitioner. All other parties shall be designated as respondents or interested parties.

(b) The caption and cover sheet shall clearly state whether the appeal involves commercial or residential property.

(3) *Time For and Content of Appeals.*

(a) An appeal from the decision of the Board of Property Assessment, Appeals and Review must be verified pursuant to Pa.R.C.P. 206.3 and [**filed**] **electronically filed pursuant to Local Rule 205.4** with the Department of Court Records **Civil/Family Division** within thirty days of the date of mailing of the notice by the Board.

(b) An appeal shall be in substantially similar form as set forth in Petition for Assessment Appeal (FORM 503(3)) (see subsection (20)(a) below) and shall contain the following:

- (i) the names of the parties;
- (ii) an identification of the property by address, lot and block number;
- (iii) whether the property is residential or commercial; and
- (iv) the name of the party that appealed to the Board of Property Assessment Appeals and Review.

Note: The Petitioner, in filing a Petition for Appeal from Disposition of the Board of Property Assessment Appeals and Review, is deemed to have raised all challenges to the assessment that the law permits.

(4) *Notice. Service.*

Petitioner shall give notice of the appeal by first class mail, postage prepaid, to all parties and the Board of

Property Assessment Appeals and Review, within seven (7) days of the filing of the appeal, and shall file proof of service thereof.

(5) *Action Required of Department of Court Records, Civil Division.*

(a) Upon the docketing of any appeal from a Disposition of Appeal from Real Estate Assessment of the Board of Property Assessment Appeals and Review, the Department of Court Records, Civil Division, shall obtain the information contained in the Board of Property Assessment Appeals and Review's Disposition of Appeal from Real Estate Assessment.

(b) Upon obtaining the information contained in the Board of Property Assessment Appeals and Review's Disposition of Appeal from Real Estate Assessment, the Department of Court Records, Civil/**Family** Division, shall [**place this information in the court file in hard copy form, and**] make it available on the Department's publicly accessible website [**in electronic form**].

(6) *Filing of Appeals.*

The filing of an appeal by any party shall act as an appeal by all parties.

(7) *Withdrawal of Appeals.*

No appeal may be withdrawn without the consent of all other parties or leave of court. Any party who fails to appear at the conciliation without prior notice to the Board of Viewers shall be deemed to have consented to the withdrawal of the appeal.

(8) *Motions.*

All motions in real estate tax assessment appeals shall be presented to the Real Estate Tax Appeals Judge.

(9) *Board of Viewers.*

All tax assessment appeals from a Disposition of Appeal from Real Estate Assessment of the Board of Property Assessment Appeals and Review shall be assigned to a Board of Viewers appointed by the Administrative Judge of the Civil Division pursuant to 72 P.S. § 5020-518.1.

(10) *Discovery.*

(a) In all cases involving non-residential property, the taxing bodies may serve a copy of Tax Assessment Appeal Discovery Requests, (FORM 503(10)) (see subsection (20)(b) below) on the taxpayer. The taxpayer shall furnish the information sought in the Discovery Requests within forty-five (45) days after receipt thereof.

(b) No party may seek additional discovery through Interrogatories, Request for Production of Documents or otherwise until discovery has been sought through the Tax Assessment Appeal Discovery Requests. Parties seeking additional discovery or any discovery in cases involving residential property must petition the Real Estate Tax Appeal Judge for discovery, who may refer the petition to the Administrative Chair of the Board of Viewers for recommendation.

(c) Any discovery disputes, including without limitation any Motion(s) for Protective Order or Motion(s) to Compel, shall be presented upon proper notice to the Real Estate Tax Appeal Judge.

(d) Discovery shall conclude sixty-five (65) days prior to the date scheduled for conciliation.

(11) *Conciliation.*

(a) All appeals shall be conciliated prior to a hearing by the panel of the Board of Viewers assigned to hear the appeal.

(b) At the time of conciliation, all parties or their counsel shall be present with full authority to effectuate a settlement of the appeal.

Note: Parties and counsel are advised to pay particular attention to the notice of conciliation. In appropriate cases, the conciliation and hearing may be scheduled on the same day. In such instances, the parties must appear at the conciliation ready to move directly into a hearing if the conciliation does not result in settlement.

(c) If any party fails to comply with the provisions of this local rule, the Board of Viewers may include in their report a recommendation for the imposition of appropriate sanctions, including but not limited to, attorneys' fees and costs against the party or parties failing to comply.

(12) *Pre-Trial Statement in Non-Residential Tax Assessment Appeal.*

(a) Sixty (60) days prior to the date scheduled for conciliation of a non-residential tax assessment appeal, the petitioner shall **electronically file a pre-trial statement pursuant to Local Rule 205.4 and distribute the same** to all counsel of record, or if counsel have not entered an appearance on the party(ies), and to the panel of the Board of Viewers assigned to the case [**a pre-trial statement**]. The pre-trial statement shall incorporate the following information or documents:

(i) a description of the user of the real estate and the nature of the real estate;

(ii) a list of all persons who will give testimony in the trial of this appeal;

(iii) a list of all exhibits which the party intends to use at trial;

(iv) any report, including without limitation an expert report or appraisal, of any person or entity who has been retained, employed, or consulted by the parties, who will give testimony in the trial of this appeal.

Note: Former Local Rule 502 required only the owner of non-residential property to file a conciliation statement. Local Rule 503 has been redrafted to require, in an appeal of non-residential property, both the taxpayer and the taxing bodies to file pre-trial statements. In conjunction with the change from a "conciliation" statement to a "pre-trial" statement, new Local Rule 503 shifts the focus of the parties' anticipated evidence at trial and eliminates the need to list information that will not be part of the party's case at trial. Local Rule 503 also requires parties to include in the pre-trial statement any expert reports and/or appraisals. By its terms, this subsection (12) does not apply to residential tax assessment appeals.

(b) Twenty (20) days prior to the date scheduled for conciliation of a non-residential tax assessment appeal, the respondent(s) shall **electronically file a pre-trial statement pursuant to Local Rule 205.4 and distribute the same** to all counsel of record, or if counsel have not entered an appearance on the party(ies), and to the panel of the Board of Viewers assigned to the case a pre-trial statement. The pre-trial statement shall incorporate the following information or documents:

(i) a description of the use of the real estate and the nature of the real estate;

(ii) a list of all persons who will give testimony in the trial of this appeal;

(iii) a list of all exhibits which the party intends to use at trial;

(iv) any report, including without limitation an expert report or appraisal, of any person or entity who has been retained, employed, or consulted by the parties, who will give testimony in the trial of this appeal.

(c) All interested parties whose interests are aligned with the petitioner shall **electronically file a pre-trial statement pursuant to Local Rule 205.4 and distribute [their Pre-Trial Statement] the same** in accordance with subsection (12)(a) of this local rule. All interested parties whose interests are aligned with the respondent(s) shall [**their Pre-Trial Statement**] **electronically file a pre-trial statement pursuant to Local Rule 205.4 and distribute the same** in accordance with subsection (12)(b) of this local rule.

(d) The failure to comply with subsections (12)(a), (12)(b) and (12)(c) of this local rule shall result in appropriate relief, which may include the exclusion or limitation at trial of testimony or evidence which was not provided in the pre-trial statement or a recommendation for the imposition of attorneys' fees and costs against the party or parties failing to comply.

(13) *Hearing.*

(a) The Board of Viewers shall schedule a hearing and shall provide notice of the hearing to all parties and/or counsel of record. The notice shall be [**sent by regular mail and**] **provided pursuant to Pa.R.Civ.P. 205.4(g) and Local Rule 205.4(g). The notice** shall state that if any party fails to appear at the hearing it will proceed without them, or the appeal will be dismissed with prejudice.

Note: Parties and counsel are advised to pay particular attention to the notice of hearing. In appropriate cases, the conciliation and hearing may be scheduled on the same day. In such instances, the parties must appear at the conciliation ready to move directly into a hearing if the conciliation does not result in settlement.

(b) The hearing shall be recorded by a court reporter.

(c) The Board of Viewers, at its discretion, may continue the hearing.

(14) *Report.*

Following the hearing, the Board of Viewers shall file its written Special Masters Report and Recommendation with the Department of Court Records, Civil Division. This Special Masters Report along with a Notice in substantially similar form as set forth in Notice (FORM 503(14)) (see subsection 20(c) below), shall be [**mailed**] **provided** to all counsel or parties if not represented by counsel **pursuant to Local Rule 205.4(g)**.

(15) *Objections. Trial Transcript*

(a) The parties may electronically file objections to the Special Masters Report and Recommendation within ten (10) days of receipt of the Special Masters Report and Recommendation and Notice. Objections must be accompanied by a certification of counsel, or a party if

unrepresented, that the trial transcript, or necessary portions of the transcript, have been ordered from the court reporter and paid for. Copies of the objections and certification shall be [**filed with the Department of Court Records, Civil Division, and**] served on all counsel of record or party(ies) if unrepresented, and the Board of Viewers.

(b) If no trial transcript is filed within ninety (90) days of the date the Objections were filed, the Administrative Chair of the Board of Viewers shall send the objecting party a letter, with copies to all counsel and parties not represented by counsel, stating that the transcript must be paid for and filed within thirty (30) days of the date of the letter, and that if no transcript is filed within that time period, then a court order will be issued overruling the objections with prejudice. (FORMS 503(15A) and 503(15B)) (see subsections 20(d) and 20(e) below).

Note: If, through no inaction on the part of the objecting party the court reporter is unable to meet the deadline set e-filing of the transcript in the letter from the Administrative Chair, the objecting party may ask for an extension of time from the Administrative Chair.

(16) *Briefs on Objections*

(a) Within twenty (20) days of the date on which the transcript is filed of record, the objecting party shall **electronically** file a Brief in Support of Objections and shall serve a copy on all counsel of record or if counsel have not entered their appearance on the party(ies), and the Board of Viewers. The Brief in Support of Objections shall refer to transcript page numbers where possible.

(b) If no brief is filed within twenty (20) days of the date the transcript is filed, the Administrative Chair of the Board of Viewer shall send the objecting party a letter, with copies to all counsel or parties not represented by counsel, stating that if a brief is not filed within twenty (20) days of the date of the letter, then a court order will be entered overruling the objections with prejudice. (FORMS 503(16A) and 503(16B)) (see subsections (20)(f) and (20)(g) below).

Note: If a Brief in Support of Objections has been filed by a taxing body, other taxing bodies may rely on that brief, and in such event the Administrative Chair will not send a FORM 503(16A) letter to the other taxing bodies.

(17) *Opposing Briefs*

(a) Within twenty (20) days after the moving party has **electronically** filed its Brief in Support of Objections, responding parties shall file their Briefs in Opposition to Objections and serve a copy on all counsel of record or on the party(ies) if unrepresented, and the Board of Viewers.

(b) If no Brief in Opposition is filed and served within twenty (20) days, the Administrative Chair of the Board of Viewers shall send the opposing party(ies) a letter, with copies to all counsel and parties not represented by counsel, stating that if an opposing brief is not filed within twenty (20) days of the date of the letter, the decision will be made without reference to any brief that you may file thereafter. (FORM 503(17)) (see subsections (20)(h) below).

Note: If a Brief in Opposition has been filed by a taxing body, other taxing bodies may rely on that brief, and the Administrative Chair will not send a FORM 503(17) letter to the other taxing bodies.

(18) *Decision*

After the filing date set for Briefs in Opposition to Objections has passed, the objecting party shall notify the Board of Viewers that the matter is ripe for decision by **electronically** filing a Notice That Matter is Ripe for Decision (FORM 503(18)) (see subsection (20)(i)(below). The objecting party shall serve a copy of this Notice on all counsel of record or if counsel have not entered their appearance on the party(ies), and upon the Board of Viewers. Upon the filing of this Notice, the Court shall schedule oral argument or decide the objections on the briefs without oral argument.

(19) *Final Order*

In the event that none of the parties files Objections as described above, the Special Masters Report and Recommendation shall become the final Order of Court. The Administrative Judge of the Civil Division, or another judge assigned by the Administrative Judge, will enter an Order of Court to this effect.

(20) *Forms*

(a) **Form 503(3). Petition for Assessment Appeal.**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA,
CIVIL DIVISION

(Name)	CIVIL DIVISION
Petitioner	BV No _____
v.	
(Names or Names)	COMMERCIAL/RESIDENTIAL (Choose one)
Respondents	REAL ESTATE INVOLVED
INTERESTED PARTIES (if applicable) (Names)	Petition for Appeal form Disposition of the Board of Property Assessment Appeals and Review

PETITION FOR APPEAL FROM DISPOSITION OF
THE BOARD OF PROPERTY ASSESSMENT APPEALS AND REVIEW

This Petition for Appeal from Disposition of the Board of Property Assessment Appeals and Review is filed pursuant to Local Rule 503(3) by (name):

1. The owner of this commercial/residential (choose one) real estate and/or taxable property is (name), and the address of this real estate is (address) (the "Property"). The Property has been assigned lot and block number (fill in).

2. The County of Allegheny, the municipality (fill in) and the school district (fill in) are the taxing bodies interested in the taxable status of the Property.

3. The Office of Property Assessments made an assessment of the Property. (Name) appealed from this assessment to the Board of Property Assessment Appeals and Review (the "Board") asking that the assessment be reduced/raised (choose one). The Board is authorized pursuant to the Administrative Code of Allegheny County to hear all appeals from assessments made by the Office of Property Assessments.

4. Following a hearing, a Disposition of Appeal from Real Estate Assessment was mailed by the Board. The information contained in the Board's Disposition of Appeal from Real Estate Assessment shall be [**placed in the court records, both in paper and**] kept in electronic form, by the Department of Court Records, Civil Division.

5. Petitioner is filing this appeal to the Common Pleas Court of Allegheny County.

WHEREFORE, Petitioner requests this Honorable Court to set the assessment to such amount as may be right and proper.

Date: _____

(Signature)

NOTE: Under Pennsylvania law the Court of Common Pleas of Allegheny County can increase or decrease the assessment, no matter who appealed.

(b) **FORM 503(10). Tax Assessment Appeal Discovery Requests.**

[CASE CAPTION, INCLUDING DOCKET NUMBER]

AND NOW, comes (name) and serves the within Tax Assessment Appeal Discovery Requests upon (name). Pursuant to Local Rule 503(10), all applicable responses to these Requests must be furnished within forty-five (45) days after the receipt of these Requests.

REQUESTS FOR DOCUMENTS

Please produce a copy of the following:

1. Any and all surveys (land, structural, environmental, etc.), building plans and site plans showing design construction and location of the subject property.

2. Any and all mortgages, promissory notes, deeds, and agreements of sale made or assumed on the subject property within the last three years and the corresponding closing statements.

3. Any and all appraisals or evaluations on the subject property which have been made during the last three years.

4. Any and all loan applications of any kind involving or relating to the subject property which have been signed or submitted within the past three years.

5. Any and all leases, land leases, agreements, licenses, occupancy schedules, rent schedules (or rolls) relating to the subject property for the last three years.

6. Any and all written listing agreements, offers to purchase or offers to sell the subject property made within the last three years.

7. Any and all soil tests or mineral evaluations, permit requests, permits, requests relative to zoning variance, or similar applications or requests to any governmental body within the past three years concerning the subject property and the result of any such applications or requests.

8. Any and all federal and state Income Tax Returns and audited financial statements with respect to the subject property within the last three years.

9. Any and all corporate or partnership prospectus or private placement memorandum that contain any reference to the value of the subject property within the last three years.

10. Any and all insurance policies and/or binders covering the subject property, its building contents, buildings or any business located thereon from the last three years.

11. Any and all documents which describe in whole or in part any physical improvements to the subject property (whether by the owner or by a tenant) within the last three years.

12. Any and all documents listing or describing capital improvement(s) made to the subject property over the past three years including the costs of the capital improvements and the completion date(s).

13. Any and all documents relating to leasing commissions paid with respect to the subject property over the last three years including the corresponding tenant space, the commission paid, and the date.

INTERROGATORIES

Please provide the following information:

1. The name, address and telephone number of the person to contact regarding conducting an inspection of the subject property.

Date: _____

(Signature)

(c) **FORM 503(14). NOTICE.**

NOTICE

Pursuant to the provisions of 72 P.S. § 5020-518.1(c) and Local Rule 503(9), attached is the Report of the Special Master.

Any party objecting to the Report shall **[file] electronically file** Objections at the Secondary Desk of the Department of Court Records, Civil Division, on the First Floor of the City-County Building, 414 Grant Street, Pittsburgh, PA 15219, with ten (10) days of the receipt of this Notice. Objections must be accompanied by a certification of counselor of the objecting party, if unrepresented, that the trial transcript, or necessary portions of the transcript, have been ordered from the Court Reporter's Office (Room 415, County Office Building, 412-350-5414) and paid for by the objecting party. Copies of the Objections and certification shall be served on the Administrative Chair of the Board of Viewers (Room 811, City-County Building) and on all counsel of record or the parties, if unrepresented.

In the event that none of the parties files Objections, the Report and Recommendation of the Special Master will be adopted as the final Order of Court.

Date: _____

ADMINISTRATIVE CHAIR
BOARD OF VIEWERS

(d) **Form 503(15A). Letter.**

Re: [case name and docket number]

Dear [Objecting Party],

It has been ninety (90) days since you filed your Objections to the master's Report in the subject case and no trial transcript has been filed with the Department of Court Records, Civil Division. You must contact the court reporter and the transcript must be paid for and filed within thirty (30) days of the date of this letter. See Local Rule 503(15).

If the transcript has not been paid for and filed within thirty (30) days of the date of this letter, A COURT ORDER PURSUANT TO LOCAL RULE 503(15)(b) WILL BE ISSUED OVERRULING THE OBJECTIONS WITH PREJUDICE.

Very truly yours,

Administrative Chair, Board of Viewers

(e) **Form 503(15B). Court Order.**

[CAPTION INCLUDING DOCKET NUMBER]

ORDER OF COURT

On this day of _____, 20 __, it appearing that ninety (90) days after the Objections in this case were filed, a letter dated _____ was mailed by the Board of Viewers' Administrative Chair to the objecting party; this letter stated that within thirty (30) days from the date of the letter, the trial transcript must be paid for and filed; thirty (30) days have passed since the date of the letter; and the transcript has not been filed.

IT IS ORDERED THAT, pursuant to Local Rule 503(15)(b) the objections in this case are overruled with prejudice.

BY THE COURT:

(f) **Form 503(16A). Letter.**

Re: [case name and docket number]

Dear [Objecting Party],

It has been twenty (20) days since the transcript in the referenced case was filed with the Department of Court Records, Civil Division. Pursuant to Local Rule 503(16)(a), your brief is now overdue. If it is not filed and served within twenty (20) days of the date of this letter, A COURT ORDER PURSUANT TO LOCAL RULE 503(16)(b) WILL BE ISSUED OVERRULING YOUR OBJECTIONS WITH PREJUDICE.

Very truly yours,

Administrative Chair, Board of Viewers

(g) **Form 503(16B). Court Order.**

[CAPTION INCLUDING DOCKET NUMBER]

ORDER OF COURT

On this day of _____, 20____, it appearing that twenty (20) days after the transcript in this case was filed, a letter dated _____ was mailed by the Board of Viewers' Administrative Chair to the objecting party; this letter stated that if a brief is not filed by the objecting party and served within twenty (20) days of the date of the letter, a court order will be issued overruling the objections with prejudice; twenty (20) days have passed since the date of the letter; and the objecting party has not filed a brief,

IT IS ORDERED THAT, pursuant to Local Rule 503(16)(b) the objections in this case are overruled with prejudice.

BY THE COURT:

(h) **Form 503(17). Letter.**

Re: [case name and docket number]

Dear [Opposing Party]:

It has been twenty (20) days since the Objecting Party filed a Brief in Support of Objections and no brief in opposition has been filed by you. If no Brief in Opposition is filed and served within (20) days of the date of this letter, the decision will be made without reference to any brief that you may file thereafter.

(i) **Form 503(18). Notice That Matter Is Ripe for Decision.**

[CASE CAPTION, INCLUDING DOCKET NUMBER]

NOTICE THAT MATTER IS RIPE FOR DECISION

AND NOW, comes (name) and notifies this Honorable Court pursuant to Local Rule 503(18) that this matter is ripe for decision and requests that this Honorable Court schedule oral argument or decide the objections on the briefs at its convenience.

A Brief in Opposition to the Objections _____ has _____ has not (please check appropriate line) been filed.

Date: _____

(Signature)

Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended June 5, 2008, effective July 28, 2008.

Local Rule 504. Appeals From Real Estate Tax Exemption.

The following provisions shall govern tax exemption appeals from decisions of the Board of Property Assessment Appeals and Review:

Note: Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment Appeals and Review. Local Rule 504 has been added to specifically address procedures governing tax exemption appeals. For procedure governing tax assessment appeals, see Local Rule 503.

(1) *Parties.*

(a) The following parties must be listed in the caption of the appeal:

- (i) owner(s) of the real estate and/or taxable property;
- (ii) the municipality in which the property is located;
- (iii) the school district in which the property is located; and
- (iv) the County of Allegheny.

(b) Any entity other than those set forth in subsection (1)(a) of this local rule must file a Petition to Intervene with the Real Estate Tax Appeal Judge in accordance with the Pennsylvania Rules of Civil Procedure to become a party.

(2) *Caption.*

(a) The party filing the appeal shall be designated as the appellant. All other parties shall be designated as appellees or interested parties.

(b) The caption and cover sheet shall clearly state that it is a tax exemption appeal.

(3) *Time For and Content of Appeals.*

(a) An appeal from the decision of the Board of Property Assessment Appeals and Review must be verified pursuant to Pa.R.Civ.P. 206.3 and filed as a [**General Docket**] **Board of Viewers** case **and given the BV designation** with the Department of Court Records within thirty (30) days of the date of mailing of the notice by the Board.

(b) An appeal shall contain the following:

- (i) names of the parties;
- (ii) identification of the property by address, deed book volume and page, and lot and block numbers;
- (iii) a concise statement of the reasons for the appeal; and
- (iv) a copy of the decision of the Board of Property Assessment Appeals and Review.

(c) No Order of Court is required to file a timely appeal.

(4) *Notice.*

Appellant shall give notice of the appeal by first class mail, postage prepaid, to all parties and the Board of

Property Assessment Appeals and Review, within seven days of the filing of the appeal and shall **electronically** file proof of service thereof.

(5) *Filing of Appeals.*

The filing of an appeal by any party shall act as an appeal by all parties.

(6) *Withdrawal of Appeals.*

No appeal may be withdrawn without the consent of all other parties or leave of court.

(7) In all other respects, tax exemption appeals from decisions of the Board of Property Assessment Appeals and Review shall be governed by the Pennsylvania Rules of Civil Procedure and the Allegheny County Local Rules governing civil actions assigned to an individual judge.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 505. Change of Name of a Natural Person.

(1) All proceedings for a change of name pursuant to 54 Pa.C.S. §§ 701—705 shall be brought in the Civil Division, except where an adoption proceeding is commenced in the Orphans' Court Division, in which case the Orphans' Court Division shall adjudicate any change of name ancillary to that proceeding. In cases where an adoption has been concluded in any other court and the only judicial relief sought in Allegheny County is a change of name, the Petition shall be filed in the Civil Division.

Note: See 23 Pa.C.S. § 2904. See also Supreme Court Orphans' Court Rule 15.5(e) where the adopted person has attained majority.

(2) All Petitions (FORM 505A) (see subsection (3)(a) below) shall be filed on the General Docket (GD).

Note: While Local Rule 205.4 does not mandate that Petitions for Name Change be filed electronically, it is permissible to do so. However, the Petitioner will not proceed unless the Petitioner provides the documents listed in Subsection (3)(b) below to the Department of Court Records.

(3) *Requirements for Filing a Petition.*

(a) The Petition shall contain two proposed Orders designated as follows:

(i) Either

(A) Order Scheduling Hearing on Name Change (used if Petition is brought by a person(s) of full legal age) (FORM 505B(i)) (see subsection (3)(b)(i) below), or

(B) Order Scheduling Hearing of Name Change (used if Petition is brought on behalf of a minor) (FORM 505B(ii)) (see subsection (3)(b)(ii) below); and

(ii) Decree for Change of Name (FORM 505C) (see subsection (3)(c) below).

(b) The following is required by the Department of Court Records:

(i) Petition and one (1) extra copy.

(A) If Petitioner's safety would be in jeopardy by reason of the publication of the name change, Petitioner may:

(1) Describe why, under paragraph 6, publication would present a risk; or

(2) Seek to waive publication and/or have the record sealed by presenting a Motion, Affidavit, and Proposed

Order to the Special Name Change Judge prior to filing the Petition with the Department of Court Records.

(ii) A completed fingerprint card (if applicable—children 12 or under are not required to have fingerprints taken) (obtained from either a state or local police department). "Name Change" should be written in red across the top of the completed card.

(iii) A stamped 8-1/2" x 11" envelope addressed to:

PA State Police
Central Repository
1800 Elmerton Avenue
Harrisburg, PA 17110

(iv) A stamped letter size envelope addressed to:

Department of Court Records of Allegheny County
First Floor City-County Building
414 Grant Street
Pittsburgh, PA 15219
ATTENTION: Second Deputy

(v) A stamped letter size envelope to the attorney for the filing party, or the pro se party.

(vi) The filing fee applicable to a Petition for a name change.

Note: A current listing of the fees charged by the Department of Court Records can be found on the Department of Court Records web site: <https://dcr.alleghenycounty.us> [**(no www and no .com)**].

(c) After Petitioner has been notified that the fingerprinting process has been completed, the petitioner shall take one of the following actions to obtain a hearing date:

(i) submit the petition by email to the [**Civilgenmotions@alleghenycourts.us**] **civilnamechanges@alleghenycourts.us** email address with a request that the Court issue an Order scheduling the hearing date[:]. **Upon receipt of the scheduling order, the Petitioner shall proceed with advertising the Petition in the Pittsburgh Legal Journal, the official paper for the publication of legal notices for Allegheny County as well as one other newspaper of general circulation; or**

[(ii.) take the original or a copy of the Petition filed with the Department of Court Records, and the Department of Court Record's file to the Chief Motions Clerk, located in Courtroom 703, City-County Building; or

(iii.)] **ii.** if the record has been sealed or publication waived, the Petitioner may [**take the file to the**] **email the** Special Name Change Judge's chambers [**instead of the Chief Motions Clerk**] **to obtain a hearing date.**

[(d.) Scheduling a hearing:

(ii) If the Petition is submitted by email to **Civilgenmotions@alleghenycourts.us**, the General Motions Judge will issue a scheduling Order, and the Chief Motions Clerk shall file the scheduling Order with the Department of Court Records and return the Scheduling Order by email to the Petitioner;

(iii) If the Petition is taken to the Chief Motions Clerk, the General Motions Judge shall schedule the time and date for a hearing; or

If the Petition is taken to the Special Name Change Judge's chambers, the Special Name Change Judge will set the time and date for a hearing.

(e.) Upon receipt of the scheduling Order the Petitioner shall proceed with advertising the Petition in two (2) papers of general circulation; one of the publications shall be the *Pittsburgh Legal Journal*, the official paper for the publication of legal notices for Allegheny County.

f.] d. Where the Petitioner has a prior conviction of a felony but is not barred by 54 Pa.C.S. § 702(c) from obtaining a judicial change of name, the Petitioner shall provide the Court with an envelope affixed with sufficient postage and pre-addressed to the following so that copies of the Order Scheduling Hearing on Name Change may be sent:

(iv) The District Attorney of Allegheny County

Allegheny County Courthouse
436 Grant Street
Pittsburgh, PA 15219

(v) To any other District Attorney of any county in which Petitioner was convicted of a felony.

(vi) Office of the Attorney General

Commonwealth of Pennsylvania
1600 Strawberry Square
Harrisburg, PA 17120

[(g.)] e. In those cases where the Petitioner is seeking to change the name of a minor and a parent files an objection to the Petition or appears to oppose the Petition, the case shall immediately be transferred to the Family Division using FORM 505D (see subsection (3)(d) below) for all further proceedings with respect to the minor's Petition.

Editor's Note: Amended November 29, 2021, effective January 11, 2022.

Eminent Domain

Local Rule 603. Preliminary Objections.

Preliminary objections to a declaration of taking or to a petition for the appointment of viewers shall not be subject to any other local rules and shall be governed by the following procedures:

(1) No brief shall be required upon the filing of the preliminary objections.

(2) The filing of preliminary objections shall stay all other proceedings as to only the parcel or parcels that are the subject of the preliminary objections.

(3) Preliminary objections shall be **electronically** filed with the Department of Court Records [**upon which the Department of Court Records shall stamp the date and time on which the preliminary objections were filed**] pursuant to Local Rule 205.4. The party filing the preliminary objections [**immediately**] shall [**take the stamped preliminary objections and the Department of Court Records's file to the Administrative Judge**] **email the Preliminary Objections to the chambers of the Eminent Domain Judge, or any such Judge the Administrative Judge may designate, for scheduling.**

[4. Upon receiving the stamped preliminary objections and the Department of Court Records file for the captioned matter, the Administrative Judge

shall either hear the preliminary objections or designate another judge to hear the preliminary objections.

5.] 4. The **presiding** judge [**assigned to hear the preliminary objections**] shall schedule a status conference, which shall take place as soon as practicable after the date stamped on the preliminary objections. At the status conference, the judge shall determine whether the parties shall submit evidence in support of or in opposition to the preliminary objections by deposition, by hearing, or by a combination thereof, and shall schedule a date and time for the submission of all evidence and for the submission of briefs. The judge may consider such other issues as are raised by the parties.

[6.] 5. Unless mutually extended by the parties or otherwise ordered by the presiding judge for good cause shown, all discovery relating to the preliminary objections, including all depositions, must be completed no later than sixty (60) days after the date stamped on the preliminary objections.

[7.] 6. Pursuant to Section 1-406 of the Eminent Domain Code, the parties must present in one pleading, and the Court shall consider, all preliminary objections at one time.

[8.] 7. A party, either by filed consent of all parties or by leave of court for good cause shown, may amend that party's preliminary objections.

[9.] 8. After the submission of evidence, the presiding judge shall promptly decide all preliminary objections.

[10.] 9. The parties shall not file post-trial motions. The order of court ruling upon the preliminary objections is the final order from which an appeal may be taken.

Note: This rule recognizes Pa.R.A.P. 311(e), which provides for an appeal as of right following a court order ruling upon preliminary objections in eminent domain cases.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 604. Petitions for the Appointment of Viewers. Notices of Special Damages. Claims Before Board of Viewers.

(1) Each petition for the appointment of viewers, whether filed by a condemnee or by the condemnor and whether including one or more than one property, shall be assigned a new docket number.

(2) Where a declaration of taking has been filed, a petition for the appointment of viewers shall include in the caption as a "Sur No." a reference to the docket number at which the declaration of taking was filed, as follows:

No. _____ 20

Sur No. _____ 20

(3) A petition for the appointment of viewers shall include all information required to be set forth by Section 1-502 of the Eminent Domain Code.

(4) A condemnee who desires to claim special damages shall set forth the type of special damages sought either in the petition for appointment of viewers or in a written notice to be served upon all other parties and the Board of Viewers at least forty days before the hearing date.

(a) If any petitioner is seeking the determination of any damages or benefits payable under Article VIA of the

Eminent Code, the petition for appointment of viewers must clearly set forth which of those damages or benefits are to be litigated before the Viewers. If the petitioner fails to comply with the terms of this paragraph, any damages or benefits payable under Article VIA of the Eminent Domain Code shall not be litigated before the Viewers.

(b) Documents in support of or in opposition to damages or benefits payable under Article VIA of the Eminent Domain Code which properly have been designated under subsection (1) of this local rule as issues to be litigated before the Viewers shall be admitted into evidence at the Viewers' Hearing without the necessity of calling a witness to authenticate the document or to testify about the document's contents, provided that at least twenty (20) days' notice of the intention to offer such documents was given to every other party accompanied by a copy of each document to be offered.

(5) Before presentation of a petition for the appointment of viewers to the Administrative Judge, or such other Judge as the Administrative Judge may designate, the petitioner shall **[file] serve** a copy of the petition **[with] on** the Chief Clerk of the Board of Viewers. The Chief Clerk shall thereupon designate the particular members of the Board of Viewers to serve in the case by completing Appointment of Viewers (FORM 604) (see subsection (8) below).

(6) A copy of any petition filed by a condemnee shall be sent promptly by registered or certified mail, return receipt requested, postage prepaid to the adverse party or parties as required by Section 1-502(f) of the Eminent Domain Code and to all other condemnees known to the condemnee filing the petition to have an interest in the property.

(7) A copy of any petition filed by a condemnor shall be sent promptly by registered or certified mail, return receipt requested, postage prepaid to all condemnees known to the condemnor to have an interest in the property.

Local Rule 608. Discovery Prior to Hearing Before Board of Viewers.

(1) All discovery disputes shall be presented upon proper notice to the **[Administrative Judge] Eminent Domain Judge**, or to such other Judge as the Administrative Judge may designate to preside over the case.

(2) Discovery shall close ten (10) days prior to the Hearing unless otherwise mutually agreed by the parties or ordered by the Court.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 610. Findings of Fact and Conclusions of Law.

(1) A party may request the Viewers to specifically include in their report specific findings of fact. A party must orally make this request known to the Viewers and to opposing parties no later than the conclusion of the Hearing and shall **electronically** file and serve written proposed findings of fact within ten days of the conclusion of the Hearing.

(2) The Viewers shall include in their report a written adoption or rejection of any requests for specific findings of fact made in accordance with subsection (1) of this Rule.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 612. Exceptions Before Viewers in Municipal Improvement Assessment Proceedings.

In municipal improvement assessment proceedings, exceptions to the schedule of proposed awards and assessments shall be **electronically** filed **[in writing with] pursuant to Local Rule 205.4 with the Department of Court Records and served upon** the Chief Clerk of the Board of Viewers within ten (10) days following the exhibition of the schedule. Exceptions shall be heard on the date set forth in the schedule and shall be decided by the Viewers.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 613. Appeals to Court of Common Pleas.

(1) A party may appeal the Viewers' report to the Court of Common Pleas.

(2) An appeal shall set forth the information required by Section 1-516 of the Eminent Domain Code.

(3) No answer need be filed to an appeal.

(4) Appeals shall automatically be placed at issue upon filing.

(5) Appeals, except in municipal improvement assessment proceedings, shall be filed at the same docket number as the hearing before the Viewers and shall include in the caption as a "Sur No." a reference to the docket number at which the declaration of taking, if any, was filed in the manner set forth in Local Rule 604(2).

(6) Appeals in municipal improvement assessment proceedings shall be assigned new docket numbers. Reference to the docket number of the Viewers' Hearing shall be set forth in a separately numbered paragraph of such appeals.

(7) The caption of an appeal shall identify the condemnee or the property owner as plaintiff and the condemnor or municipality as defendant.

(8) The appealing party shall serve a copy of the appeal on all other parties and upon the Board of Viewers within five (5) days after filing. The appellant shall file proof of service of a copy of the appeal upon all parties.

(9) An appeal raising objections other than or in addition to the amount of damages shall state in the caption under the designation of the docket number the following phrase in capital letters: INVOLVES OBJECTIONS OTHER THAN OR IN ADDITION TO AMOUNT OF AWARD.

(10) A party filing an appeal raising an objection other than or in addition to the amount of damages, shall obtain **[at the time of filing from the Administrative Judge's Clerk] from the Eminent Domain Judge**, or **[the Clerk of] from** any such Judge as the Administrative Judge may designate a date for argument of the legal questions raised by the appeal. The legal argument shall be heard by the **[Administrative Judge] Eminent Domain Judge** or such other Judge as the Administrative Judge may designate. The appealing party shall promptly serve notice of the date obtained upon all other parties.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 615. Pre-Trial Statements On Appeal Before Court of Common Pleas.

(1) Thirty (30) days prior to first day of the applicable trial term, the condemnor(s) and condemnee(s) shall **electronically file a pre-trial statement pursuant to Local Rule 205.4** and serve the opposing party or parties **[with a pre-trial statement,]** which contains the following:

(a) A list of the names and addresses of all persons who may be called as witnesses, classifying them as liability or damage witnesses. Witnesses may be described by title or representative capacity.

(b) A list of all exhibits which the party intends to use at trial.

(c) The written report of any expert (on value or otherwise) who may be offered as a witness at trial.

Note: Expert reports may include, without limitation, appraisals, machinery, environmental and engineering reports.

(2) The exhibits listed pursuant to subsection (1) of this local rule, or copies thereof, shall be made available to the opposing party or parties.

(3) In the event of non-compliance with subdivisions (1) or (2), the trial judge may, in his or her discretion, grant appropriate relief, which may include:

(a) the preclusion or limitation of the testimony of

(i) any witness whose identity is not disclosed in the Pre-Trial Statement, or

(ii) any expert witness whose opinion have not been set forth in the report submitted with the Pre-Trial Statement or otherwise summarized in the Pre-Trial Statement as provided by subsection (1)(c) of this local rule, and

(b) the preclusion of exhibits not listed in the Pre-Trial Statement and made available.

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 616. Special Rules for Sewer Cases.

In all cases involving the construction, installation or renovation of sewers, the following additional procedures shall be followed. These local rules shall be read in para materia with the Eminent Domain Code and the Second-Class Counties Code. To the extent this local rule conflicts with any portion of Local Rules 600—615, this local rule shall govern; to the extent this local rule does not conflict with any portion of Local Rules 600—615, then they shall also apply.

(1) *Declaration of Taking.*

The condemnor shall **electronically** file a declaration of taking, which lists the affected property(ies) by name and address of owner and by Lot and Block number.

(2) *Petition for Appointment of Viewers.*

After a declaration of taking has been filed, the condemnor or any condemnee may file a Petition for Appointment of Viewers (FORM 616) (see subsection (13) below). Attached to any Petition filed on behalf of the condemnor shall be:

(a) a copy of the Viewers' Plan on which each property shall be identified by a viewers' number beginning with "V-1," running consecutively and corresponding to the owners' name and Lot and Block number;

(b) street improvement plans, which shall show the cuts and fills resulting from any change of grade in the center line as well as the property lines on each side of stations fifty feet apart;

(c) sewer improvement plans, which shall show frontal and depth dimensions of affected property, and where the whole of any property cannot be served by the sewer, the sewer improvement plan shall show the drainage line; and

(d) if benefits are to be determined, a certified copy of all hard and soft construction costs.

(3) *Presentation of Petition for Appointment of Viewers to Board of Viewers. Proposed Scheduling Order.*

Before presenting a Petition for Appointment of Viewers (FORM 616) (see subsection (13) below) to the **[Administrative Judge] Eminent Domain Judge**, or such other judge as the Administrative Judge may designate, the petitioner shall **[file] serve** a copy of the petition with the Chief Clerk of the Board of Viewers. At the time of filing, the Chief Clerk of the Board of Viewers shall complete a proposed scheduling order which the petitioner must present to the **[Administrative Judge] Eminent Domain Judge**, or such other judge as the Administrative Judge may designate along with the petition for appointment of viewers. The Petition and shall state:

(a) the names of the Viewers to be appointed;

(b) the date and time of the View;

(c) the date after which the Viewers' initial report should be available in the office of the clerk of the municipality in which the property or properties are located;

(d) the last date upon which the affected parties may file written exceptions to the Viewers' initial report; and

(e) the date and time of the Exceptions Hearing.

Note: The Proposed Scheduling Order Form will be available from the Chief Clerk of the Board of Viewers.

(4) *Presentation of Petition for Appointment of Viewers to Court.*

After obtaining the proposed scheduling order from the Chief Clerk of the Board of Viewers, the petitioner shall present the petition for appointment of viewers, along with the proposed scheduling order, to the **[Administrative Judge] Eminent Domain Judge**, or such other Judge as the Administrative Judge may designate. After the **[Administrative Judge] Eminent Domain Judge** or such other Judge as the Administrative Judge may designate has approved the appointment of Viewers and has entered the scheduling order, the petitioner must:

(a) If the petitioner is the condemnee, the petitioner must serve a copy of the petition for appointment of viewers and the scheduling order on the condemnor by certified mail, return receipt requested postage pre-paid, by Sheriff's service, or by personal service.

(b) If the petitioner is the condemnor, the petitioner must serve a copy of the Petition for Appointment of Viewers and the scheduling order on all condemnees affected by the petition by certified mail, return receipt requested postage pre-paid, by Sheriff's service, or by personal service. In addition, the condemnor shall advertise the scheduling order in a publication of general circulation, and shall file a copy of the scheduling order in the office of the clerk of the municipality where the property(ies) is located.

(5) *Condemnor's Obligations When Petition for Appointment of Viewers is Filed by Condemnee.*

Within ten (10) days after receiving a copy of the scheduling order entered after presentation of a Petition for Appointment of Viewers filed on behalf of a condemnee, the condemnor shall [**file with**] **serve** the Viewers **with** a copy of those documents which Local Rule 616(b) requires the condemnor to attach to a Petition for Appointment of Viewers filed on behalf of a condemnor and shall serve a copy on all affected parties or their counsel of record.

(6) *Certification of Notice—Petition for Appointment of Viewers and Scheduling Order.*

At least ten (10) days before the date of the View, the petitioner shall certify in writing to the Viewers that the petition and scheduling order have been served, advertised, and/or posted in accordance with subsection (4) of this Rule.

(7) *Viewers' Initial Report.*

Within twenty (20) days after the View, the Viewers shall deliberate and determine benefits and/or damages on each V-numbered parcel set forth in the petition for appointment of viewers and shall submit an initial report containing an itemized award of benefits and/or damages. Attached to the Viewers' initial report shall be a notice, which shall contain the following:

(a) a brief and concise statement listing the Lot and Block numbers affected and informing the parties that the Viewers have issued an initial report which contains an itemized award of benefits and/or damages;

(b) a statement informing the affected parties of their right to file exceptions to the initial report;

(c) a statement informing the affected parties that they will not be heard at the scheduled exceptions hearing unless they have timely filed written exceptions; and

(d) an announcement that the full text of the initial report shall be made available by the condemnor in the office of the clerk of the municipality where the property or properties are located.

Note: All parties will have received by way of the scheduling order notice of the latest date on which the Viewers' initial report will be issued. See Local Rule 616(3) and (4). Accordingly, all parties are responsible for making sure that they obtain a copy of the Viewers' initial report prior to the date on which written objections to that report must be filed.

(8) *Service of Viewers' Initial Report.*

The Viewers shall mail a copy of their initial report (with the notice attached) to the condemnor or its counsel of record **pursuant to Pa.R.Civ.P. 205.4(g)**. The condemnor shall immediately post a copy of the initial report in the office of the clerk of the municipality where the property or properties are located. Within ten (10) days of the date of the Viewers' initial report, the condemnor shall serve all affected condemnees with a copy of the Viewers' initial report and the attached notice by certified mail, return receipt requested postage pre-paid, by Sheriff's service, or by personal service.

(9) *Certification of Notice—Viewers' Initial Report.*

At least ten (10) days before the date of the exceptions hearing, the condemnor shall certify in writing to the Viewers that the initial report and attached notice have been served and posted in accordance with subsection (8) of this local rule.

(10) *Exceptions Hearing.*

At least ten (10) days before the date of the exceptions hearing, the condemnor shall certify in writing to the Viewers that the initial report and attached notice have been served and posted in accordance with subsection (8) of this local rule.

An exceptions hearing shall be held on the date and time set forth in the scheduling order. Only those condemnees who have timely submitted their written objections to the Viewers' initial report shall be heard by the Viewers at the exceptions hearing. The Viewers shall consider the exceptions of the condemnees and make any adjustments the Viewers deem necessary to their initial award of damages and/or benefits.

(11) *Viewers' Final Report.*

Within twenty (20) days after the exceptions hearing, the Viewers shall serve a copy of their final report on all parties. Attached to the report shall be a notice advising the parties of their right to appeal the Viewers' decision to the Court of Common Pleas.

Within five (5) days of the date of the Viewers' final report, the condemnor shall post the Viewers' final report with the notice attached in the office of the clerk of the municipality where the property or properties are located. Within five (5) days of the date of the Viewers' final report, the condemnor also shall make arrangements to advertise in the next available issue of a publication of general circulation a notice in the following form:

The Board of Viewers has issued its final report, which contains an itemized award of benefits and/or damages for the following Lot and Block numbers: (list). The full text of the report may be obtained at the (municipality office and address). Your rights as a property owner may be affected by this report.

(12) *Appeals to Court of Common Pleas.*

Appeals to the Court of Common Pleas shall be governed by the Eminent Domain Code, the Second-Class Counties Code and Local Rules 613, 614, and 615.

Form 616. Appointment of Viewers—Sewer Cases.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION

IN THE MATTER OF CONDEMNATION

CIVIL DIVISION

_____ No. GD- _____

Plaintiff

v.

Defendant

ORDER OF COURT

AND NOW, this _____ day of _____, 20 ____, the within Petition having been presented in open court in consideration thereof, it is ORDERED THAT

are appointed as Viewers as provided by law to view the property and to ascertain such damages as they may find to have been caused to Plaintiff's property by reason of the condemnation and taking by Defendant as set forth in the within Petition.

_____ J.

BOARD OF VIEWERS

Administrative Chair

Date of View _____

Date and Time of Exceptions Hearing _____

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.

Local Rule 1028(c). Procedures for the Disposition of Preliminary Objections.

(1) *General Docket and Arbitration Docket Cases.*

(a)(i) Preliminary objections shall be **electronically** filed **pursuant to Local Rule 205.4** with the Department of Court Records.

(ii) A request to schedule the date and time for argument shall be transmitted by email to the following email address: civilpos@alleghenycourts.us, accompanied by a PDF copy of the preliminary objections and brief and a proposed order in Microsoft Word Format.

Note: If preliminary objections are filed to preliminary objections, these preliminary objections will be scheduled for argument at the same time as the argument for the preliminary objections which are the subject of the preliminary objections.

In cases of multiple defendants, if any other defendants have not filed responsive pleadings at the time another

defendant files preliminary objections, argument on these preliminary objections will not be scheduled sooner than sixty (60) days after filing.

In an arbitration case, the filing of preliminary objections or the scheduling of the preliminary objections for an argument on a date after the date of the arbitration hearing does not continue the arbitration hearing unless the moving party obtains a continuance pursuant to Local Rule 208.3(d).

(iii) The party filing the preliminary objections shall, promptly after filing, serve copies of these preliminary objections on all other parties and shall promptly serve all other parties with notice of the date and time of the argument, after the date and time for argument has been set.

(b)(i) Except for preliminary objections raising issues of fact, which are governed by subdivision (c), and Arbitration Docket cases, a brief and proposed order of court shall be filed with all preliminary objections. Failure to file a brief with preliminary objections shall be cause for denial of the preliminary objections.

Note: In an Arbitration Docket case, there are no requirements for the filing of briefs. Frequently, the motion refers to controlling legislation and case law.

(ii) Any party opposing preliminary objections shall **electronically** file a brief in opposition to the preliminary objections at least seven (7) days prior to the argument.

(iii) A brief shall not exceed ten (10) double-spaced pages except in cases designated complex, **class actions**, or where permitted by order of court entered pursuant to a motion presented to the General Motions Judge.

(c)(i) Where preliminary objections contain grounds raising issues of fact under Pa.R.Civ.P. 1028(a)(1), (5), or (6), they shall be titled on the cover sheet "Preliminary Objections Raising Questions of Fact"; shall be endorsed with a notice to plead; shall not have a brief attached; and will be scheduled for argument not sooner than ninety (90) days after filing.

(ii) All evidence that the parties wish the court to consider shall be **electronically** filed with the Department of Court Records at least twenty (20) days prior to the argument.

(iii) The party which filed the preliminary objections shall **electronically** file its brief at least fourteen (14) days prior to the argument; the parties opposing the preliminary objections shall file their briefs at least seven (7) days prior to argument.

(d)(i) If the preliminary objections include the ground of improper venue, they shall be titled on the cover sheet "Preliminary Objections Raising Questions of Venue"; shall be endorsed with a notice to plead; shall be accompanied by a brief and proposed order of court, as provided for in paragraph (1)(b) of this Local Rule; and shall include all preliminary objections as required under Pa.R.Civ.P. 1028(b).

(e) If the moving party fails to schedule argument on preliminary objections, any other party is permitted to schedule argument in the manner set forth in subsection (1)(a)(ii), above.

(2) *Housing Court Proceedings.*

(a) [**If not filed electronically, the original and a copy of the preliminary objections shall be taken to the Housing Court Clerk (Housing Court Help Desk: First Floor City County Building). The Housing Court Clerk will place, on the original and the copy of the preliminary objections, a time and date for an argument before the Housing Court Judge. The Housing Court Clerk will file the original with the Department of Court Records and return the copy to the party filing the preliminary objections. This party shall promptly serve copies of the preliminary objections on all other parties with notice of the date and time of the argument. If filed electronically, the filing party shall take a copy of the preliminary objections to the Housing Court Clerk, and the Housing Court Clerk will place on the copy of the preliminary objections a time and date for an argument before the Housing Court Judge. This party shall promptly serve copies of the preliminary objections on all other parties with notice of the date and time of the argument**] **Preliminary Objections in Housing Court cases shall be electronically filed pursuant to Local Rule 205.4.**

(i) No Preliminary Objections will be scheduled for argument unless requested as set forth in subsection (ii).

(ii) The party filing the Preliminary Objections must request that the Preliminary Objections be scheduled for oral argument by submitting the preliminary objections and a proposed order in Microsoft Word format to the Housing Court Help Desk email at HCHelpdesk@allegheny courts.us. Once the moving party is assigned an argument date, they shall immediately serve copies on of the preliminary objections on all other parties with notice of the date and time of the argument.

[**i.**] **iii.** The moving party, after contacting all other parties, shall notify the Housing Court Clerk prior to the argument (412-350-4462) if the matters raised in the preliminary objections are resolved. Otherwise, if the moving party does not appear on the date of the argument, the court will enter an order dismissing the preliminary objections for failure of the moving party to appear.

[**ii.**] **iv.** The moving party, after a discussion with other parties, shall notify the Housing Court Clerk if the preliminary objections are moot because of the filing of an amended pleading.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020. Amended November 29, 2021, effective January 11, 2022.)

Local Rule 1034(a). Procedures for the Disposition of a Motion for Judgment on the Pleadings.

(1) *General Docket and Arbitration Docket Cases.*

(a) (i) A motion for judgment on the pleadings shall be **electronically** filed pursuant to **Local Rule 205.4** with the Department of Court Records. A request to schedule the date and time for argument shall be transmitted by email to the following email address: civilmsjjops@allegheny courts.us, accompanied by a PDF copy of the motion and brief and a proposed order. The motion will be placed on an argument list, the date and time of which shall be published in the *Pittsburgh Legal Journal*.

Note: Motions for judgment on the pleadings filed [**before 4:00 P.M.**] on **or before** the forty second (42nd) day before the next argument list will be placed on that list. Motions filed less than forty-two (42) days before the date of the next argument list will be placed on the following argument list [**No motion for judgment on the pleadings shall be placed on an argument list or otherwise scheduled for argument if the case has appeared on a published trial list prior to the filing of the motion without an order of court entered by the Calendar Control Judge**].

On cases that have appeared on a published trial list, motions for judgment on the pleadings may be placed on an argument list if they are filed in time to be placed on an argument list prior to the scheduled trial date.

Motions for Leave to file a motion for judgment on the pleadings are no longer necessary on cases listed on published trial lists unless that motion cannot be placed on an argument list prior to the scheduled trial term.

(ii) The party filing the motion shall, promptly after filing, serve copies of the motion on all other parties and

file a certificate of service. Furthermore, upon notification of the date of the argument list on which the motion will be argued, the moving party shall promptly serve all other parties with notice of the date and time of the argument and file a certificate of service.

Note: Argument lists are placed under “Civil Division” on the Website of the Common Pleas Court (www.allegheycourts.us) at least thirty (30) days before the date scheduled for argument. The list will identify the judge who will hear the argument.

In an arbitration case, the filing of a motion for judgment on the pleadings or the scheduling of the motion for an argument on a date after the date of the arbitration hearing does not continue the arbitration hearing unless the moving party obtains a continuance pursuant to Local Rule 208.3(d).

(iii) If the motion has been resolved, the moving party shall promptly notify the court. Prior to the publication of the argument list, notice shall be given to the Calendar Control Clerk (412-350-5417). After publication of the argument list, notice shall be given to the secretary of the judge to whom the argument has been assigned.

(iv) In a General Docket case, the brief of the moving party and proposed order of court shall be filed with the motion. Any party opposing the motion must file a brief at least seven (7) days prior to the argument and furnish a copy of the brief to the judge to whom the argument is assigned. In an Arbitration Docket case, there are no requirements for the filing of briefs. Frequently, the motion refers to the controlling legislation and case law.

(b) This rule does not govern motions for judgment on the pleadings filed in asbestos litigation and cases otherwise designated by the court for special management (Pa.R.Civ.P. 1041.1 and 1041.2), class actions, cases designated as complex, and other cases specially assigned by an order of court to a single judge.

(2) ***Housing Court Proceedings.***

(a.) Motions for Judgment on the Pleadings in Housing Court cases shall be electronically filed pursuant to Local Rule 205.4 with the Department of Court Records.

(b.) A request to schedule the date and time for argument shall be transmitted by email to the Housing Court Help Desk at HCHelpdesk@allegheycourts.us accompanied by a PDF copy of the motion, brief if filed, and a proposed order in Microsoft Word format.

(c.) The Court will file an order scheduling argument on the motion; said order shall be served on all parties pursuant to Rule 236.(a)(2).

[(a.) The original and a copy of the motion for judgment on the pleadings (or a copy if filed electronically) shall be taken to the Housing Court Clerk (Housing Court Help Desk: First Floor City County Building). The Housing Court Clerk will place, on the original and the copy of the motion (or a copy if filed electronically), a time and date for an argument before the Housing Court Judge.

The clerk will file the original with the Department of Court Records and return the copy to the party filing the motion. This party shall promptly serve copies of the motion on all other parties with notice of the date and time of the argument.] d.

Note: The Housing Court Clerk scheduling of oral argument on a motion for judgment on the pleadings on a date after the date of the arbitration hearing does not delay the arbitration hearing unless the moving party obtains a continuance pursuant to Local Rule 208.3(a)(6)(a)(iii).

[(b.)] (e.) There are no requirements for the filing of briefs. Frequently, the motion refers to the controlling legislation, statute, regulation and case law.

[(c.)] (f.) The moving party, after contacting the other parties, shall notify the Housing Court Clerk if the motion is withdrawn. Otherwise, if the moving party does not appear on the date of the argument, the court will enter an order dismissing the motion for failure of the moving party to appear.

(Editor’s Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27.)

Local Rule 1303. Arbitration Hearing. Notice.

(1) The Department of Court Records shall assign the date, time and place of hearing before a Board of Arbitrators as follows:

[a. for complaints filed by presenting to the Department of Court Records, placing said information on the Complaint which is filed and on the copies of the Complaint which are to be served upon all other parties], and

[(b.) for Complaints filed through the electronic filing system,] a. the Department of Court Records shall give notice to the filing party of the date, time and place of hearing before a Board of Arbitrators through the electronic filing system.

[(c.)] b. The filing party shall notify the parties to be served with copies of the Complaint of the date, time and place of hearing before a Board of Arbitrators, which notice shall be served with the copy of the Complaint.

(2) Every Complaint (except for Small Claims—see Local Rule 1320(2)) filed in Compulsory Arbitration, whether filed by a plaintiff against a defendant or by a defendant against an additional defendant, shall contain a Notice of Hearing Date, Notice to Defend and Notice of Duty to Appear at Arbitration Hearing (FORM 1303) (see subsection (4) below). The Notice of Hearing Date and Notice of Duty to Appear shall immediately follow the Notice (to Defend) which is required by Pa.R.Civ.P. 1018.1(b).

(3) Immediately before the time set for hearing, an Arbitration Clerk shall assign cases to each Board of Arbitrators and shall designate the room in which the cases are to be heard. An Arbitration Clerk shall designate the order in which cases shall be heard from those listed in the published daily Arbitration List, in addition to cases listed specially by a Judge.

Form 1303. Notice of Hearing Date, Notice to Defend and Notice of Duty to Appear at Arbitration Hearing.IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA CIVIL DIVISION

_____	ARBITRATION DOCKET
_____	NO. _____
Plaintiff	
vs.	HEARING DATE _____

Defendant	

NOTICE TO DEFEND

NOTICE TO DEFEND YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, YOU MUST take action within TWENTY (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
The Allegheny County Bar Association
400 Koppers Building
436 Seventh Avenue
Pittsburgh, Pennsylvania 15219
Telephone: (412) 261-5555
www.getapittsburghlawyer.com

HEARING NOTICE

YOU HAVE BEEN SUED IN COURT. The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place in Courtroom Two, Seventh Floor, City—County Building, 414 Grant Street Pittsburgh, Pennsylvania, on _____, _____ at 9:00 A.M. IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING. DUTY TO APPEAR AT ARBITRATION HEARING

If one or more of the parties is not present at the hearing, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

NOTICE: YOU MUST RESPOND TO THIS COMPLAINT WITHIN TWENTY (20) DAYS OR A JUDGMENT FOR THE AMOUNT CLAIMED MAY BE ENTERED AGAINST YOU BEFORE THE HEARING. IF ONE OR MORE OF THE PARTIES IS NOT PRESENT AT THE HEARING, THE MATTER MAY BE HEARD IMMEDIATELY BEFORE A JUDGE WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006. Amended December 27, 2019, effective February 19, 2020.)

Local Rule 1910.6. Entry of Appearance.

(a.) Any attorney who files and/or serves a legal paper or appears on behalf of a client in any cause of action in Family Division—Adult Section must complete, file, and serve a praecipe for appearance, substantially in the form set forth in (2), identifying the cause or causes of action in which he/she will be acting as counsel and identifying by name the party who the attorney is representing.

(b.) Caption.

FORM. Praeceptum for Appearance.

PRAECIPE FOR APPEARANCE

Kindly enter my appearance as counsel for _____

Name of Party* _____ in the above-captioned cases in the following:

_____ All matters

_____ Divorce (and all claims raised pursuant thereto) Only _____

_____ Support Only

_____ Custody Only

_____ Protection From Abuse Only

_____ Other: _____

Once my appearance is entered, I understand that I must appear at all proceedings and accept service for my client unless I obtain Court permission to withdraw my appearance.

Supreme Court #: _____

Name: _____

Address: _____

Phone #: _____

Date: _____ Signature: _____

* Your client must be identified by name, not solely as Plaintiff or Defendant.

(c.) Praeceptum of appearance forms shall be available from Domestic Relations Officers, Hearing Officers, Judges' staff, Room 4020, and the Office of the [**Prothonotary**] **Department of Court Records** on the 1st floor of the City-County Building.

(d.) The attorney must appear at all Family Division proceedings and receive service on behalf of his/her client with respect to all causes of action in which the attorney has indicated on the praecipe for appearance he/she is representing his/her client. If the attorney fails to appear, the court may impose sanctions including but not limited to fines and counsel fees.

(e.) Entering an appearance or filing any legal paper in a divorce action obligates the attorney to represent the client in any and all claims or counterclaims which are raised pursuant to the divorce action.

(f.) No pro se motions will be accepted involving a cause of action in which a litigant is represented by counsel.

(g.) Each attorney shall file and serve a praecipe for appearance with respect to each of his/her cases which are pending as of January 1, 2002.

Editor's note: Adopted April 22, 2002, effective 30 days after publication in the *Pennsylvania Bulletin*.

Local Rule 1910.12. Office Conference. Hearing. Record. Exceptions. Order.

(b)(1)(a) Unless a court order obtained from the Motions Judge directs to the contrary, the hearing will be held on the same day as the conference.

(c)(3) Any motion by a party for a separate listing of the hearing and/or for a request for discovery shall be presented to the Motions Judge prior to the conference or hearing. Notice of the motion shall be served upon the

opposing party or opposing counsel of record prior to presentation.

(e)(1) Where a hearing officer has reserved decision on a case and the parties were not given a copy of the recommendation at the conclusion of the hearing, three days shall be added to the 10-day filing period for exceptions if notice of the recommendation is given by mail to the parties and/or counsel of record.

(h)(1) Any party filing exceptions shall serve them upon all other parties and file the original and one copy with the Exceptions Clerk by the end of the next business day following the filing of the exceptions with the [**prothonotary**] **Department of Court Records**.

(2) Any party filing exceptions shall also order from the court reporter the transcript of testimony unless the parties stipulate to the contrary or unless the exceptions are not based on the testimony contained in the record.

(3) Each exception shall set forth a separate objection precisely and without discussion. Matters not covered by exceptions are deemed to be waived.

(4) A legible copy of the Hearing Officer's Recommendations and a copy of the transcript order from or stipulation that the transcript is not necessary or a statement that the exceptions are not based on the testimony contained in the record shall be attached to the exceptions.

(i) Exceptions shall be placed on the next available "Support Argument List" occurring more than 13 days after the transcript of testimony and the exceptant's brief are filed with the Exceptions Clerk. The court shall serve notice on all parties of the date and place of the argument. If the respondent files a brief, it shall be filed at least seven calendar days prior to argument, with the Hearing Officer's Secretary in room 616, City-County Building. If cross-exceptions are filed, the cross-

exceptant's brief must be filed at least seven calendar days prior to argument and may respond to the first exceptant's brief. The party filing the first exceptant's brief may file a second brief, in response to the cross-exceptant's brief, at least four calendar days prior to argument. No brief for either party shall exceed 10 pages.

(j) Exceptions must be scheduled for argument no more than 45 days after exceptions are filed. Failure to schedule will result in an automatic termination of the exceptions on grounds of unreasonable inactivity. The exceptant will not be permitted to reinstate exceptions without written application to the Court for good cause shown.

(k) If exceptions are filed to the Recommendation of Hearing Officer recommending that the exceptant be held in contempt, the exceptions shall immediately be placed on the next "Support Argument List" occurring more than five days after the filing of exceptions. The party filing exceptions shall title them "Contempt Exceptions" and serve notice on all other parties, and the court reporter, of the date and time of argument. The court reporter's fees shall be posted, and the transcript prepared immediately after exceptions are filed. For purposes of this subsection the exceptant shall file a brief at least three days prior to argument. If the respondent files a brief, it shall be filed at least one day prior to argument.

(l) No exceptions may be filed to a recommendation of a Hearing Officer labeled "interim." The interim recommendation shall be entered as a temporary support order pending the entry of a final recommendation and order.

(Editor's note: Amended January 5, 1996, effective February 26, 1996; amended January 18, 2001, effective 30 days after publication in the Pennsylvania Bulletin.)

Local Rule 1915.3(d). Confirmation of Custody.

(i) An order confirming custody to formalize a de facto custody arrangement to which there is no contest or opposition may be established through this Court's Motion Court procedure for represented and unrepresented parties.

(ii) Any party(ies) may seek confirmation of their current arrangement as a legal and/or physical custody of any child(ren) as follows:

(a). A Complaint for Custody must be prepared properly in accordance with Pa.R.Civ.P. 1915.3 and 1915.15. All of the information required by Rule 1915.15 must be provided. Additionally, a copy of the most recent custody order relating to the child or children must be attached, if any exists.

(b). All parties must be served in accordance with Pa.R.Civ.P. 1930.4 with movant's Complaint for Confirmation of Custody together with the exhibits. The complaint is deemed filed when notice of its presentation is give.

(c). All parties are to be provided seven days' notice of the date and time of presentation of movant's petition.

(d). If no party appears to oppose movant's petition, the court will grant interim relief confirming custody in movant without prejudice to any party's right to seek reconsideration or modification at any time.

(e). If this court has granted such relief, the [**prothonotary**] **Department of Court Records** shall accept for filing the Complaint for Custody without a Scheduling Order from the Generations Center if the Complaint for

Custody is accompanied by the Petition of Confirmation of Custody together with exhibits and a signed Order of Court confirming Custody in the movant. Filing fees charged by [**this Court's prothonotary**] **the Department of Court Records** for the Complaint for Custody and any other document in reference therein, must be paid unless the party has sought waiver of the fees through the court's established procedure to secure an in forma pauperis status.

(Editor's note: Promulgated April 2, 1998, effective May 25, 1998; amended January 18, 2001, effective 30 days after publication in the Pennsylvania Bulletin.)

Local Rule 1915.4(a). Service. Rescheduling.

(i) The moving party shall be solely responsible for serving the responding party(ies) with true and correct copies of the court's papers initiating the custody action, the Scheduling Order, the Domestic Violence Waiver and the Program descriptions within five days of the date of the Scheduling Order.

(ii) The moving party shall also file a Proof of Service indicating the date, time and manner of such service with the [**court's prothonotary**] **Department of Court Records** and the Generations Center.

(iii) Rescheduling of the education seminar date and/or time for any of the Programs should be sought only when necessary.

(iv) No case will be rescheduled for a date longer than 70 days after the issuance of the Scheduling Order, except upon order of court, which shall be granted only in exigent circumstances. Requests to reschedule a date after expiration of the 70 days should be made through Family Division's motions court.

(v) Any party seeking to reschedule the education sessions must contact the Center at 412-350-4311 to determine available dates.

(vi) Any party seeking to reschedule the Generations mediation session must seek rescheduling through Motions Court.

(Editor's note: Promulgated April 2, 1998, effective May 25, 1998; amended January 18, 2001, effective 30 days after publication in the Pennsylvania Bulletin.)

Local Rule [1915.17] 1915.11-1. Appointment of Parenting Coordinator.

(a) In cases involving repeated or intractable conflict affecting implementation of a Final Custody Agreement, Parenting Plan or Order, concerning custodial parenting time or responsibility, the Court may, on the application of either party or its own motion, appoint a Parenting Coordinator to assist the parties in implementing the custodial arrangement set forth in the Custody Agreement/Parenting Plan/Order and in resolving related parenting issues about which they do not agree. Appointment of a Parenting Coordinator shall occur when this Court concludes that such action serves the best interests of the child(ren).

(b) The Parenting Coordinator shall discuss relevant parenting issues with both parties and other persons as needed, and shall attempt to facilitate a mutually accepted resolution.

(c) If the parties are unable to resolve the issue(s), the Parenting Coordinator is authorized (but is not required) to decide the issue.

(d) The Parenting Coordinator has the authority to decide issues concerning partial physical custody and visitation to the extent set forth in the Custody Agreement/Parenting Plan/Order appointing the Parenting Coordinator. The following specific issues are excluded from the Parenting Coordinator's function and decision-making authority:

- a. A change in legal custody decision-making authority set forth in the Custody Agreement/Parenting Plan/Order;
- b. A change in primary physical custody (residential parenting time) as set forth in the Custody Agreement/Parenting Plan/Order;
- c. A change in the court-ordered custody schedule (parenting time) that substantially reduces or expands the child(ren)'s time with one or both parents;
- d. A change in the geographic residence of the child(ren)'s (relocation) that would render implementation of the current Custody Agreement/Parenting Plan/Order impossible or impracticable;
- e. Determination of financial issues, other than allocation of the Parenting Coordinator's fees.

The Parties may mutually agree in writing to submit any of the excluded issues set forth above to the Parenting Coordinator for facilitation and recommendation which recommendation shall only become binding upon written agreement of the parties

(e) The Parenting Coordinator shall be either:

- (1) A licensed mental health professional with a master's degree (or equivalent or higher degree) who has practiced at least 5 years; or
 - (2) A licensed attorney practicing family law for at least 5 years.
- (f) The Parenting Coordinator's qualifications shall include, at a minimum:
- (1) Training or expertise in family dynamics, childhood development, custody, separation and divorce; and
 - (2) Training in the parenting coordination process and family law as established by the Pennsylvania Supreme Court; and
 - (3) Forty hours of mediation training under Pa.R.Civ.P. 1940.4, excluding mediation supervision under Pa.R.Civ.P. 1940.4(a)(4); and
 - (4) Completion of at least ten continuing education credits in any topic related to Parenting Coordination in each two-year period.

(g) Protocols for the Parenting Coordination process shall be set forth in the Order appointing the Parenting

Coordinator and/or by separate agreement between the parties and the Parenting Coordinator. In cases where abuse (as defined under 23 Pa.C.S. § 6102) is alleged, the protocols should include measures for the safety and protection of the participants, unless the Court deems the measures unnecessary.

(h) A Court-appointed Parenting Coordinator is an officer of the Court, and has quasi-judicial immunity.

(i) Communications with the Parenting Coordinator are not confidential

(j) The Parenting Coordinator's decisions may be provided to the parties verbally, but shall be communicated in writing as soon as practicable and filed in the [**prothonotary's office**] **Department of Court Records** at the parties' custody docket.

(k) Decisions made by the Parenting Coordinator shall be binding upon the parties pending further Order of Court.

(l) Any party seeking judicial review of the Parenting Coordinator's decision must file a Petition for de novo hearing within 20 days of the filing of the decision stating specifically the issue(s) to be reviewed and attaching a copy of the decision. The Petition must be served on the other party(ies) and the Parenting Coordinator, in accordance with the Rules of Civil Procedure. The hearing before the Court shall be de novo. The Court shall hear the case on the record, and shall render a decision within the time periods set forth in Tule 1915.4.

(m) The parties shall share the cost of the Parenting Coordinator pursuant to the parties' respective financial circumstances or as the Parenting Coordinator or Court may otherwise direct.

(n) In allocating costs, the Parenting Coordinator or Court may consider whether one party has caused a disproportionate need for the services of the Parenting Coordinator.

(o) In review proceedings under subsection (l), the Court may elect to impose counsel fees and/or the Parenting Coordinator's fees upon the non-prevailing party, upon cause shown.

(p) The Court may maintain a roster of individuals it deems qualified to serve as Parenting Coordinators, and may establish training and grievance procedures if it deems them appropriate.

(q) The Order entered pursuant to this Rule shall be substantially in the [**following**] form **found in Pa.R.Civ.P 1915.22.**

[IN THE COURT OF COMMON PLEAS _____, COUNTY, PENNSYLVANIA

Plaintiff

CASE NO

v.

Defendant]

CIVIL ACTION—CUSTODY [**AGREEMENT, PARENTING PLAN AND**] ORDER FOR PARENTING COORDINATION

AND NOW, [**the above-captioned Parties agreeing and**] the Court finding that it is in the best interest of the child(ren), [**NAMES OF CHILDREN, DOB**] that a Parenting Coordinator be appointed to assist in implementing the

custodial arrangement set forth in the Custody Agreement/Parenting Plan/Order dated _____ and in resolving related parenting issues about which they do not agree, the following is [**STIPULATED AND**] ORDERED.

1. APPOINTMENT AND TERM:

_____ is appointed as the Parties' Parenting Coordinator for a term of [____] months, or until the resignation of the Parenting Coordinator or termination of the appointment by the Court, whichever occurs first. The Parenting Coordinator's Terms of Engagement are attached hereto and are incorporated into this [**Custody Agreement/Parenting Plan/Order**]. The Court shall have authority to sanction a party for non-compliance with the Parenting Coordinator's Terms of Engagement.

Legal counsel for _____ [**or either party, if pro-se**] shall provide copies of all Orders, Pleadings and Custody Evaluations in this case to the Parenting Coordinator within ten (10) days of the date hereof.

2. ROLE OF THE PARENTING COORDINATOR

3.

A. Parenting Coordination involves two components:

1) The Parenting Coordinator shall attempt to resolve issues arising out of the custody order/court approved agreement/parenting plan through facilitation, mediation, consultation, coaching and education, all of which are non-decision-making functions;

2) If it is apparent to the Parenting Coordinator that the continued similar efforts are unlikely to resolve the issue(s), the Parenting Coordinator shall have the authority to resolve the dispute by providing a Decision for the parties on the issue(s).

B. The Parenting Coordinator will not function as the psychotherapist, counselor, attorney or advocate for the parties, or the parties' child(ren), or family. However, the Parenting Coordinator is permitted and encouraged to facilitate communication and agreement between the parties whenever possible, and shall always act in a manner conducive to the best interests of the child(ren).

4. PARENTING COORDINATOR'S AUTHORITY

The Parenting Coordinator, in order to implement the custodial arrangement, set forth in the custody agreement/parenting plan/order and resolve related issues about which they do not agree, is authorized to make decisions about issues that may include, but are not limited to, the following:

- A. Dates, times, places and conditions for transitions between households;
- B. Temporary variation from the schedule for a special event or particular circumstance;
- C. Minor adjustments to the physical custody schedule as set forth in the Custody Order/Agreement/Parenting Plan;
- D. School issues, apart from school selection;
- E. [**Children's**] **Child's** participation in recreation, enrichment, and extracurricular activities, programs travel;
- F. Childcare arrangements;
- G. Clothing, equipment, toys and personal possessions of the [**children**] **child**;
- H. Behavioral management of the [**children**] **child**;
- I. Information exchange (school, health, social, etc.) and communication with or about the [**children**] **child**;
- J. Coordination of existing or court-ordered services for either of the parties or [**children**] **child** (e.g., Psychological testing, alcohol or drug monitoring/testing, psychotherapy, anger management, parenting classes, etc.);
- K. Other related custody issues that the parties mutually agree, in writing, to submit to the Parenting Coordinator.

5. EXCLUSIONS FROM PARENTING COORDINATOR'S AUTHORITY:

A. The following specific issues are excluded from the Parenting Coordinator's function and decision-making authority, except as provided in subparagraph (B) hereinbelow:

- 1) A change in legal custody decision-making authority set forth in the Custody Agreement/Parenting Plan/Order;
- 2) A change in primary physical custody (residential parenting time) set forth in the Custody Agreement/Parenting Plan/Order;
- 3) A change in the Court-ordered custody schedule (parenting time) that substantially reduces or expands the [**children's**] **child's** time with one or both parties;
- 4) A change in the geographic residence of the [**children's**] **child's** (relocation) that would render implementation of the current Custody Agreement/Parenting Plan/Order impossible or impracticable;
- 5) Determination of financial issues, other than allocation of the Parenting Coordinator's fees;
- 6) Other: _____ .

B. The Parties may mutually agree in writing to submit any of the excluded issues set forth above to the Parenting Coordinator for facilitation and recommendation which recommendation shall only become binding upon the written agreement of the parties.

6. NON-CONFIDENTIALITY OF COMMUNICATIONS:

No communications of the parties and/or their lawyers with the Parenting Coordinator are confidential. The Parenting Coordinator may communicate in writing with the Court regarding any matter, and shall send contemporaneous copies of any such communications to [**the parties (if pro se)**] legal counsel.

7. SOURCES OF INFORMATION:

Each party shall provide the Parenting Coordinator with all information that the Parenting Coordinator requests, including signed HIPPA releases and other forms requested. The Parenting Coordinator is authorized to contact any professional or other individual as the Parenting Coordinator deems necessary (e.g., the children, therapists, physicians, childcare providers, teachers, family members, etc.).

8. COMMUNICATION WITH THE PARENTING COORDINATOR:

A. *Protocol:*

The Parenting Coordinator shall determine the protocol of all communications, interviews, and sessions, including who shall or may attend the sessions (including the children), and whether the sessions will be conducted in person or by other means. Where domestic violence or abuse, as defined under 23 Pa.C.S. 6102, is alleged, the protocols should include measures addressing the safety of all participants, unless the Court deems the measures unnecessary.

B. *Oral or Written Communications With the Parenting Coordinator*

The parties and their attorneys shall have the right to receive, but not to initiate, oral ex-parte (one-sided) communications from the Parenting, but the fact of such communication shall be known to the other party. Any party or legal counsel may communicate in writing with the Parenting Coordinator provided a copy is sent to the other party simultaneously. Any documents, tape recordings or other material which one party gives to the Parenting Coordinator must also be made available to the other party or his/her legal counsel for inspection and copying. In accordance with paragraph 5 hereinabove, no such communications are confidential.

C. *Written Communications Between Parenting Coordinator and Appointing Judge*

(1) The Parenting Coordinator will have the ability to initiate written communication with the Appointing Judge, and shall contemporaneously send copies to both attorneys.

(a) in the event of non-compliance of a party with any provision of the Appointment Order (including provisions relating to the compensation of the Parenting Coordinator); and/or

(b) detailing the Parenting Coordinator's reasons for withdrawing from service in this case.

(2) Absent an emergency affecting the [**children's**] **child's** health or welfare, any communication from the Parenting Coordinator to the court shall be in writing, and shall be copied simultaneously to the parties (or, if represented, counsel). If the Parenting Coordinator has communicated only orally with the Court on an emergency basis, the Parenting Coordinator promptly shall communicate to the parties (or, if represented, counsel) in writing the substance of the oral communication.

9. PARENTING COORDINATION DECISION-MAKING PROCESS

A. Prior to the Parenting Coordinator making a Decision, the Parenting Coordinator shall provide a notice and opportunity for each of the parties to be heard, unless exigent circumstances render contact with both parties impracticable or potentially dangerous to a party and/or the [**children**] **child**. In the event a party is given advance written notice of a session but does not attend, the Parenting Coordinator may make a Decision despite that party's absence.

B. *Decisions:*

1) The Parenting Coordinator's Decisions may be communicated to the parties orally, but must be confirmed in writing as soon as practicable and filed in the [**prothonotary's office**] **Department of Court Records** at the parties' above captioned custody docket;

2) The Parenting Coordinator's Decision shall be binding upon the parties unless and until revised by Court Order.

10. JUDICIAL REVIEW:

A. *Review of Decisions:*

Any party seeking judicial review of a Parenting Coordinator's Decision must file a Petition for a de novo hearing within 20 days of the filing of the Decision, specifically stating the issue(s) and attaching a copy of the Decision. The Petition must be served on the other party(ies) and Parenting Coordinator in accordance with the Rules of Civil Procedure. The hearing before the Court shall be de novo. The Court shall hear the case on the record, and shall render a decision within the time periods set forth in Rule 1915.4.

B. *New Court Proceedings:*

Prior to filing any new motions, petition or complaint with the Court involving non-emergency custody or parenting of the [**children**] **child** within the scope of the Parenting Coordinator's authority, the parties shall participate in no fewer than two sessions with the Parenting Coordinator to attempt resolution of the specific disputed [**issues**] **issue** (and to permit a Decision to be made to the extent authorized by paragraph 3 hereinabove).

C. The procedures set forth in this Section 9 are mandatory and may not be waived by the parties.

11. QUASI-JUDICIAL IMMUNITY

In accordance with Pa.R.Civ.P. 1915.17, the Court-appointed Parenting Coordinator is an Officer of the Court, and has quasi-judicial immunity. As such the Parenting Coordinator cannot be sued based on his/her actions performed within the scope of this [**Custody Agreement/Parenting Plan/Order**].

12. CHILD ABUSE REPORTING:

The Parenting Coordinator is a person required to report suspected child abuse pursuant to 23 Pa.C.S.A. 6311.

13. TESTIMONY:

The Parenting Coordinator cannot be compelled to testify in any proceeding absent a Court Order. In the event the Parenting Coordinator elects or is required to testify, he/she shall be compensated commensurate with his/her rate by one or both of the parties as the Court deems appropriate.

14. ALLOCATION OF FEES:

The parties will share the obligation to pay the fees of the Parenting Coordinator:

_____ % Mother, _____ % Father. Fees may be reallocated by the Court or the Parenting Coordinator if he/she determines that one party has disproportionately caused the need for the service. The Parenting Coordinator may, in his/her discretion charge parties for missed sessions or sessions cancelled less than 24 hours prior to the scheduled session.

15. TERMINATION/WITHDRAWAL OF PARENTING COORDINATOR

A. Neither party may unilaterally terminate the Parenting Coordinator’s services without Court approval, nor may the parties do so by mutual agreement without Court approval.

B. The Parenting Coordinator may withdraw from service at any time, upon ten days written notice to [**the parties**], all counsel of record, and the Court.

C. Dissatisfactions with the Parenting Coordinator’s Decisions is not grounds for termination. The opposing party and Parenting Coordinator shall be given notice of any petition for termination. The court may rule on the [**petitions**] **petition** submitted, or may schedule argument or an evidentiary hearing.

16. ACCEPTANCE

A. The parties acknowledge that each has reviewed this agreement and had the opportunity to consult with legal counsel.

B. Each party agrees that the appointment of as Parenting Coordinator, and agrees to fully cooperate with the Parenting Coordinator in compliance with this Custody Agreement/Parenting Plan/Order.

17. This Custody Agreement, Parenting Plan/Order shall not be effective until accepted by the Parenting Coordinator as evidenced by his/her/ signature below:

[**SIGNATURES**]

Mother: _____ Father: _____

Date: _____ Date: _____

Attorney for Mother: Attorney for Father:

Other Party (if any):

Date _____

I agree to my appointment as the Parenting Coordinator for the parties as set forth above.

Date

Parenting Coordinator

ORDER

[The above Agreement is entered as a Court Order]

SO ORDERED. BY THE COURT:

, Judge _____

Distribution:

Plaintiff [Attorney for Plaintiff]:

Defendant [Attorney for Defendant]:

[Parenting Coordinator:]

**Action of Divorce or for Annulment of Marriage
Local Rule 1920.12. Complaint. Contents and Filing.**

(a) *The Complaint*

(1) The plaintiff in the complaint and the defendant in the answer, counterclaim or other petition shall set forth each claim as a separate count.

(2) If a claim is made by either party to the action for custody, partial custody, or visitation, the relevant count in the pleading must comply with the requirements of the applicable rules.

(3) If a claim is made by either party to the action for alimony pendente lite, alimony, or support, the party shall attach to the pleading as an exhibit the Family Division Support/Alimony Pendente Lite/Alimony Information Sheet. These sheets may be obtained from the Intake Office or the Screening Window in Family Division.

(b) *Filing the Complaint.*

(1) All divorce and annulment complaints shall be filed, and the filing fee paid in the [**Prothonotary's Office (Suite 200, Allegheny Building) Department of Court Records (City-County Building, 1st Floor)**] where they will be assigned a docket number. The number given to the divorce will also be assigned to any other claim contained in the divorce complaint or other pleadings subsequently filed in this action. If there is a prior action between the parties, the case shall be docketed in conformity with Local Rule 1930(f).

(2) A party filing any secondary pleading to the divorce action (answer, counterclaim or other petition) shall file such pleadings at the [**Family Division Prothonotary on the second floor of the Allegheny Building, 429 Forbes Avenue Department of Court Records (City-County Building, 1st Floor)**].

(3) If the divorce proceeding includes a claim for support, alimony pendente lite or counsel fees, any party seeking a conference/hearing on said claim shall file a praecipe at the screening window in Family Division requesting that a conference/hearing date be scheduled

and further stating that there is no existing order of support and/or alimony pendente lite providing for the support of a spouse. The party seeking the conference/hearing shall provide a copy of the pleading raising the claim for support, alimony pendente lite or counsel fees and the Family Division Support/Alimony Pendente Lite/Alimony Information Sheet to the clerk at the screening window at the time the praecipe for conference/hearing is filed. Where there is an existing order for support and/or alimony pendente lite providing for the support of a spouse, a hearing will be scheduled only pursuant to an order of court obtained by following the procedures required for filing motions at Family Division Motions Court as provided in Local Rule 1930(a).

Local Rule 1920.42. Affidavit and Decree Under Section 3301(c) or 3301(d) of the Divorce Code. Obtaining Decrees.

(a) If a complaint and the 3301(d) affidavit have been filed under Section 3301(d) of the Divorce Code and 20 days have passed from service of the 3301(d) affidavit have elapsed¹ and the responding party has not filed a contested responsive pleading within 20 days of service of the affidavit, the moving party shall mail to the responding party's current address or otherwise deliver to the responding party a Notice of Intention as required by Pa.R.Civ.P. 1290.42(c) giving the responding party 20 additional days in which to deny these allegations. The 20 additional days to be given the responding party in the Notice of Intention begins to run on the date on which the notice is mailed or delivered. Registered or certified mail is not required. The moving party shall insert in the notice a date on which the court is in session that is at least 20 days from the date of mailing or delivery.

(b) If the responding party has not responded to the additional notice of intention, the court, on praecipe in the form prescribed by rule 1920.73, will review the complaint and the 3301(d) affidavit and, if appropriate, enter a final decree. An affidavit off service shall be filed for both the 3301(d) complaint and the 3301(d) affidavit.

¹ Conforms to Amended State Rule 1920.42*(d)(1) effective January 1, 1996

However, only on affidavit of service is necessary if the complaint and the 3301(d) affidavit were served at the same time.

(c) In all cases the moving party is responsible for submitting a proposed decree in the form required by Pa.R.Civ.P. 1920.76 prior to court review of the divorce claim.

(d) Scheduling a Conciliation Before the Court Under Section 3301(d)(1)(iii).

(A) Where the responding party has denied one or more of the allegations set forth in the moving party's affidavit under Section 3301(d) of the Code, either party may obtain a date for conciliation of the divorce claim from the docket clerk, Room 611, City- County Building, and then filing a "Praeceptum for Conciliation Date" listing such date with the [**Prothonotary, Suite 200, Allegheny Bldg., 429 Forbes Avenue, Pittsburgh, PA 15219**] **Department of Court Records (City-County Building, 1st Floor)** and serving copies of same on all parties of record.

Local Rule 1920.51. Hearing by the Court. Appointment of Master. Notice of Hearing. Contested and Uncontested Divorce Claims Under §§ 3301(a) and 3301(b) of the Divorce Code.

(f)(1) All contested actions for divorce or annulment shall be first conciliated by the court. A conciliation date may be obtained from the Family Division Docket Clerk. If the case cannot be settled at the conciliation, the following rules will apply.

(2) In all contested actions for divorce or annulment the case shall be heard by a master in the absence of a court order to the contrary. Unless the court directs otherwise, the moving party shall be preliminarily responsible for paying the master's fee for trial and preparation of the master's report, the reporter's fees and any costs or poundage due to the [**Prothonotary**] **Department of Court Records**; all of said sums shall be paid to the [**Prothonotary**] **Department of Court Records** prior to the hearing before the master.

(3) Within 10 days after the fees are paid into the court the master shall give written notice to the parties of a hearing to be held not more than 30 days thereafter. At the time and place set forth in the notice, the master shall begin the hearing and, unless the court directs otherwise, shall continue the same from day to day until completed.

(4) All testimony shall be taken stenographically by one of the reporters of this court or a judge's secretary, and the transcript thereof shall be filed of record within 30 days. Any additional costs of the transcript over the amount deposited shall be paid by the moving party. Any delay in this payment shall be grounds for dismissal of the proceedings unless adequate cause is shown for the delay

(5) Within 30 days of receipt of the transcript, the master shall file a report making findings of fact and conclusions of law and suggesting a form of decree; the master shall serve copies of the report on the parties and shall file an affidavit of service.

(6) Exceptions to the master's report may be filed by the parties within 10 days after receiving notice of the filing of the master's report. Copies of the exceptions shall be served on the opposing party. The exceptant shall, on the date of filing of the exceptions, give a copy of the exceptions to the docket clerk in order to obtain an argument date.

(7) The master's fee and transcript costs shall be taxed as part of the costs and paid as directed by the final decree.

(8) The master appointed by the court to hear a contested divorce shall, after prior notice to both parties, petition the Motions Judge to award the master's fees. The petition shall state that the master has filed a report with the [**Prothonotary**] **Department of Court Records** and given notice to counsel of the filing thereof and that the master has no further duties to perform, and the master shall include a detailed list of the services provided and the amount which the master considers to be reasonable compensation.

(g) *Uncontested Actions Under § 3301(a) and (b) of the Code.*

(1) Actions for divorce or annulment which are uncontested shall be listed for hearing upon filing a praecipe for hearing and, except as otherwise provided by Bule 1920.62, depositing with the [**Prothonotary**] **Department of Court Records** the sum of \$43 to be applied as follows: Master's Fee—\$25; Court Reporter's Fee—\$15; Poundage and Mailing Expense—\$3. The amount deposited shall be taxed as costs.

(2) The praecipe for hearing shall be in the following form:

PRAECIPE FOR HEARING DATE

(Caption) Case No _____)

1. Kindly list the above-captioned action for hearing.
2. Defendant was served under Rule 412 or 403. Serve notice of hearing upon Defendant by ordinary mail addressed as follows:

(address) or

2. Defendant was served under Rule 430. Serve notice of hearing upon defendant by registered mail at Defendant's last known address:

(address)

with a copy by ordinary mail to each of the following: (list names and addresses of persons named in the investigation affidavit under Rule 430 as likely to know the present whereabouts of the defendant.)

or

2. An appearance has been entered for Defendant. Serve notice of hearing upon Defendant's attorney of record.

Attorney for Plaintiff

(end of form)

(3) All notices of hearing shall be mailed by the [**Prothonotary**] **Department of Court Records** at least 20 days before the hearing date, and proof of notice shall be filed in the form of a statement of the names and addresses of the persons notified.

(4) Notice of hearing shall be in the following form:

Note: If a party is confined in prison and desires to appear, application may be made to the court for a writ of habeas corpus and testificandum.

Notice of Hearing

To _____

You are notified that the case of _____ v. _____, No. _____
 _____ Term _____ will be heard on _____ at _____ o'clock ____ .m. (prevailing time) at Room No. _____, Pittsburgh, PA when and where you may appear and be heard if you desire.

[**Prothonotary**] **Department of Court Records**

(end of form)

Note: If a party is confined in prison and desires to appear, application may be made to the court for a writ of habeas corpus and testificandum.

(5) The daily list of uncontested actions shall be heard by one or more masters appointed by the Administrative Judge of the Family Division.

(6) The attorney of record for the plaintiff must be available and ready to proceed at the time for which the hearing is scheduled or arrange to have a substitute appear for him, unless (1) the action has become contested or (2) upon cause shown by written motion, the hearing has been continued by court order.

(i) If the action is contested, the procedure for contested actions shall apply.

(ii) If the hearing is continued, it will not be relisted for hearing until another praecipe for hearing is filed together with payment to the [**Prothonotary**] of the addition sum of \$1 to be applied toward the expenses of new service of notice of hearing.

(7) If the action has not become contested or the hearing has not been continued by court order and the plaintiff does not appear at the hearing, the master will be paid from the funds deposited and the action will not be relisted for hearing until another praecipe for hearing is filed and an additional sum of \$27.25 is deposited with the [**Prothonotary**] **Department of Court Records**.

(8) The testimony shall be transcribed and filed within 10 days of the hearing. Within five days after testimony has been transcribed and filed, the master shall file a report and recommendations and serve notice thereof on all interested parties. The record, including the master's report and recommendations, shall be submitted to the court for disposition.

(9) In the event the moving party does not wish to file exceptions to the master's report and recommendations,

the moving party shall submit a proposed decree in divorce to the court. In the event a party wishes to file exceptions to the master's report and recommendations, the party shall do so within 10 days from the filing thereof. The exceptions shall be filed in the office of the [**Prothonotary**] **Department of Court Records** with notice to the court and the opposing party. Also, the exceptant shall provide a copy of the exceptions to the Docket Clerk in order to obtain an argument date.

Local Rule 1920.62. Proceedings by Indigent Parties.

(a) Any person claiming to be an indigent party and who either desires to commence an action in divorce or is a party to a pending action in divorce in Allegheny County shall be referred to the Allegheny County Bar Association to make application under oath.

(b) The Allegheny County Bar Association is hereby authorized to assign an attorney from among its members to represent each applicant determined by it to be an indigent person.

(c) An order permitting a party to proceed without payment of costs may provide:

That the [**Prothonotary**] **Department of Court Records** shall accept, file, docket and process all pleadings, orders and decrees without prepayment of costs;

That the Sheriff shall make service and return of service without prepayment of costs;

That the master shall hear the testimony and make and file a report without prepayment of costs.

(d) In the event it is determined that the applicant or any other person who is legally responsible to the applicants is or has become financially able to pay the costs, an order may be entered against that person for the payment of all or any part of costs including reasonable counsel fees.

Local Rule 1930. Domestic Relations Matters Generally.

(a) *Family Division Matters*

(1) Family Division motions may be presented to the motions judge at 1:30 p.m. on each court day, unless notice that motions will not be heard, or that motions will be heard at a different time, is published in the *Pittsburgh Legal Journal*.

(2) The party who presents a motion shall include a notice of presentation and certificate of service in the absence of written consent thereto. The notice of presentation and certificate of service shall be contained on a separate page of the motion or petition following the identification sheet. This notice is required even if the opposing party is not represented by counsel. Seven days' notice of presentation of any motion is required absent an emergency or consent by the opposing party to a shorter notice of presentation.

(3) On the same date that the motion is presented, the party who presents a motion to the motions judge shall obtain any required hearing or conciliation date from the Family Division docket clerk and file with the [**Prothonotary**] **Department of Court Records** the motion and the court order entered by the court. If a party fails to present the motion to the docket clerk as required by this rule the docket clerk shall refuse to give a hearing or conciliation date. If the signed order schedules a conference or hearing before a domestic relations officer, a copy of the pleading and order must be left with the docket clerk.

(4) The *Pittsburgh Legal Journal* publishes a monthly list setting forth the dates that a judge assigned to the Adult Section of the Family Division will hear motions. Unless there are unusual circumstances, where a judge has been actively involved in the matter that is the subject of the motion, counsel should present the motion to the assigned judge.

(5) Any motion which involves support payments that are assigned to the Pennsylvania Department of Public Welfare or in which the plaintiff is not represented by private counsel shall be served on the IV-D Attorney, Fort Pitt Commons Building, Third Floor, 445 Fort Pitt Boulevard, Pittsburgh, PA 155216 as well as on the plaintiff.

(6) Any motion which involves support payments or any other matter which is governed by the Uniform Interstate Family Support Act (UIFSA) or the Intrastate Family Support Act (IFSA) and in which the plaintiff is not represented by private counsel shall be served on the IV-D Attorney, Fort Pitt Commons Building, Third Floor, 445 Fort Pitt Boulevard, Pittsburgh, PA 155216 as well as on the plaintiff.

(7) Meet & Confer Requirement for Family Division Motions.

i. Litigants are to confer prior to the filing and/or presentation of any motion before the Court and are to attempt, in good faith, to reach amicable resolution of the issues involved. (Litigants include: counsel representing a party and parties who are self-represented.) Each motion filed shall contain a certificate of compliance setting forth a brief statement of the extrajudicial means employed to resolve the dispute, in substantially the form set forth below.

ii. Failure to comply with this rule may result in sanctions. Good faith efforts toward amicable reso-

lution shall be considered as a factor in determining whether or not the requested relief is appropriate, the propriety of sanctions, or in determining the exigency of circumstances, if relevant.

iii. In the event that any party is self-represented in a matter where any party involved in the matter is either a protected party in a PFA, or has been the subject of domestic violence allegedly perpetrated by the opposing party at any time within the past 24 months, the party must state so in their certificate and said reason shall be sufficient for purposes of this rule in excusing the requirement to confer in advance.

iv. (iv) Certificate of Compliance with Rule 1930(a)(7) Form:

Docket No. _____

CERTIFICATE OF COMPLIANCE WITH RULE _____

I certify that I have complied with Local Rule _____ as noted below.

Signature _____

(b) *Procedure for Preliminary Objections and Motions for Judgment on the Pleadings or Summary Judgment.*

(1) Preliminary Objections shall be scheduled on the next available Friday Support Exception Argument List occurring more than 13 days after the Preliminary Objections are filed with the [**Prothonotary**] **Department of Court Records** and the Exceptions Clerk. Objector shall serve notice on all parties of the time and place of argument. No preliminary objections shall be accepted for filing by the Exceptions Clerk unless accompanied by a brief. Failure to file a brief with the Preliminary Objections shall be cause for dismissal of the Preliminary Objections. If Respondent files a brief, it shall be filed with the Exceptions Clerk at least seven days prior to argument. Except as provided by Local Rule 1910.7, the scheduling of Preliminary Objections shall stay all proceedings.

Note: Local Rule 1910.7 relates to support proceedings. Divorce and custody proceedings are stayed upon scheduling of preliminary objections.

(2) Motions for Judgment on the Pleadings or Summary Judgment shall be scheduled on the next available Friday Support Exception Argument List occurring more than 41 days after the motion is filed. Movant shall serve notice on all parties of the time and place of argument. Respondent's Answer, if any, together with any opposing affidavits shall be filed at least 21 days prior to the argument date. Movant shall file a brief at least 14 days prior to argument. Respondent's brief, if any, shall be filed at least seven days prior to argument.

(c) *Scheduling Conciliations:* Matters that are tried by a judge will not be lists for trial until they have been conciliated by a judge.

The following matters may be scheduled for a conciliation by filing a praecipe with the Docket Clerk: conciliation on § 3301(d) divorce claims; custody claims with order of court attached, see Pa.R.Civ.P. 1915(a) and (c); partition and equity claims and equitable distribution and alimony claims (provided that both parties have filed an inventory, appraisal, income and expense statement that either (a) the parties are divorced, (b) both parties have filed an affidavit under Section 3301(c) of the Divorce Code or (c) both parties agree that they have lived separate and apart for at least two years and that the marriage is irretrievably broken.

Note: A detailed description of the procedures, as well as the necessary forms, can be found in the Family Division Court Manual, see (g) of this Rule. For other matters a party may present a petition to the motions judge which contains the factual background, the relief sought, and a request for conciliation.

(d) *Continuances* [**Rescinded**]

Note: Procedure of obtaining a continuance in Family Division is set forth in detail in the Family Division Court Manual.

(e) *Enforcement of and Equitable Distribution Award*

A party seeking to enforce an equitable distribution award shall present to the motions judge a petition for enforcement with a proposed order requesting the court to schedule a conciliation or a contempt hearing before a hearing officer. No petition shall be presented unless notice of its presentation is given to the respondent. If the court enters an order permitting the petitioner to proceed, the petitioner shall obtain immediately from the Docket Clerk a date for the conciliation or contempt hearing, file the original copy of the petition with the [**Prothonotary**] **Department of Court Records**, serve the respondent with the court order and file proof of service.

(f) *Case Numbers. Suffixes.*

(1) All pleadings filed with the Adult Section of the Family Division shall be filed under the originally assigned case number for the involved family. After an original case number has been assigned to all pleadings, regardless of the caption or nature of the case, all pleadings shall be filed under the originally assigned number. The caption shall reflect the appropriate party initiating each original action as the plaintiff.

(2) If counsel or a party believes that there may be a previously assigned case number, but the number is not known, the information may be obtained from the [**Prothonotary's Office**] **Department of Court Records'** Name Index located on the mezzanine level of the Department of Court Records' office.

(3) In addition to the docket number assigned to all matters involving the family, the [**Prothonotary**] **Department of Court Records** shall assign a three-digit suffix designating the judge to whom the case is assigned. All pleadings must include the suffix as well as the docket number.

(4) All motions, exceptions, conciliations, hearings and other matters shall be listed only before the judge to whom the case is assigned, absent a compelling emergency or the long-term unavailability of the designated judge.

(5) Cases in which the initial pleading was filed before May 1, 1998, may be amended to add the suffix of the judge most familiar with the case.

(6) In the event that a defendant in a support matter has more than one case, the captions of all of the cases shall be amended to assign them to the judge assigned to the case filed first in time. If there is no judge assigned to the case filed first in time, the cases will be assigned to the next judge in the rotation for assigning suffixes.

(g) *Family Division Court Manual*

Except as otherwise provided by the Pennsylvania Rules of Civil Procedure (Pa.R.Civ.P.) or by local rule adopted by the Court of Common Pleas of Allegheny County (Local Rules), practice in the Adult Section of the

Family Division shall be governed by the Court Manual for the Adult Section of Family Division of the Court of Common Pleas of Allegheny County. Current copies of the Court Manual shall be available at the office of the Administrator, Adult Section of Family Division.

Minors as Parties

Local Rule 2039. Compromise, Settlement, Discontinuance and Distribution.

(1) *Contents of Petition.*

A petition under Pa.R.Civ.P. 2039 shall be verified by the guardian of the minor and shall contain a statement of the nature of the evidence relied upon to show liability, the elements of damage, the injuries sustained, and the list of expenses incurred or to be incurred. The petition shall be accompanied by the following exhibits:

(a) A statement of counsel's professional opinion regarding the desirability of the settlement and reasons therefor, including a discussion with specific references to the factual circumstances as to both the liability and damages aspects of the case; a description of the services rendered; a description and the amount of reimbursable expenses requested; and the amount of fees requested, which, except in extraordinary circumstances, shall not exceed 33-1/3% of the present value of a structured settlement or 33-1/3% of the gross recovery of any other settlement.

Note: If settlement proceeds are to be split between a minor and another party(ies) to the litigation, the injuries to this other party(ies) must also be described.

(b) A statement by the attending physician as to the injuries sustained by the minor, treatment administered and the prognosis.

(c) In property damage claims, a statement by the party who made the repairs or appraised the loss.

(2) *Deposit of Funds by Order of Court.*

(a) All petitions under Pa.R.Civ.P. 2039, where the proceeds of settlement are to be deposited in a savings account or in a certificate of deposit, shall have attached to the petition an order including the following:

It is hereby ordered and decreed that the amount of \$ _____ shall be deposited in the name of _____, a minor, by counsel of record, in a savings account or certificate of deposit in a federally insured bank, savings and loan association or credit union. The savings account or certificate of deposit shall be marked "NOT TO BE WITHDRAWN UNTIL THE MINOR REACHES THE AGE OF MAJORITY OR BY FURTHER ORDER OF COURT."

Proof of deposit is to be filed with the Department of Court Records, Wills/Orphans' Court Division within thirty days by counsel of record.

(3) *Presentation of Petition.*

All petitions under Pa.R.Civ.P. 2039 shall be first delivered for signature to the Administrative Judge of the Orphans' Court Division who will then deliver the petition to the Calendar Control Judge for signature.

(4) *Annuity Contracts.*

(a) Where the terms of settlement of a minor's claim include an annuity contract, the annuity contract shall provide that the policy will not be transferred or assigned to another company without the prior approval of the Orphans' Court Division of this Court.

(b) A copy of this local rule shall be served upon the company issuing the annuity contract and proof of service thereof shall be filed with the Clerk of the Orphans' Court Division of this Court.

(c) Proof of purchase of any annuity contract is to be filed with the Clerk of the Orphans'

Note: For approval of a settlement of a minor's claim where no action has been instituted, see Orphans' Court Local Rule 12.16G.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006.)

Actions Upon Mechanics Liens, Municipal and Tax Claims and Charges on Land

Local Rule 3190. Judgment. Execution.

(1) Tax Sales.

Before objection to the adequacy of the price offered for real estate pursuant to Section 14 of Act of July 5, 1947, P.L. 1258, 53 P.S. § 26114, is filed, the objector shall deposit a certified or cashier's check with the solicitor for petitioner for ten (10) percent of the original offer, or a minimum of one hundred dollars (\$100.00), subject to forfeiture to all interested taxing authorities in the event the original offer is not raised in said amount in open Court.

The objection **electronically** filed in the office of the Department of Court Records shall have endorsed thereon acceptance of service and receipt for deposit by counsel for petitioner. After bidding in open Court and acceptance of successful bid by the Court, deposits shall be returned to unsuccessful bidders, provided the accepted bid exceeds by ten percent, or a minimum of one hundred dollars (\$100.00), the price offered.

(2) Delinquent Tax Liens.

(a) All orders to strike off and amend delinquent tax liens shall set forth:

- (i) original description and change of description;
- (ii) original ownership and change of ownership;
- (iii) location by political subdivision and lot and block number, if any;
- (iv) amount of taxes to be stricken in dollars and cents;
- (v) and disposition of costs of the proceedings.

(b) Counsel shall serve certified copies of all such orders of Court on the Controller's Office and the County Law Department.

(c) Counsel shall also serve certified copies of orders of Court changing ownership or description of property on the Register of Deeds Office.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006.)

LOCAL RULES OF CONDUCT, OFFICE STANDARDS AND CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES

Local Magisterial District Judge Rule 409. Writ of Execution. Money Judgment Entered by District Justice.

The agency to be named in the Notice Accompanying Order of Execution of judgments for the payment of money rendered by a Magisterial District Judge pursuant to Pa.R.Civ.P.M.D.J. 409(6) shall be:

Lawyer Referral Service
Allegheny County Bar Association
3rd Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

Editor's Note: Adopted October 4, 2006, effective December 4, 2006

[Local Magisterial District Judge Rule 420 Statement of Objection ("Goods Claim").

(1) **At the same time a Statement of Objection is filed which will be heard by a Board of Arbitrators, and using envelopes provided by the Prothonotary with the Prothonotary return address, every claimant filing a Statement of Objection shall address an envelope to every party at his or her address as listed on the complaint form filed in the office of the Magisterial District Judge or as otherwise appears in the records of that office, or the attorney of record, if any; or an address as listed in the Prothonotary records.**

(2) **The Prothonotary select an arbitration hearing date within three to four weeks and inform the claimant of that date by stamping it on a copy of the Statement of Objection.**

(3) **Using the envelopes addressed by the claimant filing the Statement of Objection under subsection (1) of this local rule, the Prothonotary shall mail by first-class mail to every party a copy of the Statement of Objection which has been stamped with the date, time and place of the arbitration hearings.**

(4) **Such first-class mailings under subsection (3) of this local rule, when indicated on the record by the Prothonotary, shall operate as service and proof of service. Any returned mail shall be noted on the Court's docket.**

Editor's Note: Adopted October 4, 2006, effective December 4, 2006.]

Local Magisterial District Judge Rule [1005] 1005C.
Service of Notice of Appeal and Other Papers.

(1) **At the same time an appeal is filed [and] from a judgment entered by a Magisterial District Judge in actions seeking possession of real property ("Landlord Tenant Matters", every appellant shall, using envelopes provided by the [Prothonotary] Department of Court Records with the [Prothonotary] Department of Court Records' return address[, every appellant from a judgment entered by a Magisterial District Judge]:**

(a) [shall] address an envelope to every other party at that party's address as listed on the complaint form filed in the office of the Magisterial District Judge or as otherwise appears in the records of that office, or the attorney of record, if any;

(b) [shall] address an envelope to the Magisterial District Judge in whose office the judgment was rendered; and

(c) [shall,] if the appellant was a defendant in the action before the Magisterial District Judge, (i) self-address an envelope, to the address used by the appellant for the appeal[, and (ii) in addition to the envelopes required by subsection (1)(a) of this local rule,

address another envelope to every other defendant, if any, at that defendant's address as it appears in the records of the Magisterial District Judge, or that defendant's attorney of record, if any] .

(2) In all appeals from a Judgment entered by a Magisterial District Judge, except Landlord Tenant Matters, the Department of Court Records shall use the addresses for service under subsection (3) as they appear on the Participant List attached to the Judgment entered by the Magisterial District Judge.

[(2)] (3) Using the envelopes addressed by the appellant under subsection [(1)(a) of this local rule] (1), or **the party addressed under subsection 2** the [**Prothonotary**] **Department of Court Records** shall mail by first-class mail:

(d) to every party other than appellant, [(i)] a copy of the notice of appeal, and

(i) if any other party was a plaintiff in the action before the Magisterial District Judge, a copy of the rule pursuant to [**Pa.R.Civ.P.M.D.J**] **Pa.R.Civ.P.M.D.J.** 1004B, with such service and any return being noted on the Court's docket or,

(ii) if any other party was a defendant in the action before the Magisterial District Judge, a copy of the complaint, with such service and any return being noted on the Court's docket;

(e) to the Magisterial District Judge, a copy of the notice of appeal, with such service and any return being noted on the Court's docket [; and

(f) if appellant was a defendant in the action before the Magisterial District Judge, to appellant and any other defendant, a copy of any complaint filed pursuant to a rule to file a complaint, with such service and any return being noted on the Court's docket.] .

(2) Pursuant to [**Pa.R.Civ.P.M.D.J**] **Pa.R.Civ.P.M.D.J.** 1005C, such first-class mailings by the [**Prothonotary**] **Department of Court Records** pursuant to this Local Magisterial District Judge Rule shall operate as service and proof of service as required by [**Pa.R.Civ.P.M.D.J**] **Pa.R.Civ.P.M.D.J.** 1005A and 1005B.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006.)

Local Magisterial District Judge Rule [1008] **1008D.**
Appeal as Supersedeas.

In the event the [**Prothonotary**] **Department of Court Records** terminates the supersedeas by virtue of the failure of the appellant to make the payments into Court when and as required, the [**Prothonotary**] **Department of Court Records**, upon praecipe of the party on whose behalf the Magisterial District Judge entered the judgment for possession, shall issue a Certificate of Termination of the Supersedeas which will evidence the termination of the supersedeas when received by the Magisterial District Judge.

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006.)

Local Magisterial District Judge Rule [1011] **1011B.**
Writ of Certiorari.

[(1) At the same time a praecipe for a writ of certiorari is filed and suing envelopes provided by

the Prothonotary with the Prothonotary's return address, every party filing a praecipe:

(a) Using the envelopes addressed by the party filing the praecipe under subsection (1) of this local rule, the Prothonotary] (1) **The Department of Court Records** shall mail a copy of the writ of certiorari by first class mail **using the addresses listed on the complaint form filed in the office of the Magisterial District Judge:**

- to every party other than the party filing the praecipe [, a copy of the writ of certiorari] , and

- to the Magisterial District Judge to whom it is directed [, a copy of the writ of certiorari] .

(2) Such first-class mailings under subsection [(2)] (1) of this local rule, when indicated on the record by the [**Prothonotary**] **Department of Court Records**, shall operate as service and proof of service as required by Pa.R.Civ.P.M.D.J. 1011B and 1011C. Any returned mail shall be noted on the Court **of Common Pleas'** docket.

(3) Upon receipt of the record, the [**Prothonotary**] **Department of Court Records** shall notify the filing party, using the [**self-addressed envelope**] **address listed on the complaint form filed in the office of the Magisterial District Judge,** to file its specification of errors.

(4) The party filing the praecipe is responsible for scheduling an argument date [**with the Arbitration Office, 536 Courthouse, 436 Grant Street and notifying**] by emailing the **Housing Court Help Desk on Landlord Tenant appeals, or civilgenmotions@alleghenycourts.us on all other civil appeals from the Magisterial District Judge's decision. The filing party shall notify** the other parties of the argument date [**before the Special Motion's Judge**] **set before the General Motions Judge or the Housing Court Judge.**

(Editor's Note: Adopted October 4, 2006, effective December 4, 2006.)

Local Magisterial District Judge Rule 1016. Statement of Objections.

1) At the same time a Statement of Objection is filed pursuant to Pa.R.C.P.M.D.J. 1016—1020, every claimant shall address an envelope to every party at their address as listed on the complaint form filed in the Magisterial District Court or as otherwise appears in the records of that court, or the attorney of record, if any; or an address as listed with the Department of Court Records.

2) Using the envelopes addressed by the claimant filing the Statement of Objection under subsection (1) of this local rule, the Department of Court Records shall mail by first-class mail to every party a copy of the Statement of Objection which has been stamped with the date, time and place of the arbitration hearings.

3) Such first-class mailings under subsection (3) of this local rule, when indicated on the record by the Department of Court Records, shall operate as service and proof of service. Any returned mail shall be noted on the Court's docket.

Local Magisterial District Judge Rule 1019. Consideration of Statement of Objection by Court of Common Pleas.

1) Any Statement of Objection to the order or determination made by a Magisterial District Judge under Pa.R.C.P.M.D.J.420 or Pa.R.C.P.M.D.J. 519.1, shall be considered *de novo* by a Board of Arbitrators.

2) Upon the filing of the Statement of Objections, the Department of Court Records shall select an arbitration hearing date within three to four weeks and inform the claimant of that date by stamping it on a copy of the Statement of Objection using the envelopes provided by the claimant under Local Magisterial District Judge Rule 1016(1).

[Pa.B. Doc. No. 23-1398. Filed for public inspection October 13, 2023, 9:00 a.m.]

SUPREME COURT

Limited Pilot Program for Remote Access to Images of Briefs in PACFile; No. 597 Judicial Administration Docket

Order

Per Curiam

And Now, this 28th day of September, 2023, pursuant to Pa.R.A.P. 125, it is hereby Ordered that remote access to images of briefs filed in the Supreme, Superior, or

Commonwealth Courts, and maintained in the Pennsylvania Appellate Case Management System (PACMS), is authorized in a limited pilot program through the PACFile system as outlined below.

1. Remote access is the ability to electronically search, inspect, print, or copy these briefs without visiting the court facility where the briefs are maintained or available.

2. This pilot program is available to attorneys:

a. who are active members of the Pennsylvania Bar, as reflected in the records of the Disciplinary Board of the Supreme Court of Pennsylvania (Board), or

b. who are identified by the Board as an emeritus attorney performing pro bono services; and

c. who have an active account to use the PACFile system.

3. Access is limited to images of briefs filed with the Supreme, Superior, or Commonwealth Courts, on or after the date of this Order.

4. Access is limited to images of briefs that are not otherwise deemed confidential pursuant to relevant authority, such as the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

5. The appellate courts shall retain control over remote access to the images of the briefs and may exclude such remote access in whole or in part.

[Pa.B. Doc. No. 23-1399. Filed for public inspection October 13, 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 Banking and Securities

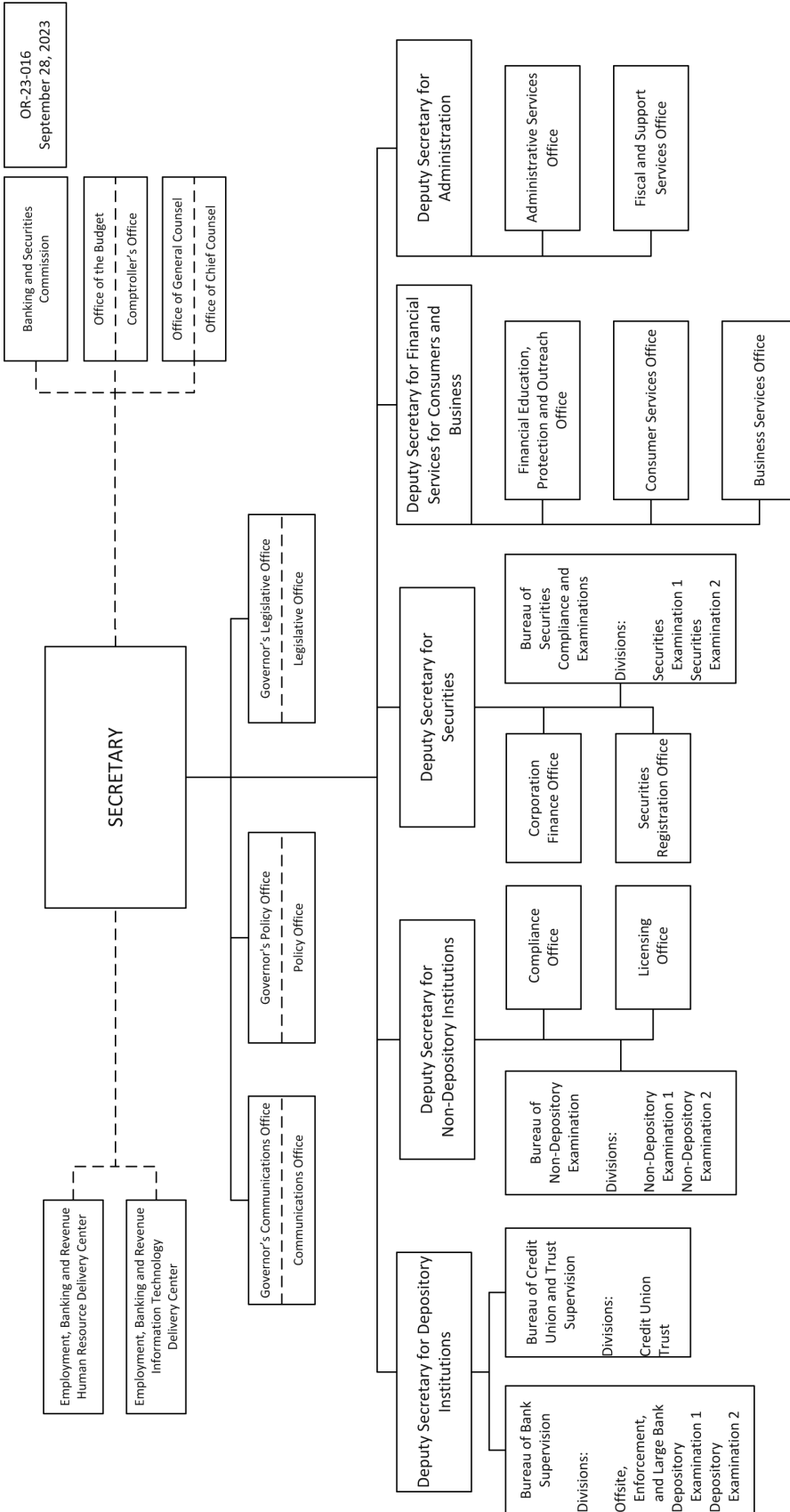
The Executive Board approved a reorganization of the Department of Banking and Securities effective September 28, 2023.

The organization chart at 53 Pa.B. 6471 (October 14, 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. 23-1400. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES



OR-23-016
September 28, 2023

NOTICES

DEPARTMENT OF AGRICULTURE

The Emergency Food Assistance Program Reach and Resiliency Grant; Round Two 2023-2024 Application Period

The Department of Agriculture (Department) announces the program requirements and application period for The Emergency Food Assistance Program (TEFAP) Reach and Resiliency Grant Program (Program) under the United States Department of Agriculture, Food and Nutrition Service. Grants will be distributed to qualified TEFAP Emergency Recipient Agencies (ERA) in this Commonwealth. The Program aims to expand TEFAP's reach into remote, rural, Tribal or low-income areas, or both, that are underserved under the Program. The Department intends to make up to \$2,492,021 available for grants under the Program.

1. *Program objectives.*

(a) *Purpose.* The Department will award Program grants to qualified TEFAP ERAs in this Commonwealth through a competitive sub-granting process. Qualified ERAs may include county agencies and food banks with whom the Department has direct contracts for the administration of TEFAP, lead agencies designated by the county agencies to administer TEFAP and local agencies (for example, food pantries, food cupboards, school pantries, soup kitchens, shelters and the like) who operate through a newly established or existing agreement with another ERA. Activities may include:

(1) Onboarding new partners and assisting with necessary costs to establish a new distribution site. Counties or food banks, or both, with whom the Department has direct contracts may partner with charitable nonprofit organizations who do not currently distribute TEFAP but have been determined by the county or food bank, or both, to have the ability and capacity to aid with the further distribution of TEFAP into underserved areas.

(2) *Investments in cold-storage infrastructure.* Examples of this infrastructure may include items such as industrial-sized refrigerators or freezers, or both, walk-in refrigerators or freezers, or both, and refrigerated or nonrefrigerated box trucks. Installation and shipping costs will also be eligible for support.

(3) Building renovations for existing and newly acquired spaces.

(4) *Warehouse equipment.* This may include items such as nonrefrigerated box trucks, pallet jacks, dollies, building shelving and racking, computers, inventory tracking software and the like. This may also include the cost of vehicles to conduct mobile distributions of TEFAP food.

(5) Materials necessary for the storage, transportation and distribution of TEFAP foods and costs of materials associated with publicizing the TEFAP Program and the distributions of TEFAP foods.

(b) *Applicants.* Applicants must be a qualified TEFAP ERA operating in this Commonwealth.

(c) *Project funding priorities.* The Department will prioritize eligible projects in rural, remote or low-income areas that are underserved. Priority will also be given to applicants that were not previously awarded funding in round one of the TEFAP Reach and Resiliency Grants.

(d) *Competitive program.* The Program is competitive. Grant requests and related documentation will be reviewed by the Department, who will approve or reject each grant request.

(e) *Funds available basis.* Grants will only be awarded to the extent that funds are available for this purpose. The Department need not expend all the funds that are available for the Program.

2. *Definitions.* The following words and terms have the following meanings:

Applicant—County agencies and food banks with whom the Department has direct contracts for the administration of TEFAP, lead agencies designated by the county agencies to administer TEFAP and local agencies (for example, food pantries, food cupboards, school pantries, soup kitchens, shelters and the like).

Bureau—The Bureau of Food Assistance.

Secretary—The Secretary of the Department.

3. *Limitations on grants.* The amount of a grant shall be between \$1,000 and \$50,000. A grant is a reimbursement grant, meaning no payment of grant funds will be made by the Department until the applicant documents the completion of work to the Department in accordance with this notice and the terms and conditions of the executed grant agreement described in section 8 as follows. Reimbursement may be submitted once at the end of the grant period.

4. *Uses of grant funds.*

(a) *Conformity to application.* Grant funds awarded to an applicant shall be expended solely to reimburse the cost of the specific activities described in the grant application.

(b) *Allowable expenditures of grant funds.* Grant funds may be expended to pay for any of the activities previously listed in section 1(a).

5. *Applications.*

(a) *Application required.* Interested applicants shall submit grant applications to the Department. An application shall include a detailed work plan and project budget.

(b) *Project starting and completion dates.* An application shall designate May 25, 2023, or a later date, as the project start date, and June 30, 2025, or earlier, as the project completion date. Program grant funds will not be awarded or paid for project activities that occur before the stated project start date or beyond the stated project completion date.

(c) *Electronic applications only.* Interested applicants must submit a complete electronic project proposal and grant application using the Department's Electronic Single Application web site at <http://www.esa.dced.state.pa.us>.

(d) *Application window.* Applications shall be submitted by 5 p.m. on Friday, December 8, 2023.

6. *Review of application.*

(a) *Transmittal of application to Bureau.* When the Bureau receives a complete and accurate grant application, it will forward this application, together with supporting documentation submitted therewith, to the Secretary for review. The Bureau may also forward a recom-

mentation as to whether the application should be approved or rejected, whether the grant should be in an amount less than requested and whether special restrictions or limitations should be placed on the grant.

(b) *Factors.* The Secretary will review and evaluate the application and supporting documentation and may consider the following factors, among others, in deciding whether to approve or reject the grant request:

(1) The relevance of the project to the goals and objectives identified in this announcement.

(2) The geographic service area of the project.

(3) The demographics of the population being served.

(4) The impact which the project will have.

(5) The apparent ability of the applicant to complete the project as described in the application.

(6) Whether the project has been assigned priority for funding, as previously described in section 1(c).

(c) *Decisions.* The Secretary may approve a grant in an amount less than that requested in the grant application. In addition, the Secretary may impose restrictions or special conditions upon the issuance of a grant. The Secretary will review all recommendations of the Bureau but will have final authority to accept or reject these recommendations.

7. *Notice of disposition of application.*

The Department will e-mail notice of the acceptance or rejection of a grant application by Friday, February 9, 2024. This notice will be by e-mail to the address provided by the applicant in the grant application.

8. *Grant agreement.*

After the Secretary approves a grant application, and as a precondition to the Department's release of grant funds to a successful applicant, the Department and the applicant shall execute a written or electronic grant agreement which establishes the terms and conditions subject to which the grant is made. The grant agreement will not be effective, and work should not begin, until all required signatures have been applied to the grant agreement. The grant agreement will contain and conform to the requirements of this notice and will also contain special terms and conditions as required by the Secretary. Among the terms of the grant agreement will be a requirement that the grant recipient provide the

Department full and complete access to all records relating to the performance of the project and submit the information as the Department may require. Applicants who wish to view the full terms and conditions of the grant agreement in advance of submitting an application may contact the Department at the phone number or e-mail address set forth in section 11. Applicants who are unable to agree to the terms and conditions should not submit an application.

9. *Verification of project completion.*

(a) *General.* Within 30 days of completion of the subject project, the applicant shall provide the Department with proof of the completion of the project and eligibility to receive reimbursement grant funds from the Department.

(b) *Required documentation.* The proof described in subsection (a) shall consist of:

(1) Copies of invoices for goods or services directly related to the project, confirming that the total billed amount is at least the amount of the grant, along with the written certification of the president or treasurer of the applicant that the goods or services that are the subject of the invoices have been delivered or provided to the applicant.

(2) A certificate of completion, signed by its president or treasurer, verifying completion of the subject project and stating that the grant funds will reimburse the applicant for costs incurred by the applicant in completing the subject project.

(3) A brief narrative describing the work completed, including any available metrics.

10. *Delivery of grant funds by the Department.* The Department will pay the grant amount to the applicant in a single payment within 45 days of receiving the proof of completion previously described in section 9.

11. *Questions and additional information.* Questions on this Program, including the online application process, may be directed to Caryn Long Earl, Bureau of Food Assistance, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2688.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 23-1401. Filed for public inspection October 13, 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 October 3, 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 or for credit unions, by e-mail to ra-bncusubmissions@pa.gov and trust companies, by e-mail to ra-bntrustsuprvsninq@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.

NOTICES

CREDIT UNIONS

No activity.

OTHER APPLICATION ACTIVITY

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-28-2023	Somerset Trust Company Somerset Somerset County	835 East Pittsburgh Street Greensburg Westmoreland County	Opened

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-28-2023	Somerset Trust Company Somerset Somerset County	859 East Pittsburgh Street Greensburg Westmoreland County (Temporary Facility)	Closed

CREDIT UNIONS

No activity.

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

WENDY S. SPICHER,
Acting Secretary

[Pa.B. Doc. No. 23-1402. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of November 2023

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of November 2023, is 7%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 4.50 to which was added 2.50 percentage

points for a total of 7.00 that by law is rounded off to the nearest quarter at 7%.

WENDY S. SPICHER,
Acting Secretary

[Pa.B. Doc. No. 23-1403. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Governor's Advisory Council for Hunting, Fishing and Conservation Public Meeting

The Governor's Advisory Council for Hunting, Fishing and Conservation (Council) to the Department of Conservation and Natural Resources (Department) will hold a public meeting on October 17, 2023, at 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The public meeting may be attended by means of Microsoft Teams. Contact Derek Eberly at deberly@pa.gov for the link.

Questions concerning this public meeting or agenda items can be directed to Derek Eberly at (717) 317-0028. 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. 23-1404. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Cyber Charter School Application; Revised Public Hearings

The previously published notice at 53 Pa.B. 6061 (September 30, 2023) is hereby revised. The Department of Education (Department) has scheduled one date for a public hearing regarding cyber charter school applications. The remaining dates have been cancelled. The hearing dates are as follows:

November 2, 2023	Cancelled
November 8, 2023	Cancelled
November 9, 2023	Cancelled
November 14, 2023	Pennwood Cyber Charter School
November 16, 2023	Cancelled

Applicants and persons wishing to provide verbal comments at the time of the hearing must attend in person. Members of the public may view the hearing virtually or attend in person. Only individuals who have submitted comments ahead of time will be permitted to comment at the hearing. The hearing will take place in the York and Columbia Rooms at Harrisburg PaTTAN, 6340 Flank Drive, Harrisburg, PA 17112, beginning at 9 a.m. Login information to access the hearing will be posted to the Department's Division of Charter School's (Division) Applications webpage at <https://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

The hearing pertains to applicants seeking to operate a new cyber charter school beginning in the 2024-2025 school year. The purpose of the hearing is to gather information from applicants about the proposed cyber charter schools as well as receive comments from interested individuals regarding the applications. The names of the applicants, copies of the applications and a listing

of the dates and times scheduled for the hearing on an application can be viewed on the Department's web site on or before October 13, 2023, at www.education.pa.gov.

Individuals who wish to provide verbal or written comments on an application must provide a copy of their comments to the Department and the applicant 10 days prior to the scheduled hearing. Comments provided by this deadline will become part of the certified record concerning the applications. Failure to comply with this deadline will preclude the individual from providing comments. Verbal comments may be limited based on the number of individuals requesting time to provide comments.

The hearing will be conducted by a panel of individuals who have completed an initial review of the application. Panel members may question the applicants on issues identified during the initial review, as well as issues raised in the written comments filed by the deadline. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicant or the panel members.

Comments sent to the Department should be addressed to the Division of Charter Schools, 333 Market Street, 3rd Floor, Harrisburg, PA 17126-0333, in addition to being e-mailed to the Division at ra-charterschools@pa.gov.

Comments sent to an applicant should be addressed using the contact information contained within the application by mail, in addition to being e-mailed. The hearing agenda will be prepared no later than 1 week before the scheduled hearing, when the Department is aware of the number of individuals who wish to provide verbal comments at each hearing. The hearing agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator.

The hearing agenda will be posted under Charter School Applications on the Department's web site at <https://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

For questions regarding the hearing, contact the Division at ra-charterschools@pa.gov.

DR. KHALID N. MUMIN,
Secretary

[Pa.B. Doc. No. 23-1405. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction

stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

<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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0219803	Joint DEP/PFBC Pesticides Permit	Amendment	Reed James 1625 Carriage Lane Sewickley, PA 15143	Franklin Park Borough Allegheny County	SWRO
0913850	Joint DEP/PFBC Pesticides Permit	Renewal	Anllo Jennifer 105 Woodland Drive Upper Black Eddy, PA 18972-9734	Bridgeton Township Bucks County	SERO
0915802	Joint DEP/PFBC Pesticides Permit	Renewal	Yoder Shannon & Jeff 937 Rolling Hills Road Ottsville, PA 18942-9584	Bedminster Township Bucks County	SERO
1513892	Joint DEP/PFBC Pesticides Permit	Renewal	Reinhardt Lori Ann 407 Cann Road West Chester, PA 19382-1715	East Bradford Township Chester County	SERO
2214801	Joint DEP/PFBC Pesticides Permit	Amendment	Kamionka Ron 6411 Devonshire Heights Road Harrisburg, PA 17111-6896	Lower Paxton Township Dauphin County	SCRO
2223803	Joint DEP/PFBC Pesticides Permit	Amendment	Milton Hershey School 1201 Homestead Lane Hershey, PA 17033-8818	Derry Township Dauphin County	SCRO
4623812	Joint DEP/PFBC Pesticides Permit	New	Marino Mike 1106 Anders Road Collegeville, PA 19426-1051	Skippack Township Montgomery County	SERO
6323800	Joint DEP/PFBC Pesticides Permit	New	Brick Ridge Estates HOA 200 Commerce Drive Suite 206 Moon Township, PA 15108-3188	Canton Township Washington County	SWRO
6523800	Joint DEP/PFBC Pesticides Permit	New	Lowry Chelsey Y 151 Birdie Lane Greensburg, PA 15601-7481	Unity Township Westmoreland County	SWRO
6723805	Joint DEP/PFBC Pesticides Permit	New	Eckert Troy 9528 Orchard Road Spring Grove, PA 17362-8654	Jackson Township York County	SCRO
2013201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Amendment	Apple Shamrock Dairy Farms LLC 32821 Guys Mills Road Townville, PA 16360-3009	Steuben Township Crawford County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2802201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Amendment	Mercer Vu Farms Inc. 12275 Mount Pleasant Road Mercersburg, PA 17236-9745	Montgomery Township Franklin County	SCRO
PA0101087	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Twilight MHP LLC 7700 Martin Allen Court Alexandria, VA 22315-6056	Mahoning Township Lawrence County	NWRO
0474418	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	PA American Water Co. 203 Sycamore Street Punxsutawney, PA 15767-1357	Koppel Borough Beaver County	SWRO
2599412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Ash West Springfield Properties LLC 7427 Chestnut Street Fairview, PA 16415-1132	Springfield Township Erie County	NWRO
3773412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Twilight MHP LLC 7700 Martin Allen Court Alexandria, VA 22315-6056	Mahoning Township Lawrence County	NWRO
6423401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Lackawanna River Basin Sewer Authority P.O. Box 280 Olyphant, PA 18447-0280	Clinton Township Wayne County	NERO
PAG036163	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Scientific Drilling International Inc. 124 Vista Drive Charleroi, PA 15022-3486	Fallowfield Township Washington County	SWRO
PAG036557	PAG-03 NPDES General Permit for Industrial Stormwater	New	48forty Solutions LLC 4201 Grand Avenue Pittsburgh, PA 15225-1524	Pittsburgh City Allegheny County	SWRO
PAG038311	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	A Stucki Co. dba American Ind 1 American Way Sharon, PA 16146-2177	Sharon City Mercer County	NWRO
PAG038432	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Zurn Ind LLC 1301 Raspberry Street Erie, PA 16502-1543	Erie City Erie County	NWRO
PAG038469	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Speer Carbon Co. LLC 806 Theresia Street Saint Marys, PA 15857-1831	Saint Marys City Elk County	NWRO
PAG038521	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Meadville Forging Co. LP P.O. Box 4590 Meadville, PA 16335	West Mead Township Crawford County	NWRO
PAG038547	PAG-03 NPDES General Permit for Industrial Stormwater	New	Rosebud Mining Co. 301 Market Street Kittanning, PA 16201-1504	Perry Township Jefferson County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038596	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	KAG Energy LLC 4366 Mount Pleasant Street NW North Canton, OH 44720-5446	Cranberry Township Venango County	NWRO
PAG038597	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	KAG Energy LLC 4366 Mount Pleasant Street NW North Canton, OH 44720-5446	Warren City Warren County	NWRO
PAG048391	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Sergent Nathan A 209 Vilsack Road Glenshaw, PA 15116-2016	Limestone Township Warren County	NWRO
PAG123903	PAG-12 NPDES General Permit for CAFOs	Transfer	AG Ventures LLC 345 West High Street Elizabethtown, PA 17022	Jackson Township Dauphin County	SCRO
PAG133697	PAG-13 NPDES General Permit for MS4s	Renewal	Lebanon County 400 S 8th Street Lebanon, PA 17042-6794	Lebanon City Lebanon County	SCRO
4314402	Pump Stations Individual WQM Permit	Amendment	Neshannock Creek Watershed Joint Municipal Authority 369 McClelland Road Mercer, PA 16137-6313	East Lackawannock Township Mercer County	NWRO
8494-S	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority (ALCOSAN) 3300 Preble Ave Pittsburgh, PA 15233	Pittsburgh City Allegheny County	SWRO
0202407	Single Residence Sewage Treatment Plant Individual WQM Permit	Amendment	Fortuna Wayne S 108 Hamilton Drive Sewickley, PA 15143-8410	Bell Acres Borough Allegheny County	SWRO
0216405	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Semple Ian L 2436 Henry Road Sewickley, PA 15143-9151	Bell Acres Borough Allegheny County	SWRO
6215406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Peggy & Thad Willsie 101 Chapman Road Warren, PA 16365-4305	Glade Township Warren County	NWRO
6289404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Sergent Nathan A 209 Vilsack Road Glenshaw, PA 15116-2016	Limestone Township Warren County	NWRO
WQG02222302	WQG-02 WQM General Permit	New	Dauphin Borough Municipal Authority P.O. Box 487 Dauphin, PA 17018-0487	Dauphin Borough Dauphin County	SCRO

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

Northcentral Regional Office

PA0115363, Sewage, SIC Code 4952, **Buffalo Township Municipal Sewer Authority**, 2188 Johnson Mill Road, Lewisburg, PA 17837-7704. Facility Name: Mazeppa Village Sewer System STP. This existing facility is located in Buffalo Township, **Union 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), Buffalo Creek (TSF, MF), is located in State Water Plan watershed 10-C and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.08 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	17	27	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	20	30	XXX	30	45	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	Report
				XXX	Report	XXX
					Daily Max	

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

PA0060135, Sewage, SIC Code 4952, **Sanitary Sewer Authority of the Borough of Shickshinny (SSABS)**, 908 Loop Trail Road, Shickshinny, PA 18655-5502. Facility Name: SSABS Wastewater Treatment Plant. This existing facility is located in Shickshinny Borough, **Luzerne County**.

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

The receiving stream(s), Susquehanna River (WWF), is located in State Water Plan watershed 5-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 0.45 MGD—Interim Limits.

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

<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>	
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
			Inst Min			

The proposed effluent limits for Outfall 001 are based on a design flow of 0.45 MGD—Final Limits.

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

<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>	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Inst Min			

The proposed effluent limits for Outfall 001 are based on a design flow of 0.45 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>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
			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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	94	150	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	113	169	XXX	30.0	45.0	60.0
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	Report	XXX	XXX	Report	XXX	XXX
Manganese, Total	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
	Report			Report		
	Annl Avg			Annl Avg		

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

- Chesapeake Bay Nutrient Requirements
- Solids Management

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

The EPA Waiver is not in effect.

Northeast Regional Office

PA0063142, Industrial, SIC Code 4953, **Chrin Brothers, Inc.**, 1225 Industrial Drive, Easton, PA 18042-6829. Facility Name: Chrin Brothers Sanitary Landfill. This existing facility is located in Williams Township, **Northampton County**.

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

The receiving streams, Morgan Valley Run (CWF, MF designated use) (HQ-CWF, MF existing use) and the Lehigh River (WWF, MF), are located in State Water Plan watershed 2-C and are classified as indicated previously as well as for aquatic life, water supply, and recreation. The discharge is not expected to affect public water supplies.

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

(From Permit Effective Date to 1 Year After Permit Effective Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Daily Maximum</i>	<i>Maximum</i>	
Vinyl Chloride	XXX	XXX	0.0007	0.0014	XXX	0.0017

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

(From 1 Year After Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Daily Maximum	Maximum	
Vinyl Chloride	XXX	XXX	0.0006	0.0010	XXX	0.0016

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

(From Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Daily Maximum	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	XXX	XXX	Inst Min XXX	1,000 Avg Mo	2,000 Daily Max	XXX
Chlorobenzene	XXX	XXX	0.001	0.002	XXX	0.0025
1,4-Dichlorobenzene	XXX	XXX	0.001	0.002	XXX	0.0025
Benzene	XXX	XXX	0.001	0.002	XXX	0.0025
BTEX, Total	XXX	XXX	0.1	0.2	XXX	0.25
Carbon Tetrachloride	XXX	XXX	0.001	0.002	XXX	0.0025
1,1-Dichloroethane	XXX	XXX	0.001	0.002	XXX	0.0025
1,2-Dichloropropane	XXX	XXX	0.001	0.002	XXX	0.0025
Bis(2-Ethylhexyl)Phthalate	XXX	XXX	0.001	0.002	XXX	0.0025
Chloroform	XXX	XXX	0.001	0.002	XXX	0.0025
Isophorone	XXX	XXX	0.001	0.002	XXX	0.0025
Methylene Chloride	XXX	XXX	0.001	0.002	XXX	0.0025
1,1-Dichloroethylene	XXX	XXX	0.001	0.002	XXX	0.0025
Tetrachloroethylene	XXX	XXX	0.001	0.002	XXX	0.0025
Trichloroethylene	XXX	XXX	0.001	0.002	XXX	0.0025

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).

(From Permit Effective Date to Permit Expiration Date)

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

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

- Requirements Applicable to Stormwater Outfalls
- Groundwater Cleanup

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0088561, Concentrated Animal Feeding Operation (CAFO), **Evergreen Farms Inc. (Evergreen Farms CAFO)**, 3102 Evergreen Lane, Spruce Creek, PA 16683-1569.

Evergreen Farms Inc. has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Evergreen Farms CAFO, located in Franklin Township, **Huntingdon County**.

The CAFO is situated near Spruce Creek (HQ-CWF, MF) in Watershed 11-A, which is classified for High Quality—Cold Water, and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 7,037.08 animal equivalent units (AEUs) consisting of 3,345 Lactating and Dry Cows, 2,303 Holstein Heifers, and 1,138 Holstein Calf. Liquid dairy manure is collected in the following storages:

<i>Description of Manure Storage Facility</i>	<i>Minimum Required Freeboard (ft)</i>
160' x 16' Main Dairy Circular Concrete Storage (Pit 1)	2
450' x 145' x 10' Main Dairy Wastewater Storage Basin (Pit 2)	2
700' x 100' x 8' Main Dairy Earthen Storage Basin (Pit 3)	2
20' x 14' Main Dairy Solids Separator Pit (Pit 4)	2
75' x 50' x 5'10" Peterson Farm Front Pit (Pit 5)	2
325' x 90' x 7' Peterson Farm Back Pit (Pit 6)	2
76' x 12' LeCrone Farm Circular Concrete Tank (Pit 7)	2
90' x 200' x 10' Rhodes Farm Earthen Storage (Pit 8)	2
80' x 12' Dink Farm Circular Concrete Storage (Pit 9)	2
200' x 14' Main Dairy Round Concrete Storage (Pit 10)	2
750' x 215' x 16' Keatley Farm HDPE Lined Lagoon (Pit 11)	2
85' x 110' x 10' Oliver East Farm Earthen Storage (Pit 12)	2
111'4" x 424' x 8' Rider Farm Underbarn Heifer Storage (Pit 17)	0.5
Main Dairy Underground Leachate Storage (Pit 19)	2

A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

Southeast Regional Office

PA0026531, Sewage, SIC Code 4952, **Downingtown Area Regional Authority**, 6 W. Lancaster Avenue, Downingtown, PA 19335-2825. Facility Name: DARA Water Pollution Control Plant. This existing facility is located in East Caln Township, **Chester 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, East Branch Brandywine Creek (WWF, MF), is located in State Water Plan watershed 3-H 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 7.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	1,251	1,877	XXX	20	30 Wkly Avg	40
Nov 1 - Apr 30					15	
May 1 - Oct 31	626	938	XXX	10	15 Wkly Avg	20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	1,877	2,815	XXX	30	45	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000*
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	1,877	XXX	XXX	30	XXX	60
Ammonia-Nitrogen	375	XXX	XXX	6.0	XXX	12
Nov 1 - Apr 30						
May 1 - Oct 31	125	XXX	XXX	2.0	XXX	4
Total Phosphorus	125	XXX	XXX	2.0	XXX	4
Copper, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max				
Hardness, Total (as CaCO ₃)	Report	Report	XXX	Report	XXX	Report
		Daily Max				

*Shall not exceed in more than 10% of samples.

The proposed effluent limits for Outfall 001 are based on a design flow of 7.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	62,550	125,100	XXX	1,000.0	2,000.0	2,500
Cyanide, Free	Avg Qrtly Report	Daily Max XXX	XXX	Avg Qrtly Report	XXX	XXX
Iron, Total	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Zinc, Total	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Chloride	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Phenolics, Total	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	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
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow—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>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Small Stream Discharge

- F. Operator Notification
- G. Fecal Coliform Reporting
- H. Pretreatment Program Implementation
- I. Solids Management
- J. Site-Specific Criteria Study
- K. WET Condition
- L. Stormwater Outfalls Requirement

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

PA0032301, Sewage, SIC Code 6512, **M & B Environmental Inc.**, 744 Harleysville Pike, Harleysville, PA 19438-2804. Facility Name: Concord Ind Park STP. This existing facility is located in Concord Township, **Delaware 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), West Branch Chester Creek (TSF, MF), is located in State Water Plan watershed 3-G 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 .02 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4.2	XXX	XXX	25	XXX	50
Total Suspended Solids	5.0	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX Report	XXX	Report XXX
Total Nitrogen	XXX	XXX	XXX	9.0	XXX	18
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	XXX	6
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus	0.33	XXX	XXX	1.0	XXX	2
Nov 1 - Apr 30						
May 1 - Oct 31	0.17	XXX	XXX			

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

- A. No Stormwater
- B. Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP when Municipal Sewers Available
- E. Chlorine Minimization
- F. Operator Notification
- G. Operations and Maintenance Plan

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

PA0042927, Sewage, SIC Code 8211, **Owen J. Roberts School District**, 901 Ridge Road, Pottstown, PA 19465. Facility Name: Owen J. Roberts SD Main Campus STP. This existing facility is located in South Coventry Township, **Chester 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, Unnamed Tributary to French Creek (EV, MF), is located in State Water Plan watershed 3-D and is classified for Exceptional Value Waters and Migratory 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 .039 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .039 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.02
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Total Suspended Solids	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	30.0	XXX	60
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	10.0	XXX	20
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- A. No Stormwater
- B. Necessary Property Rights
- C. Sludge Disposal
- D. Abandon STP
- E. Chlorine Optimization
- F. Small Stream Discharge
- G. Operator Notification
- H. Remedial Measures if Unsatisfactory Effluent
- I. Fecal Coliform Reporting
- J. Solids Management
- K. TRC Effluent Limitations below Quantitation's Limits

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

PA0052787, Sewage, SIC Code 4952, **Flatland Church**, 180 West Thatcher Road, Quakertown, PA 18951. Facility Name: Flatland Church STP. This existing facility is located in Richland Township, **Bucks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .00125 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Maximum	
Flow (GPD)	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
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	1.0 Avg Mo	XXX	2.0

The proposed effluent limits for Outfall 001 are based on a design flow of .00125 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Oct 1 - Mar 31						
Apr 1 - Sep 30	XXX	XXX	XXX	15.0	XXX	30
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	7.5	XXX	15
Oct 1 - Mar 31						
Apr 1 - Sep 30	XXX	XXX	XXX	2.5	XXX	5
Total Phosphorus	XXX	XXX	XXX	0.5	XXX	1

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

- TRC Minimization
- Proper sludge disposal
- Annual Maintenance Report Requirements

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

PA0245097, Sewage, SIC Code 8811, **Confino Adam**, 2390 N Shaffer Road, Pottstown, PA 19464. Facility Name: 2390 N Schaffer Rd. This existing facility is located in Lower Pottsgrove Township, **Montgomery 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 Sanatoga Creek (WWF, MF), is located in State Water Plan watershed 3-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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
pH (S.U.)	Annl Avg XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	1,000.0

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

- AMR and DMR submission
- Septage and scum measurement
- Septic tank pumping
- UV disinfection contact surface 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.

Southeast Regional Office

PA0011657, Industrial, SIC Code 4961, **Vicinity Energy Philadelphia Inc.**, 2600 Christian Street, Philadelphia, PA 19146. Facility Name: Vicinity Energy Schuylkill Gen Station. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

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

The proposed effluent limits for Outfall 001.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	98	XXX	110
Heat Rejection Rate (MBTUs/day)	XXX	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	100
Total Dissolved Solids	XXX	XXX	1,000.0 Avg Mo	2,000.0 Daily Max	XXX	2,500
Oil and Grease	XXX	XXX	XXX	15	20.0 Daily Max	30
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 101.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	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	30.0	60.0	75
Oil and Grease	XXX	XXX	XXX	15.0	30.0	30

The proposed effluent limits for Outfall 201.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Daily Max Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Daily Max XXX	Report	XXX

The proposed effluent limits for Outfall 301.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 301.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Total Suspended Solids Effluent Net	XXX	XXX	XXX	30.0	60.0	75
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	30

The proposed effluent limits for Outfall 401.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	100
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

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

- I. Other Requirements
 - A. Property Rights
 - B. Sludge Disposal
 - C. BAT/BCT
 - D. No PCBs Discharge
 - E. Temperature Requirements
 - F. NCC below 12 MGD
 - G. New monitoring devices for Temperature
 - H. "Weekly Average" and "Monthly Average" terms
 - I. Limits for Heat Rejection Rate
 - II. Heat Rejection Rate Limitations
 - III. Chemical Additives
 - IV. Requirements Applicable to Stormwater Outfalls
 - V. PCB Requirements
 - VI. Cooling Water Intake Structure

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.

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

Northeast Regional Office

Applicant: **Presidential Land Holdings, LLC**

Applicant Address: 95 S. Main Street, Mountain Top, PA 18707

Application Number: **PAD400019**

Application Type: Renewal

Municipality/County: Rice Township, **Luzerne County**

Project Site Name: Heslop Access Road

Total Earth Disturbance Area (acres): 2.6 acres

Surface Waters Receiving Stormwater Discharges: 1. Little Wapwallopen Creek (CWF, MF); 2. Exceptional Value Wetlands

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

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

Project Description: The project proposes the Renewal of an existing NPDES Permit (PAD400019—Issued on 9/13/18), which involves the construction of a 28-foot wide, 900-foot long paved access road beginning at “Heslop Road” (TR 433) and extending approximately 900-ft east through a wooded area and crossing Little Wapwallopen Creek. Stormwater management facilities (an infiltration basin and vegetated swales) were also proposed. No alterations from the original application have been proposed.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP’s File Review Coordinator at 570-826-5472.

Southeast Regional Office

Applicant: **Tredyffrin Easttown School District**

Applicant Address: 940 West Valley Road, Suite 1700, Wayne, PA 19087-1856

Application Number: **PAD150138 A-1**

Application Type: Major Amendment

Municipality/County: Tredyffrin Township, **Chester County**

Project Site Name: TESD Conestoga Athletic Fields

Total Earth Disturbance Area (acres): 15.20 acres

Surface Waters Receiving Stormwater Discharges: Trib 00997 of Little Valley Creek (EV, MF), Trout Creek (WWF, MF), Valley Creek (EV), Darby Creek (CWF, MF), Trout 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: Original Permit: Tredyffrin Easttown School District proposes the construction of the expansion of Conestoga High School on the east side of the existing building. In addition, there will be a new bus pull-off area along Irish Road and new parking area. Major Amendment: Tredyffrin Easttown School District proposes two new turf athletic fields, two field house buildings, five tennis courts, and additional parking spaces to be built at Conestoga High School.

Special Conditions: N/A

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

Northeast Regional Office

Applicant: **Devonshire Properties, LLC, c/o Rudy Amelio**

Applicant Address: 1348 Hamilton Street, Allentown, PA 18102-4329

Application Number: **PAD390099**

Application Type: Renewal

Municipality/County: South Whitehall Township, **Lehigh County**

Project Site Name: Parkland Place

Total Earth Disturbance Area (acres): 3.33 acres

Surface Waters Receiving Stormwater Discharges: Tributary to Little Lehigh Creek (aka Cedar Creek) (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: A 16 lot single-family residential subdivision including public water, public sewer and stormwater management facilities.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP’s File Review Coordinator at 570-826-5472.

Northeast Regional Office

Applicant: **Tyrone W. Klump Jr.**

Applicant Address: P.O. Box 187, Wind Gap, PA 18091-0187

Application Number: **PAD480193**

Application Type: New

Municipality/County: Bushkill Township, **Northampton County**

Project Site Name: Klump Subdivision

Total Earth Disturbance Area (acres): 10.79 acres

Surface Waters Receiving Stormwater Discharges: UNT to Bushkill Creek (EV, 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 project involves construction of a residential subdivision consisting of 4 houses and associated stormwater management facilities.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

Northeast Regional Office

Applicant: **City Center Investment Corporation, c/o Robert DiLorenzo**

Applicant Address: 600 W. Hamilton Street, Suite 700, Allentown, PA 18101-2109

Application Number: **PAD390282**

Application Type: New

Municipality/County: City of Allentown, **Lehigh County**

Project Site Name: Morning Call Apartments

Total Earth Disturbance Area (acres): 2.68 acres

Surface Waters Receiving Stormwater Discharges: Jordan 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: The demolition of a portion on an existing building and the construction of a 5-story apartment building. An outdoor courtyard/amenity space is provided within the center of the building, and a lawn/dog park area is proposed adjacent to the building. Additionally, a private driveway and exterior renovations to the existing school are proposed.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

Southeast Regional Office

Applicant: **800 Schuylkill Owner, LLC**

Applicant Address: 201 King of Prussia Road, Suite 501, Radnor, PA 19087-5147

Application Number: **PAD460084**

Application Type: New

Municipality/County: Upper Merion Township, **Montgomery County**

Project Site Name: 800 River Road

Total Earth Disturbance Area (acres): 44.96 acres

Surface Waters Receiving Stormwater Discharges: Matsunk Creek (WWF, MF), UNT to Schuylkill River (WWF, 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 consists of the demolition and clearing of existing site features and the construction of two warehouses, 282,240 square feet and 476,580 square feet in size, with associated loading docks, parking areas, landscaping, utilities, 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: **The Hankin Group**

Applicant Address: 707 Eagleview Blvd, Exton, PA 19341-1159

Application Number: **PAD150306**

Application Type: New

Municipality/County: Upper Uwchlan Township, **Chester County**

Project Site Name: Eagleview Lot 1A

Total Earth Disturbance Area (acres): 6.83 acres

Surface Waters Receiving Stormwater Discharges: Trib 00332 of Marsh Creek (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 an office building, parking lot, loading areas, lighting, landscaping, and other associated improvements. Stormwater Management is proposed to control the increase of stormwater runoff from the improvements.

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: **Stephen Beiler**

Applicant Address: 822 Hilldale Road, Holtwood, PA 17532

Application Number: **PAD670088**

Application Type: New

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

Project Site Name: Proposed Dairy (Stephen Bailer)

Total Earth Disturbance Area (acres): 4.02 acres

Surface Waters Receiving Stormwater Discharges: UNT to Otter Creek (CWF, MF) and UNT to Otter Creek (CWF, MF) via 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: Proposed Dairy Farm.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

**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>
Blue Springs Farm 174 Stair Lane Berlin, PA 15530	Somerset County	583.6	803.3	Swine/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: Thomas Filip, Environmental Engineer, 717-705-4708.

Application No. 3823503, NCWSA Construction, Public Water Supply.

Applicant	Mt Lebanon Campmeeting Association, Inc.
Address	23 Mt Lebanon Drive Lebanon, PA 17042
Municipality	North Lebanon Township
County	Lebanon County
Responsible Official	Earnest Meily 23 Mt Lebanon Drive Lebanon, PA 17042
Consulting Engineer	Hershey Engineering, Inc. 703 Woodcrest Ave Lititz, PA 17543

Application Received September 25, 2023
 Description Installation of greensand filtration for manganese removal treatment.

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 commitments, 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.

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.

West Ben LLC, Primary Facility ID # **869724**, 1339 West Benjamin Franklin Highway, Douglassville, PA 19518, Amity Township, **Berks County**. Storb Environmental Inc., 410 Easton Road, Willow Grove, PA 19090-2511 on behalf of West Ben LLC, 2775 Mountain Road, Hamburg, PA 19526-8045, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil & groundwater contaminated with residual gasoline constituents. The site will be remediated to the Statewide health standard. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *Reading Eagle* on September 5, 2023. Application received: September 7, 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.

Philips Respironics, Primary Facility ID # **869535**, 1740 Golden Mile Highway, Monroeville, PA 15146, Monroeville Borough, **Allegheny County**. Haley & Aldrich, Inc., 6500 Rockside Road, Suite 200, Cleveland, OH 44131 on behalf of Philips North America LLC, 15313 West 95th Street, Lenexa, KS 66219, submitted a Notice of Intent to Remediate. Historical operations conducted by prior owners of the Site resulted in minor environmental impacts including soil vapor and groundwater in limited areas that exceed default PADEP nonresidential criteria. Concentrations of volatile organic compounds, including trichloroethene, cis-1,2-dichloroethene and vinyl chloride were detected in several soil, subslab soil vapor and groundwater samples collected from the developed portion of the Site. Only volatile organics in subslab soil vapor and groundwater exceeded default Statewide health standards for nonresidential use. The pathway for subslab vapor was evaluated with indoor air sampling, as well as evaluation of soil and groundwater data; this pathway was determined to not be complete. Further evaluation indicated that the exceedances of groundwater Statewide health standards could be addressed with institutional controls. In addition, institutional controls are required to limit property use in the developed portions to nonresidential. The Notice of Intent to Remediate was published in the *Valley News Dispatch* on September 21, 2023. Application received: September 12, 2023.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Contact: Regional Solid Waste Manager, 717-705-4706.

101620. Waste Management of Pennsylvania—Camp Hill Transfer Station, 4300 Industrial Park

Road, Camp Hill, PA 17011, Hampden Township, **Cumberland County**. This application is to renew the Solid Waste Management Operating Permit for the Camp Hill Municipal Waste Transfer Station. DEP will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time DEP is reviewing the permit renewal application. Application received: September 13, 2023. Deemed administratively complete: September 26, 2023.

Comments or questions concerning the application should be directed to John Oren, Permitting Section Chief, 717-705-4706., Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

PLAN APPROVALS

Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

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.

26-00590A: Carlisle Construction Materials, LLC, 2000 Summit View Drive, Smithfield, PA 15478, Georges Township, **Fayette County**. Application received: February 22, 2023.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Pennsylvania Department of Environmental Protection (Department) intends to issue major source Air Quality Plan Approval PA-26-00590A to allow the construction, installation, and temporary operation of a replacement foam panel production line and replacement regenerative thermal oxidizer (RTO) at a foam panel manufacturing facility owned and operated by Carlisle Construction Materials, LLC located in Georges Township, Fayette County. This plan approval will encompass the replacement production line, the replacement RTO, routing previously uncontrolled VOC emissions from sawing operations to the RTO for control, and other air contamination sources and air cleaning devices at this facility. The facility was previously permitted as a synthetic minor.

The facility consists of seven (7) storage tanks of various capacities, a foamboard manufacturing line, sawing operations, warehouse fugitive emissions from product storage, miscellaneous combustion sources, valves, flanges, and pump seals, and one (1) 15-kW emergency generator engine.

Potential emissions from the sources covered under this plan approval are 7.1 tons per year (TPY) of particulate matter (PM), 7.1 TPY PM₁₀, 7.1 TPY PM_{2.5}, 8.5 TPY NO_x, 114.3 TPY VOCs, 7.0 TPY CO, 9,947 TPY CO_{2e}, and less than 0.2 TPY of SO_x, total HAPs, and any individual HAP.

This authorization is subject to the New Source Review requirements of 25 Pa. Code Chapter 127, Subchapter E and the Best Available Technology (BAT) requirements of 25 Pa. Code § 127.1. The Department has determined that the proposed project satisfies the lowest achievable emission rate (LAER) and the Department's BAT requirements.

Carlisle Construction Materials, LLC will be required to secure 149 tons of VOC emission reduction credits. The facility is subject to State regulations including, but not limited to, 25 Pa. Code §§ 121.7, 123.1, 123.2, 123.11, 123.13, 123.21, 123.31, 123.41, 123.43 and 129.14, among others. The Plan Approval has been conditioned to ensure compliance with all applicable rules including emission restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to submit a Title V Operating Permit application in accordance with 25 Pa. Code Subchapter G.

The Plan Approval Application, the Department's Air Quality Review Memorandum, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Department'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>.

A person may oppose the proposed plan approval by filing a written protest with the Department through Sheri Guerrieri, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; shguerrier@pa.gov. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00590A), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone or email, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Sheri Guerrieri, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to shguerrier@pa.gov.

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

OPERATING PERMITS

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

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

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

09-00187, Simsmetal East LLC/Morrisville, 300 Steel Rd S, Morrisville, PA 19067, Falls Township, **Bucks County**. Application received: June 5, 2023. This action is for an initial Title V Operating Permit No. 09-00187 that replaces and supersedes the State-Only, Natural Minor Operating Permit No. 09-00187 for the existing metal shredder operation. There are no VOC or HAP control devices in place; however, a wet suppression system is used to control particulate matter emissions from the hammermill shredder and the downstream conveyors and stockpiles. An emergency engine has been added to the permit (Source ID 105) with 40 CFR Part 60 Subpart III requirements included. Facility-wide VOC emissions are limited to 50 tons per year, a maximum material throughput limit has been added to the permit. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. 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.

23-00119, Energy Transfer Marketing & Terminals, LP (ETMT), 100 Green St, Marcus Hook, PA 19061-0426, Marcus Hook Borough, **Delaware County**. Application received: December 20, 2022.

In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 ozone NAAQS), the Pennsylvania Department of Environmental Protection (DEP) has made a preliminary determination to approve a RACT III alternative compliance plan for ETMT for its Marcus Hook Terminal.

The RACT III alternative compliance plan, if approved by DEP, will be issued as a significant modification to the facility's Title V Operating Permit (TVOP).

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

The following is a summary of the RACT III alternative compliance requirements for this facility that are proposed to be submitted to EPA as a revision to the Commonwealth's SIP, found in the TVOP:

Source ID	Source Name	Citation	Air Cleaning Devices and Air Pollution Control Technologies or Techniques	
			Current	Proposed for RACT III
102	Refrigerated Propane Tank (500K BBL)	25 Pa. Code § 129.114(c)	Flares, Closed Vent/Vapor Recovery System, Good Operating Practices, LDAR	Same as Current
103	NSPS Subpart VVa Fugitive Equipment Leaks	25 Pa. Code § 129.114(c)	Good Operating Practices, LDAR	Same as Current
104	Marine Vessel Loading (Refrigerated)	25 Pa. Code § 129.114(c)	Marine Vapor Recovery System, Good Operating Practices, LDAR	Same as Current
105	Cavern	25 Pa. Code § 129.114(c)	Good Operating Practices, LDAR	Same as Current
106A	Demethanizer	25 Pa. Code § 129.114(c)	Good Operating Practices, LDAR	Same as Current
111	Natural Gasoline Loading Rack	25 Pa. Code § 129.114(c)	Good Operating Practices, LDAR	Same as Current
112	New Cooling Towers	25 Pa. Code § 129.114(c)	Good Operating Practices, Heat Exchanger LDAR, Drift Eliminator	Same as Current
119	Refrigerated Propane Tank (900K BBL)	25 Pa. Code § 129.114(c)	Flares, Closed Vent/Vapor Recovery System, Good Operating Practices, LDAR	Same as Current
120	Refrigerated Propane Tank (589K BBL)	25 Pa. Code § 129.114(c)	Flares, Closed Vent/Vapor Recovery System, Good Operating Practices, LDAR	Same as Current

LDAR = Leak Detection and Repair

A 30-day public comment period, beginning on October 14, 2023, and ending on November 14, 2023, will exist for the submission of written comments, suggestions, objections, or other information regarding the RACT III alternative compliance plan. Submissions may be made in writing to Ms. Janine Tulloch-Reid, P.E., Environmental Engineering Manager, Facilities Permitting Section, Pennsylvania Department of Environmental Protection, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401, or electronically at jtullochre@pa.gov.

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

DEP will hold a public hearing on Tuesday, November 14, 2023, at the Marcus Hook Municipal Building, 1111 Market Street, Marcus Hook, PA 19061, from 6:00 PM—7:00 PM. The public hearing will be held to accept oral and written testimony on the proposed RACT III alternative compliance plan action and the proposed SIP revision. All comments, whether submitted to DEP in writing or delivered orally at the hearing, shall merit equal consideration.

Persons wishing to present testimony at the public hearing should register with Ms. Stephanie Berardi, Regional Communications Manager for DEP's Southeast Region, at sberardi@pa.gov or 484.250.5808. Speakers must pre-register in order to testify at the hearing. Registration to testify will close at 5:00 PM on Monday, November 13, 2023.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual. Each organization is requested to designate one witness to present testimony on its behalf and time may not be relinquished to others. A stenographer will be present to record the testimony. DEP requests that presenters bring two copies of written remarks to aid in the transcription of testimony.

Persons unable to attend the hearing may submit a written statement and exhibits to DEP, in the same manner as previously specified, within 10 days after the public hearing. All comments, whether submitted to DEP in writing or delivered orally at the hearing, shall merit equal consideration.

Should inclement weather postpone the hearing date, this information will be posted at www.dep.pa.gov/southeast. Please contact Ms. Stephanie Berardi or monitor our website to determine if a hearing will be held.

Copies of the significant modification application, proposed RACT III alternative compliance plan, and other relevant information are available for public review on-

line at the previously listed web address; at the Mary M. Campbell Marcus Hook Public Library, 1015 Green Street, Suite B, Marcus Hook, PA 19061 (610-485-6519); at the Marcus Hook Municipal Building, 1111 Market Street, Marcus Hook, PA 19061 (610-485-1341); or at DEP's Southeast Regional Office, 2 East Main Street, Norristown, PA 19401. An appointment to review the documents at DEP's Southeast Regional Office may be scheduled by contacting the Records Management Section of DEP at 484.250.5910 between 8:00 AM—4:00 PM, Monday—Friday, except holidays.

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.

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

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

10-00331, Butler Memorial Hospital, 1 Hospital Way, Butler, PA 16001, City of Butler, **Butler County**. Application received: October 5, 2022. The Department intends to issue the renewal of the State Only Operating Permit for Butler Memorial for the healthcare institution. The facility is a Natural Minor. The primary sources at the facility include six (6) gas-fired boilers and six (6) diesel-fueled emergency generators. The potential emissions from the facility are less than the following: 45.9, 20.6, 4.24, 1.52, and 1.49 TPY for NO_x, CO, VOC, SO₂, and PM₁₀, respectively. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The facility is subject to Federal (40 CFR 60 Subpart IIII and 40 CFR 63 Subpart ZZZZ) and State Regulation.

10-00395, Vogel Disposal Service, Inc., 121 Brickyard Road, Mars, PA 16046, Adams Township, **Butler County**. Application received: October 20, 2022. The Department intends to issue the renewal of the State Only Operating Permit for Vogel Disposal Service, Inc. for the paint booth and cold cleaning degreasers. The facility is a Natural Minor. The potential emissions from the facility are less than 8 TPY for VOC. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

10-00139, Rosini Carbons Company Inc. Boyers Division, 453 Venn Access Road, Coal Township, PA 17866, Cherry Township, **Butler County**. Application received: October 11, 2022. The Department intends to issue the renewal of the State Only Operating Permit for Rosini Carbons Co. Inc. Boyers Division for the facility that processes coke breeze for use in brake manufacturing and metallurgical purposes. The facility is a Natural Minor. The primary sources at the facility include coke screening/shaking controlled by baghouses and three space heating furnaces. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.

OP22-000050, PHIPPA, 401 North Broad Street, Philadelphia, PA 19108, City of Philadelphia, **Philadelphia County**. Application received: October 12, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Natural Minor Operating Permit (NMOP) for the operation of telecommunications facility. The facility's air emission sources include the following: one 433 HP diesel fired emergency generator, one 750 HP diesel fired emergency generator, one 1,109 HP diesel fired emergency generator, and one 1,700 HP diesel fired emergency generator. The renewal NMOP will contain monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "PHIPPA OP22 000050" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting information are available by contacting the Source Registration Unit at 215-685-7572 or emailing a request to the previously listed email address with the subject line. Individuals in need of accommodations and/or interpretation should contact AMS at DPHAMS_Service_Requests@Phila.Gov and/or 215-685-7572. Please include: (1) the name and contact information of the person requesting an accommodation and/or interpretation; (2) the name of the program, service, activity, or location of the request; and (3) a description of the modification and/or interpretation being requested.

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.

22-03044, Mack Trucks, Inc., 2800 Commerce Drive, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. Application received: March 30, 2023. For the operation of an engine manufacturing plant. This is for the renewal of the existing State-Only Operating Permit. Potential emissions from the facility is 22.1 tpy of VOCs, 7.4 tpy of NO_x, and 6.1 tpy of CO. 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.

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.

09-00195, Harold Beck and Sons, Inc., 11 Terry Dr, Newtown, PA 18940, Newtown Township, **Bucks County**. Application received: December 17, 2022. This action is for the renewal of a State Only, Natural Minor Operating Permit, for operation of two (2) paint booths and two (2) degreasing units. The paint booths are subject to 25 Pa. Code § 129.52d—Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings. The degreasing units are subject to 25 Pa. Code § 129.63—Degreasing operations. The main missions from the facility operations are Volatile Organic Compounds (VOC). The VOC emissions shall not exceed 24.9 tons per year. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

23-0006, Private Crematory/Media, 43 E Baltimore Pike, Media, PA 19063, Media Borough, **Delaware County**. Application received: October 4, 2022. This action is for the renewal of State-Only, Natural Minor Operating Permit for a facility consisting of one human crematorium. Potential emissions from this facility for criteria pollutants, except for CO and PM, are under 0.5 tpy. CO potential emissions are up to 1.4 tpy and PM emissions up to 0.98 tpy. Emissions are controlled via afterburner with a minimum residence time of one (1) second at 1,800°F. The crematory is limited to 10 hrs/day and 6 days/week of operation. Other permit conditions include visible emissions limits, monitoring, recording, recordkeeping and work practices to limit and track emissions. 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.

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

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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. 56140703. NPDES No. PA0236527. Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Black Township, **Somerset County**. To operate a new coal refuse disposal site and add outfalls 001 and 002 to the NPDES permit. Surface Acres Proposed: 160.1; Coal Refuse Disposal Acres Proposed: 70.8; Coal Refuse Disposal Support Acres Proposed: 89.3. Receiving Stream: Wilson Creek, classified for the following use: WWF. Application received: July 31, 2019. Accepted: September 13, 2019. Withdrawn: September 25, 2023.

Mining Permit No. 30161301. NPDES No. PA02036519. Marshall County Coal Resources, Inc., 46226 National Road, St. Clairsville, OH 43950, Aleppo and Springhill Townships, **Greene County**. To revise the permit and related NPDES permit for development only, affecting 2,315.10 proposed underground acres and 2,315.10 proposed subsidence control plan acres. Application received: August 31, 2023. Accepted: September 22, 2023.

Mining Permit No. 30141302. NPDES No. PA0235474. AMD Reclamation, Inc., 966 Crafts Run Road, Maidsville, WV 26541, Dunkard and Perry Townships, **Greene County**. To release bond and terminate the NPDES permit. Full bond amount to be released of \$583,830.00. Application received: September 6, 2023. Accepted: September 6, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54830105. Joe Kuperavage Coal Co., 325 Wilson Avenue, Port Carbon, PA 17965, Schuylkill Township, **Schuylkill County**. Renew an anthracite surface mine operation affecting 412.6 acres. Receiving stream: Schuylkill River, classified for the following uses: CWF, MF. Application received: September 19, 2023.

Mining Permit No. 54830105. Joe Kuperavage Coal Co., 325 Wilson Avenue, Port Carbon, PA 17965, Schuylkill Township, **Schuylkill County**. Correction of an anthracite surface mine operation to update the post-mining land use from forestland to unmanaged natural habitat affecting 412.6 acres. Receiving stream: Schuylkill River, classified for the following uses: CWF, MF. Application received: September 19, 2023.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 40030202. Pioneer Equipment Rentals, Inc., 645 Laurel Run Road, Bear Creek Township, PA 18702, Duryea and Hughestown Boroughs, **Luzerne County**. Renew an anthracite coal refuse reprocessing operation affecting 150.0 acres. Receiving streams: Lackawanna River and Susquehanna River, classified for the following uses: CWF, MF and WWF, MF. Application received: September 11, 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.			

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 67870301. NPDES Permit No. PA0010235. York Building Products Co., Inc., 950 Smile Way, Suite A, York, PA 17404, City of York and West Manchester Township, **York County**. Renewal and correction to an NPDES Permit on a quarry operation to add acres to the discharge area for a total of 277.59 acres. Receiving stream: Willis Run, classified for the following use: WWF. Application received: September 18, 2023.

Mining Permit No. 6376SM2. NPDES Permit No. PA0594474. York Building Products Co., Inc., 950 Smile Way, Suite A, York, PA 17404, Jackson Township, **York County**. Renew NPDES permit on a quarry operation affecting 341.5 acres. Receiving stream: Little Conewago Creek, classified for the following use: TSF. Application received: September 18, 2023.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters DEP may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

Coal NPDES Draft Permits

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

Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.

NPDES No. PA0599581. Mining Permit No. 07920101. RES Coal, LLC, 51 Airport Road, Clearfield, PA 16830, Allegheny Township, **Blair County**. Renewal of an NPDES permit affecting 474 acres related to a coal mining activity permit. Receiving stream: unnamed tributaries to/and Sugar Run, classified for the following use: CWF. The receiving streams are included in the Beaverdam Branch Tributaries TMDL. Application received: July 31, 2023.

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

The following outfalls discharge to unnamed tributaries to/and Sugar Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment	Precipitation Induced
002	Existing	Treatment	Precipitation Induced
005	Existing	Treatment	Precipitation Induced
006	Existing	Treatment	Precipitation Induced
007	Existing	Stormwater	Precipitation Induced
008	Existing	Stormwater	Precipitation Induced
009	Existing	Stormwater	Precipitation Induced
010	Existing	Stormwater	Precipitation Induced
011	Existing	Stormwater	Precipitation Induced
012	Existing	Stormwater	Precipitation Induced
013	Existing	Stormwater	Precipitation Induced
014	Existing	Stormwater	Precipitation Induced

The proposed effluent limits for the outfalls 001, 002, 005, and 006 are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	1.8	3.6	4.5
Total Manganese (mg/L)	XXX	1.9	3.8	4.7
Total Aluminum (mg/L)	XXX	0.75	1.5	1.8
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report
Selenium (µg/L)	XXX	XXX	XXX	Report

The proposed effluent limits for the outfalls 007—014 are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	1.8	3.6	4.5
Total Manganese (mg/L)	XXX	1.9	3.8	4.7
Total Aluminum (mg/L)	XXX	0.75	1.5	1.8
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

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

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0207241. Mining Permit No. 17930103. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, **Clearfield County**. Application received: March 2, 2023.

Renewal of an NPDES permit for discharge of water resulting from bituminous coal surface mine permit in Decatur Township, Clearfield County, affecting 256.5 acres. Receiving stream(s): Beaver Run and tributaries to Beaver Run and Little Beaver Run, classified for the following use(s): CWF. This receiving stream is included in the Moshannon Creek Watershed TMDL.

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

The following outfalls discharge to Beaver Run and tributaries to Beaver Run and Little Beaver Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
011	Existing	Treatment Pond TF1	Intermittent
012	Existing	Treatment Pond TF2	Intermittent
013	Existing	Treatment Pond TF3	Intermittent
014	Existing	Treatment Pond TF4	Intermittent
016	Existing	Treatment Pond TF6	Intermittent
019	Existing	Treatment Pond LB75T	Continuous (1 gpm average)

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

<i>Outfalls: 011—014, 016, & 019 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

The following outfall discharges to Beaver Run and tributary to Little Beaver Run monitored at LB-7A:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
004	Existing	Sediment Pond SPD	Precipitation Induced

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

<i>Outfalls: 004 (All Discharges)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.7	5.4	6.7
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

The following outfall discharges to Beaver Run monitored at LB-41:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
010	Existing	Sediment Pond SPJ	Precipitation Induced

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

<i>Outfalls: 010 (Discharges during Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)		Report	
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

<i>Outfalls: 010 (Discharges after ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	N/A	N/A	7.0
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

Outfalls: 010 (Discharges after >10-yr/24-hr Precip. Event)

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

The following outfall discharges to Beaver Run monitored at LB-48:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	Sediment Pond SPB	Precipitation Induced

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

<i>Outfalls: 002 (Discharges during Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)		Report	
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Outfalls: 002 (Discharges during Dry Weather)
Parameter

*30-Day
 Average*

*Daily
 Maximum*

*Instant.
 Maximum*

Alkalinity must exceed acidity at all times.

Outfalls: 002 (Discharges after ≤10-yr/24-hr Precip. Event)
Parameter

*30-Day
 Average*

*Daily
 Maximum*

*Instant.
 Maximum*

Iron (mg/L)
 Total Settleable Solids (mL/L)
 Sulfate (mg/L)
 Flow (gpm)
 Temperature (°C)

N/A
 N/A

N/A
 N/A
 Report
 Report
 Report

7.0
 0.5

Specific Conductivity (µmhos/cm)
 pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
 Alkalinity must exceed acidity at all times.

Outfalls: 002 (Discharges after >10-yr/24-hr Precip. Event)

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
 Alkalinity must exceed acidity at all times.

The following outfalls discharge to a tributary to Beaver Run monitored at LB-49:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Sediment Pond SPA	Precipitation Induced
003	Existing	Sediment Pond SPC	Precipitation Induced
005	Existing	Sediment Pond SPE	Precipitation Induced
006	Existing	Sediment Pond SPF	Precipitation Induced

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

Outfalls: 001, 003, 005, & 006 (All Discharges)
Parameter

*30-Day
 Average*

*Daily
 Maximum*

*Instant.
 Maximum*

Iron (mg/L)
 Manganese (mg/L)
 Aluminum (mg/L)
 Total Suspended Solids (mg/L)
 Sulfate (mg/L)
 Flow (gpm)
 Temperature (°C)

3.0
 2.0
 1.5
 35.0

6.0
 4.0
 3.0
 70.0
 Report
 Report
 Report
 Report

7.0
 5.0
 3.7
 90.0

Specific Conductivity (µmhos/cm)
 pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
 Alkalinity must exceed acidity at all times.

The following outfall discharges to a tributary to Beaver Run monitored at LB-65:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
007	Existing	Sediment Pond G	Precipitation Induced

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

Outfalls: 007 (Discharges during Dry Weather)
Parameter

*30-Day
 Average*

*Daily
 Maximum*

*Instant.
 Maximum*

Iron (mg/L)
 Manganese (mg/L)
 Aluminum (mg/L)
 Total Suspended Solids (mg/L)
 Sulfate (mg/L)
 Flow (gpm)
 Temperature (°C)

3.0
 2.0
 35.0

6.0
 4.0
 Report
 70.0
 Report
 Report
 Report

7.0
 5.0
 90.0

Specific Conductivity (µmhos/cm)
 pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
 Alkalinity must exceed acidity at all times.

Outfalls: 007 Discharges after ≤10-yr/24-hr Precip. Event)
Parameter

*30-Day
 Average*

*Daily
 Maximum*

*Instant.
 Maximum*

Iron (mg/L)
 Total Settleable Solids (mL/L)
 Sulfate (mg/L)
 Flow (gpm)
 Temperature (°C)

N/A
 N/A

N/A
 N/A
 Report
 Report
 Report

7.0
 0.5

Specific Conductivity (µmhos/cm)
 pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
 Alkalinity must exceed acidity at all times.

Outfalls: 007 (Discharges after >10-yr/24-hr Precip. Event)

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

Noncoal NPDES Draft Permits

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

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0225827. Mining Permit No. 40870302. East Point Aggregate, LLC, 925 Harvard Avenue, Bethlehem, PA 18015, Foster Township, **Luzerne County**. Transfer of NPDES Permit affecting 105.54 acres. Receiving stream: UNT to Lehigh River, classified for the following uses: HQ-CWF, MF. The first downstream potable water supply intake is HCA Roan Filter Plant. The Department has made a tentative determination to impose effluent limitations of No Discharge to the UNT to Lehigh River. Non-discharging Best Management Practices will be in effect. Application received: April 3, 2023.

NPDES Permit No. PA0612871. Mining Permit No. 8274SM2. New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, West Cocalico Township, **Lancaster County**. Application received: August 5, 2022.

Renew NPDES permit affecting 309.0 acres. Receiving stream: UNT to Indian Run Creek, classified for the following use: TSF.

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

The following treated wastewater outfalls discharge to UNT to Indian Run Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	Existing	Treatment Facility Outfall	0.30 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0

ⁱThis Parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection be-

tween 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-EPEASTERNNOGPRG@pa.gov.

E3529223-004. Archaea CCS, LLC, 440 Jonathan Willey Road, Belle Vernon, PA 15012, Throop Borough and Olyphant Borough, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 18, 2023.

To construct, operate, and maintain:

1) a minor road bridge (19 x 42-foot) crossing project impacting 38 lineal feet of Little Roaring Brook (CWF, MF) and associated floodway (Olyphant, PA Quadrangle; Latitude: 41° 25' 55", Longitude: -75° 34' 03"),

2) a permanent floodway only impact, associated with the minor road bridge crossing project, impacting 700-square feet of an unnamed tributary to Little Roaring Brook (CWF, MF) (Olyphant, PA Quadrangle; Latitude: 41° 25' 55", Longitude: -75° 34' 04"),

3) a permanent floodway only impact, associated with the minor road bridge crossing project, impacting 1,050 square feet of an unnamed tributary to Little Roaring Brook (CWF, MF) (Olyphant, PA Quadrangle; Latitude: 41° 25' 55", Longitude: -75° 34' 03").

The minor road crossing project consists of constructing a stream crossing to access an exploratory carbon sequestration well site within Throop and Olyphant Boroughs, Lackawanna County. The project will result in 38 lineal feet of stream impacts for the minor road crossing to provide safe site access.

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.

E6402223-004. Evergreen Farms Sterling, LLC, 4136 Bethman Road, Easton, PA 18045, Sterling Township, **Wayne County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 13, 2023.

To construct and maintain the following water obstructions and encroachments associated with the Sterling Warehouse project consisting of an 800,000 square foot commercial warehouse building, car/truck parking areas, loading docks and access drives: 1. To place fill in 0.36 acre of wetlands for construction of the 800,000 square foot warehouse. 2. To place fill in 0.04 acre of wetlands for construction of the 800,000 square foot warehouse. 3. To place fill in 0.05 acre of EV wetlands for construction of a new access roadway. 4. To place fill in 0.03 acre of EV wetlands for construction of a new access roadway. To compensate for the permanent wetland impacts, the applicant will mitigate the full 0.48 acre of permanent wetland impacts. The project is located approximately 0.3 mile down Innovation Drive after turning onto Innovation Drive from PA Route 196 (Sterling, PA Quadrangle Latitude: 41° 22' 17", Longitude: -75° 22' 51") in Sterling Township, Wayne County.

E3902223-006. City of Allentown, 435 W. Hamilton Street, Allentown, PA 18103, City of Allentown, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 26, 2023.

To construct and maintain the following water obstructions and encroachments associated with the Jordan Park Skatepark Project: 1) An after-the-fact fill in the amount of 2,064 ft³ within the floodplain of Jordan Creek (TSF, MF) consisting of a concrete skateboarding park. 2) An after-the-fact utility line within the floodplain of Jordan Creek (TSF, MF) consisting of 151-LF of 8-inch diameter PVC pipes utilized for stormwater drainage. 3) A fill in the amount of 605 ft³ within the floodplain of Jordan Creek (TSF, MF) consisting of a concrete skateboarding park. 4) A utility line within the floodplain of Jordan Creek (TSF, MF) consisting of 193-LF of 8-inch diameter PVC pipes utilized for stormwater drainage. The project at Jordan Park, which is located directly northeast of the intersection of New York Avenue and N. 6th Street (Allentown East, PA Quadrangle Latitude: 40° 37' 16"; Longitude: -75° 28' 45") in City of Allentown, Lehigh County.

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

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

E1006223-003. Linda Zerfross, 157 East Airport Road, Butler, PA 16002, Penn Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: September 18, 2023.

The applicant proposes to realign a section of Dodds Road to alleviate flooding concerns and restore approximately 200 linear feet of Thorn Run adjacent to the road realignment. The project will temporarily impact 0.01 acre of Palustrine Emergent and Scrub Shrub Wetlands and will permanently impact 0.2 acre of Palustrine Emergent and Scrub Shrub Wetlands. The applicant is proposing a combination of onsite mitigation, PA Piesces credits and stream restoration to mitigate for the permanent wetland impact. Latitude: 40.777061°, Longitude: -79.885000°.

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

Contact: Waterways & Wetlands Program, 717-705-4802.

E6703223-010. Borough of Hanover, 44 Frederick Street, Hanover, PA 17331, Hanover Borough, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 17, 2023.

The applicant proposes to permanently impact 530.0-linear feet (12,656.0 square feet (0.291 acre)) of stream channel of an Unnamed Tributary (UNT) to Plum Creek (WWF, MF) and 386.0 square feet (0.009 acre) of an accompanying floodplain wetland all for the purpose of restoring and stabilizing the streambed and banks of the UNT to Plum Creek. The project is located at 50 North Forney Street, Hanover, PA 17331 in Hanover Borough, York County. Wetland mitigation is not required due to the permanent wetland impacts being less than de minimis (less than 0.05 acre of permanent impact). Latitude: 39.79575°, Longitude: -76.99039°.

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

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

E4601223-029. 800 Schuylkill Owner, LLC, 201 King of Prussia Road, Suite 501, Radnor, PA 19087, Upper Merion Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 18, 2023.

To remove the existing stream enclosure about 1,354-feet of 72-inch RCP and relocate/construct and maintain new about 1,286 LF of 72-inch X 96-inch RC box stream enclosure along Matsunk Creek (WWF-MF) associated with the construction of two new warehouse/distribution centers. Additionally, this project involves the connection of the onsite stormwater management system to the existing piped UNT to Schuylkill River (WWF, MF). The project will include the loading docks, parking area, utilities, landscaping, and stormwater management necessary to support the project. Old existing structures within the area will be demolished and removed. The site is located at 800 River Road (Norristown, PA USGS Quadrangles) in Upper Merion Township, Montgomery County. Latitude: 40.089246°, Longitude: -75.324989°.

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-783-5784.

Contact: Niamh Hays, Water Program Specialist, 717-772-5959.

EA3615223-003. Village of Olde Hickory, LP, 600 Olde Hickory Road, Suite 100, Lancaster, PA 17601, Manheim Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 12, 2023.

The applicant proposes to restore Landis Run and unnamed tributaries to Landis Run (WWF, MF), by removing approximately 28,000 cubic yards of legacy sediment and other historic fills from the floodplain. The total length of channel being temporarily impacted during construction is approximately 2,500 linear feet. The project proposes to restore approximately 12 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place log sills, root wads, and other wood grade control structures and habitat structures in restored channels and floodplain areas; to place rock underlayment for grade control and bank armoring for bank stability; to construct temporary stream crossings, rock construction entrances, and other

erosion controls during restoration activities; to construct a pedestrian bridge for public recreation. The restoration project is located on the former Olde Hickory golf course, beginning east of PA-272 and ending west of US-222 in Lancaster, PA Latitude: 40.083223°, Longitude: -76.282515°.

DAM SAFETY

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-783-5784.

Contact: Josh Fair, Water Program Specialist, 717-772-5988.

D13-050EA. Bilal Baqai, Pennsylvania Department of Conservation and Natural Resources, Facility Design and Construction, 2808 Three Mile Run Road, Perkasio, PA 18944, Kidder Township, **Carbon County**. Applicant proposes to remove the Mud Run Tributary Dam to eliminate a threat to public safety and to restore approximately 200 feet of stream channel to a free-flowing condition. Approximately 100 cubic yards of sediment will be removed from the area immediately upstream of the dam. The project is located across Hawk Run (HQ-CWF, MF) (Hickory Run, PA Quadrangle, Latitude: 41.0121, Longitude: -75.6331). Application received: September 20, 2023.

ACTIONS**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT****FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPUBLICNOTICE.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dept 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. Dept. 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. Dept of Env'tl Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0065111	CAFO Individual NPDES Permit	Issued	Jaindl Farms LLC 3150 Coffeetown Road Orefield, PA 18069-2511	North Whitehall Township Lehigh County	SCRO
PAD070014	Chapter 102 Individual NPDES Permit	Issued	M & G Realty Inc. 2100 North George Street York, PA 17404	Antis Township Blair County	SCRO
PAD090019	Chapter 102 Individual NPDES Permit	Issued	Macintosh Homes LLC 602 E Broad Street Souderton, PA 18964	Milford Township Bucks County	SERO
PAD150250	Chapter 102 Individual NPDES Permit	Issued	RB Ashley Custom Homes LLC 1011 Redge Road Pottstown, PA 19465	South Coventry Township Chester County	SERO
PAD200010	Chapter 102 Individual NPDES Permit	Issued	PA Power Co. 730 South Avenue Youngstown, OH 44502	West Fallowfield Township Crawford County	NWRO
PAD390259	Chapter 102 Individual NPDES Permit	Issued	Jaindl Land Co. 3150 Coffeetown Road Orefield, PA 18069-2511	Upper Macungie Township Lehigh County	NERO
PAD390273	Chapter 102 Individual NPDES Permit	Issued	Yasin Khan 2021 Family Trust 1146 S Cedar Crest Boulevard Allentown, PA 18103-7938	Allentown City Lehigh County	NERO
PAD450013	Chapter 102 Individual NPDES Permit	Issued	DEPG Mosier Associates, LP 1000 Fayette Street Conshohocken, PA 19428-1562	Smithfield Township Monroe County	NERO
2123805	Joint DEP/PFBC Pesticides Permit	Issued	Miller Arlington R. 440 Wildwood Road Carlisle, PA 17015-7730	Lower Frankford Township Cumberland County	SCRO
2212403	Major Sewage Treatment Facility Individual WQM Permit	Issued	Capital Region Water 3003 N Front Street Harrisburg, PA 17110-1224	Harrisburg City Dauphin County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0034088	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	UMH Properties Inc. 150 Clay Street Morgantown, WV 26501	Tunkhannock Township Wyoming County	NERO
PA0021237	Minor Sewage Facility with CSOs Individual NPDES Permit	Issued	Newport Borough Municipal Authority 101 Mulberry Street Newport, PA 17074-1533	Newport Borough Perry County	SCRO
NOEXNE010	No Exposure Certification	Issued	A Duie Pyle Inc. P.O. Box 564 650 Westtown Road West Chester, PA 19381	Hanover Township Lehigh County	NERO
NOEXNW233	No Exposure Certification	Issued	Cloverleaf Group Inc. 500 Grant Avenue East Butler, PA 16029-2163	East Butler Borough Butler County	NWRO
NOEXSE031	No Exposure Certification	Issued	Heubach Ltd 99 Newbold Road Fairless Hills, PA 19030	Falls Township Bucks County	SERO
PAG030090	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Langhorne Scrap Metal Proc Inc. 2320 Big Oak Road Langhorne, PA 19047	Middletown Township Bucks County	SERO
PAG030156	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management of PA Inc. 1224 Hayes Boulevard Bristol, PA 19007-2913	Bristol Township Bucks County	SERO
PAG030191	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Glaxosmithkline, LLC 709 Swedeland Road King of Prussia, PA 19406	Upper Merion Township Montgomery County	SERO
PAG030297	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	XPO Logistics Freight Inc. 2211 Old Earhart Road Suite 100 Ann Arbor, MI 48105-2963	Upper Merion Township Montgomery County	SERO
PAG032223	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fedex Ground PKG System Inc. Environmental Services 1000 Fedex Drive Moon Township, PA 15108	Pittston Township Luzerne County	NERO
PAG032270	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JB Hunt Transportation Inc. 705 A North Bloomington Street Lowell, AR 72745	Pittston Township Luzerne County	NERO
PAG033535	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Modlogiq Inc. 191 Quality Circle New Holland, PA 17557-9007	Earl Township Lancaster County	SCRO
PAG033609	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	DS Smith 100 N Grace Street Reading, PA 19611	Reading City Berks County	SCRO
PAG033677	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Miller Chemicals & Fertilizer P.O. Box 333 120 Radio Road Hanover, PA 17331-0333	Conewago Township Adams County	SCRO
PAG033693	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Meyer Oil Co. P.O. Box 2004 Cleona, PA 17042-2004	Cleona Borough Lebanon County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033777	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Allegheny Towing & Salvage Co. 475 Poplar Neck Road Birdsboro, PA 19508-8300	Cumru Township Berks County	SCRO
PAG034854	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cudd Energy Service 4 Girton Drive Muncy, PA 17756-6389	Clinton Township Lycoming County	NCRO
PAG034926	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Muncy Homes Inc. 1567 Route 442 Highway Muncy, PA 17756-6853	Muncy Creek Township Lycoming County	NCRO
PAG034951	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Centre Concrete Co. 629 E Rolling Ridge Drive Bellefonte, PA 16823-8135	Lawrence Township Clearfield County	NCRO
PAG036410	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	MCC International Inc. 110 Centrifugal Court McDonald, PA 15057	Cecil Township Washington County	SWRO
PAG036505	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	TForce Freight Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Chartiers Township Washington County	SWRO
PAG036546	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gottlieb Inc. 5603 Grand Avenue Pittsburgh, PA 15225-1212	Neville Township Allegheny County	SWRO
PAG038411	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Lindy Paving Inc. 1807 Shenango Road New Galilee, PA 16141-2241	New Castle City Lawrence County	NWRO
PAG038504	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Evergreen Metallurgical LLC 679 E Butler Road Butler, PA 16002-9127	Summit Township Butler County	NWRO
PAG038505	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ezeflow USA Inc. P.O. Box 7027 New Castle, PA 16107-7027	New Castle City Lawrence County	NWRO
PAG066102	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	Braddock Borough 415 6th Street Braddock, PA 15104-1635	Braddock Borough Allegheny County	SWRO
PAG123903	PAG-12 NPDES General Permit for CAFOs	Issued	AG Ventures LLC 345 West High Street Elizabethtown, PA 17022	Jackson Township Dauphin County	SCRO
PAG132325	PAG-13 NPDES General Permit for MS4s	Waived	Hallstead Borough 127 Franklin Hill Road Box 366 Hallstead, PA 18822-9403	Hallstead Borough Susquehanna County	NERO
0223401	Pump Stations Individual WQM Permit	Issued	Findlay Township Municipal Authority 143 Frost Road Gardners, PA 17324-8812	Findlay Township Allegheny County	SWRO
0621406	Pump Stations Individual WQM Permit	Issued	Reading City 503 N 6th Street Reading, PA 19601-3085	Reading City Berks County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0240087	Single Residence STP Individual NPDES Permit	Issued	Wittenbrink Paul V 126 Oakland Place Buffalo, NY 14222-2030	Corydon Township McKean County	NWRO
PA0265390	Single Residence STP Individual NPDES Permit	Issued	Schneider Nicholas 683 Highmeyer Road Harborcreek, PA 16421-1249	Harborcreek Township Erie County	NWRO
PA0265497	Single Residence STP Individual NPDES Permit	Issued	Sutherland Michael J. 469 Indian Crk Eldred, PA 16731-4011	Eldred Township McKean County	NWRO
PA0265845	Single Residence STP Individual NPDES Permit	Issued	Dornhoefer Kenneth 9543 Station Road Erie, PA 16510-5636	Greenfield Township Erie County	NWRO
PA0271519	Single Residence STP Individual NPDES Permit	Issued	Sevin Lisa 250 Tieline Road Grove City, PA 16127	Pine Township Mercer County	NWRO
PA0271811	Single Residence STP Individual NPDES Permit	Issued	Aiello Maria 639 Maxwell Road Clarion, PA 16214-7137	Highland Township Clarion County	NWRO
PA0293121	Single Residence STP Individual NPDES Permit	Issued	Strausser James 24 Bentley Avenue Greenville, PA 16125-1847	Otter Creek Township Mercer County	NWRO
PA0294128	Single Residence STP Individual NPDES Permit	Issued	Cartmell William and Lindsay 112 Powder Mill Hollow Road Boyertown, PA 19512-8677	Colebrookdale Township Berks County	SCRO
PA0295191	Single Residence STP Individual NPDES Permit	Issued	Natale Raymond 1820 Scrubgrass Road Jackson Center, PA 16133-2202	Findley Township Mercer County	NWRO
PA0295205	Single Residence STP Individual NPDES Permit	Issued	Conrad Kenneth 136 Wiegand Drive Cranberry Township, PA 16066-3008	Cranberry Township Butler County	NWRO
0623403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Cartmell William and Lindsay 112 Powder Mill Hollow Road Boyertown, PA 19512-8677	Colebrookdale Township Berks County	SCRO
1023411	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Conrad Kenneth 136 Wiegand Drive Cranberry Township, PA 16066-3008	Cranberry Township Butler County	NWRO
1618411	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Aiello Maria 639 Maxwell Road Clarion, PA 16214-7137	Highland Township Clarion County	NWRO
4323409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Strausser James 24 Bentley Avenue Greenville, PA 16125-1847	Otter Creek Township Mercer County	NWRO
4323412	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Natale Raymond 1820 Scrubgrass Road Jackson Center, PA 16133-2202	Findley Township Mercer County	NWRO
WQG02212301	WQG-02 WQM General Permit	Issued	Silver Spring Township Authority 5 Willow Mill Park Road Suite 3 Mechanicsburg, PA 17050-8238	Silver Spring Township Cumberland County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2223402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Constellation Energy Generation, LLC P.O. Box 480 Route 441 South Middletown, PA 17057	Londonderry Township Dauphin County	SCRO
PAD510228	Chapter 102 Individual NPDES Permit	Issued	HG Wheatsheaf Vertical, LLC 1 Kimberly Road Suite 105 East Brunswick, NJ 08816	Philadelphia City Philadelphia County	SERO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC380287	PAG-02 General Permit	Issued	Aconite Group, LLC 1405 Birch Road Lebanon, PA 17042	South Annville Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717-277-5275
PAC380280	PAG-02 General Permit	Issued	Cornwall-Lebanon School District 105 East Evergreen Road Lebanon, PA 17042	Richland Borough Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717-277-5275
PAC380281	PAG-02 General Permit	Issued	Boyd Hess Richland, LLC 600 Olde Hickory Road Lancaster, PA 1i7601	Richland Borough Lancaster County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717-277-5275
PAC360347 A-2	PAG-02 General Permit	Issued	Mennonite Home 1520 Harrisburg Pike Lancaster, PA 17601	East Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717-299-5361 ext. 5
PAC360070 A-3	PAG-02 General Permit	Issued	Lititz Reserve LLC 474 Mt. Sidney Road Lancaster, PA 17602	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717-299-5361 ext. 5
PAC100273A3	PAG-02 General Permit	Issued	Charter Homes at Crescent Inc 322 N Arch Street First Floor Lancaster, PA 17603	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC430094	PAG-02 General Permit	Issued	Sunrise Airport Road LLC 1407 Broadway 24th Floor New York, NY 10018	Coolspring Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC110110	PAG-02 General Permit	Issued	Walters Avenue Storage, LLC 2241 Bedford Street Johnstown, PA 15904	Richhill Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 240 Ebensburg, PA 15931 814-472-2120 SWRO

**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>
Johnathan Lapp 270 Media Road Oxford, PA 19363	Chester County	3.2	224.96	Chickens/ Pullets	EV	Approved
Curtis Lehman 514 Bricker Road Bernville, PA 19506	Berks County	260.3	487.9	Poultry (broilers)	NA	Approved
James Reppert— Ranshar Farms LLC 148 Bachmoll Road Hamburg, PA 19526	Berks County	73.4	146.82	Ducks	NA	Approved
Gerry Noecker 3485 Tilden Road Mohrsville, PA 19541	Berks County	75.5	146.6	Ducks/Beef Cow/Calf Pairs	NA	Approved
Larry Dean Martin 61 Cherry Hill Road Richland, PA 17087	Berks County	90.6	236.74	Broilers	NA	Approved
Linford Snyder— A&L Farms 3304 Mountain Road Hamburg, PA 19526	Berks County	325.3	509.18	Poultry (layers)	NA	Approved

<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>
Scott and Joel Hetrick— Hetrickdale Farms 69 Hetrick Road Bernville, PA 19506	Berks County	2,069	2,968.61	Dairy	NA	Approved
Jesse Weaver 1145 Red Bank Road McAlisterville, PA 17049	Juniata County	26.2	286.72	Poultry	NA	Approved
Leon Snyder—Misty Glen Properties LP 230 Poplar Road Fleetwood, PA 19522	Lebanon County	86.9	1,884.0	Layer	NA	Approved
Willie Weiler— Weiler Farm 2 350 East Mill Avenue Myerstown, PA 17067	Lebanon County	140	1,055.67	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: Nadera Bair, Clerk II, 570-327-0551.

Construction Permit No. 0823501, Major Amendment, Public Water Supply.

Applicant	Ulster Municipal Authority Water System
Address	23639 Route 220 P.O. Box 157 Ulster, PA 18850
Municipality	Ulster Township
County	Bradford County
Consulting Engineer	Irina O Hott 466 South Main Street Montrose, PA 18801
Application Received	July 18, 2023
Permit Issued	September 21, 2023
Description	This permit grants permission to replace the existing sodium hypochlorite and caustic soda diaphragm chemical feed pumps with peristaltic metering pumps at the Ulster Filter Plant.

Construction Permit No. 1423505MA, Minor Amendment, Public Water Supply.

Applicant	Country Club Park Public Water Supply
Address	124 Short Road Spring Mills, PA 16875
Municipality	Potter Township
County	Centre County
Consulting Engineer	Dick Decker 355 Indian Lane Centre Hall, PA 16828
Application Received	May 18, 2023
Permit Issued	September 21, 2023

Description This permit authorizes replacement and operation of the distribution booster pumps with two (2) Goulds Model 3756 variable speed pumps, two (2) Yaskawa VFD Drives, and two (2) Siemens Custom pump controllers and pressure transducers.

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

Contact: Joseph M. Mattucci, Program Manager, 717-705-4708.

Emergency Permit No. 3123505 E, Major Amendment, Public Water Supply.

Applicant **PA DCNR
Bureau of State Parks
Trough Creek State Park**

Address RCSOB
8th Floor
400 Market Street
Harrisburg, PA 17101

Municipality Todd Township
County **Huntingdon County**

Consulting Engineer Joseph Herbstritt, P.E.
PA DCNR
Bureau of State Parks
400 Market Street
Harrisburg, PA 17101

Application Received September 22, 2023

Permit Issued September 26, 2023

Description Limited duration emergency operation permit extended authorizing the bulk hauling of water to Trough Creek State Park.

Construction Permit No. 0623504, Major Amendment, Public Water Supply.

Applicant **234 Rich Maiden Road LLC
Rich Maiden Golf Course**

Address 234 Rich Maiden Road
Fleetwood, PA 19522

Municipality Maiden Creek Township
County **Berks County**

Consulting Engineer Charles Kehew, II, P.E.
James R. Holley & Associates,
Inc.
18 South George Street
Suite 300
York, PA 17401

Application Received August 4, 2023

Permit Issued September 20, 2023

Description Reissued construction permit for the change in design of quantity and capacity of contact tanks to provide chlorine contact volume segments for 4-log virus inactivation.

Operation Permit No. 3123507 MA, Minor Amendment, Public Water Supply.

Applicant **Warriors Mark General
Authority**

Address P.O. Box 122
Warriors Mark, PA 16877

Municipality Warriors Mark Township

County **Huntingdon County**

Consulting Engineer Kerry Tyson, P.E.
Century Link Engineering
a Kleinfelder Company
2836 Earlstown Road
Suite 1
Centre Hall, PA 16828

Application Received September 13, 2023

Permit Issued September 14, 2023

Description Operation permit for the approval to use the temporary equipment.

Construction/Operation Permit No. 0623514 MA, Minor Amendment, Public Water Supply.

Applicant **Hamburg Municipal
Authority**

Address 61 N 3rd St
Hamburg, PA 19526

Municipality Hamburg Borough

County **Berks County**

Consulting Engineer Kerry Tyson, P.E.
Century Link Engineering
A Kleinfelder Company
2836 Earlstown Road
Suite 1
Centre Hall, PA 16828

Application Received July 5, 2023

Permit Issued September 27, 2023

Description Combined construction/operation permit approving the change in injection location of existing chemical feed systems.

Construction Permit No. 0623512, Major Amendment, Public Water Supply.

Applicant **Saucony Creek Brewing
Company**

Address 15032 Kutztown Road
Kutztown, PA 19530

Municipality Maxatawny Township

County **Berks County**

Consulting Engineer James P. Cinelli, P.E.
Liberty Environmental, Inc.
505 Penn Street
Suite 400
Reading, PA 19601

Application Received June 6, 2023

Permit Issued September 29, 2023

Description Construction permit for the proposed sodium hypochlorite disinfection system and contact tanks to provide 4-log virus inactivation.

Construction/Operation Permit No. 0723504, Major Amendment, Public Water Supply.

Applicant **Borough of Tyrone**
 Address 1100 Logan Avenue
 Tyrone, PA 16686
 Municipality Snyder Township
 County **Blair County**
 Consulting Engineer Matthew A. Coleman
 RETTEW Associates, Inc.
 330 Innovation Blvd 104
 State College, PA 16803
 Application Received August 10, 2023
 Permit Issued September 27, 2023
 Description Approval to remove the
 inoperable flash mixer.

Operation Permit No. 0623509 MA, Minor Amendment, Public Water Supply.

Applicant **Shoemakersville Borough**
 Address 846 Main Street
 Shoemakersville, PA 19555
 Municipality Shoemakersville Borough
 County **Berks County**
 Consulting Engineer Bradley D. Smith, P.E.
 ARRO Consulting, Inc.
 321 N Furnace Street
 Suite 200
 Birdsboro, PA 19508
 Application Received September 19, 2023
 Permit Issued September 27, 2023
 Description Approval to use the newly
 rehabilitated filter no. 2.

Operation Permit No. 3060094, Public Water Supply.

Applicant **Diakon Lutheran Social Ministries**
 Address Lutheran Home at Topton
 One South Home Avenue
 Topton, PA 19562
 Municipality Longswamp Township
 County **Berks County**
 Consulting Engineer R. Scott Hughes, P.E.
 Gannett Fleming, Inc.
 P.O. Box 80794
 Valley Forge, PA 19484
 Application Received June 2, 2023
 Permit Issued September 27, 2023
 Description Designation of water quality
 parameters for lead and copper
 rule optimal corrosion control
 treatment.

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

Operation Permit No. 7010100, Public Water Supply.

Applicant **Brian and Wendy Long**
 Address 1845 Baltimore Pike
 Unit C
 Gettysburg, PA 17325
 Municipality Mount Joy Township

County
 Consulting Engineer

Adams County

Hydro-Terra Group
 1106 Business Parkway S.
 Suite E
 Westminster, MD 21157
 Application Received September 19, 2023
 Permit Issued September 27, 2023
 Description Installation of a new well and
 associated treatment system.

Transfer Permit No. 7380031, Public Water Supply.

Applicant **West Cornwall Township Municipal Authority**
 Address 100 S Zinns Mill Road
 Geuntin, PA 17083
 Municipality West Cornwall Township
 County **Lebanon County**
 Application Received July 31, 2022
 Permit Issued September 27, 2023
 Description Transfer of ownership from the
 Quentin Water Company to the
 West Cornwall Township
 Municipal Authority.

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 1921502. PWSID No. **4190017**. **Millville Municipal Authority**, 136 Morehead Avenue, Millville, PA 17846, Millville Borough, **Columbia County**. Application received: September 13, 2023. Permit Issued: September 21, 2023. This Partial Operations permit authorizes the authority to operate the 2 Lovibond PTV 6000 Laser Process Turbidimeters for raw and filtered water.

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

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Construction Permit 3623528 MA. PWSID No. **7360081**. **Moyer Ziegler Partnership**, 820 E Lincoln Ave, Myerstown, PA 17067, West Cocalico Township, **Lancaster County**. Application received: July 10, 2023. Permit Issued: September 28, 2023. This action authorizes the replacement of an underground steel water pressure tank with three aboveground pressure tanks.

Construction Permit 7670368. PWSID No. **7670368**. **Holy Infant Church**, 535 Conewago Creek Rd, Manchester, PA 17345, Conewago Township, **York County**. Application received: June 23, 2023. Permit Issued: September 26, 2023. This action authorizes the installation of a water softening system and 12-gpm flow control.

Construction Permit 3623525. PWSID No. **7360077**. **Mt. Hope Nazarene Retirement Community**, 3026 Mt. Hope Home Road, Manheim, PA 17545, Rapho Township, **Lancaster County**. Application received: June 26, 2023. Permit Issued: September 28, 2023. This action authorizes the repositioning of two existing pressure tanks and the installation of a new water softening system.

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

Construction/Operation Permit 6723518 MA. PWSID No. **7210028.** **Veolia Water Pennsylvania, Inc.**, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, Newberry Township, **York County**. Application received: July 31, 2023. Permit Issued: September 27, 2023. Susquehanna Village Well No. 1 well pump replacement for the Newberry System.

Construction Permit 6723502. PWSID No. **7670098.** **ATG Properties, LLC**, P.O. Box 677, Morgantown, PA 19543, Hellam Township, **York County**. Application received: February 2, 2023. Permit Issued: September 28, 2023. Permit for construction of greensand and granular activated carbon treatment facilities for the Brookhaven Mobile Home Park.

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.

Cargill Meat Solutions, Primary Facility ID # **869499**, 65 Green Mountain Road, Hazleton, PA 18202, East Union Township, **Schuylkill County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Fegley Oil Company, Inc., 551 West Penn Pike, Tamaqua, PA 18252, submitted a Final Report concerning remediation of soil contaminated with off-road diesel fuel. The Final Report is intended to document remediation of the site to meet the Statewide health 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 Nello Tire, Primary Facility ID # **623382**, 2700 East Market Street, York, PA 17402, Springettsbury Township, **York County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of 2700 East York LLC, 1801 SW 3rd Avenue, Suite 500, Miami, FL 33129, submitted a Final Report concerning remediation of groundwater contaminated with Petroleum Compounds. The Final Report is intended to document remediation of the site to meet the site-specific standards.

Univar Solutions USA Inc., Altoona Facility, Primary Facility ID # **641514**, 627 Sugar Run Road, Altoona, PA 16601, Allegheny Township, **Blair County**. Arcadis U.S., Inc., 2100 Georgetown Drive, Suite 402, Sewickley, PA 15143, on behalf of Univar Solutions USA Inc., 6000 Parkwood Place, Dublin, OH 43016, submitted a Cleanup Plan concerning remediation of groundwater contaminated with Chlorinated VOCs. The Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

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

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

EQT Master Splinter Well Pad, Primary Facility ID # **869533**, 100 Yates Lane, Eighty Four, PA 15330, Somerset Township, **Washington County**. SE Technologies, LLC, 500 Mosites Way, Pittsburgh, PA 15205, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with chloride, aluminum, barium, lithium, manganese, selenium, strontium, vanadium, boron, zinc, and iron. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

Penneco Swiantek # 3, Primary Facility ID # **869529**, Cemetery Road, Perryopolis, PA 15473, Perry Township, **Fayette County**. Woodard & Curran, 400 Penn Center Boulevard, Suite 600, Pittsburgh, PA 15235, on behalf of Penneco Oil Company, Inc., 6608 Route 22, Delmont, PA 15626, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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.

Former Howes Leather Corporation Site—Western Parcel, Primary Facility ID # **623654**, 50 Cooper Road, Curwensville, PA 16833, Curwensville Borough, **Clearfield County**. Tetra Tech, Inc., 6715 Tippecanoe

Road, Suite C201, Canfield, OH 44406, on behalf of Clearly Ahead Development, 149 W Market Street, Suite 200, Clearfield, PA 16830, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with a leather tannery treatment facility with volatile organic and inorganic compounds. The Report demonstrated attainment of the Statewide health and site-specific standards. Approved: September 29, 2023.

Former Paxar Facility, Primary Facility ID # **715430**, 1 Wilcox Street, Sayre, PA 18840, Sayre Borough, **Bradford County**. Vanasse Hangen Brustlin, Inc., 1805 Atlantic Avenue, Manasquan, NJ 08736, on behalf of Avery Dennison Corporation, 8080 Norton Parkway, Mentor, OH 44060, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Plan Approved: September 27, 2023.

Irvona Municipal Authority, Primary Facility ID # **868750**, 381 Berwind Street, Irvona, PA 16656, Irvona Borough, **Clearfield County**. Insite Group, Inc., 611 S. Irvine Avenue, Sharon, PA 16146, on behalf of Irvona Municipal Authority, P.O. Box 274, Irvona, PA 16656, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 27, 2023.

Floydie BRA 22HC on the Floydie BRA Well Pad, Primary Facility ID # **864208** and **865313**, 896 Peet Hill Road, Laceyville, PA 18823, Tuscarora 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 fluid. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 29, 2023.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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.

WMGR123-NE012. SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, New Milford Township, **Susquehanna County**. A determination of applicability for the processing, transfer and beneficial use of oil and gas liquid waste at the Warner Water Transfer facility. Application received: March 23, 2023. Issued: September 27, 2023.

Persons interested in reviewing the permit may contact 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 DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR123-NE013. SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, New Milford Township, **Susquehanna County**. A determination of applicability for the processing, transfer and beneficial use of oil and gas liquid waste at the Loke Water Transfer facility. Application received: March 23, 2023. Issued: September 27, 2023.

Persons interested in reviewing the permit may contact 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 DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

Contact: Carrie Fleming, Program Manager.

WMGR151SC001. Cavalier Environmental Compliance Services, Inc. (CECS), 22 Howard Boulevard, Suite 204, Mt. Arlington, NJ 07856, Fairview Township, **York County**. This application is for coverage under WMGR151 which authorizes the beneficial use of screenings from the processing of construction and demolition waste and industrial wood base waste for use as a bulking agent prior to disposal of the bulked waste by landfilling or incineration. The processing is conducted at CECS's facility at 482 Houses Corner Road, Sparta, NJ 07871. Application received: January 13, 2023. Deemed administratively complete: February 24, 2023. Issued: September 29, 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 Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

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

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

49-00070A: Atlantic Metal Industries, 600 Susquehanna Trail, Liverpool, PA 17045, Point Township, **Northumberland County**. The Department issued a plan approval to construct and operate a 40 ton per hour Texas model 80104 scrap metal shredder at the proposed Railroad Street facility. Application received: February 9, 2023. Issued: October 2, 2023. Expiration date: April 1, 2025.

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

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

09-0197B: Hiossen, Inc., 85 Ben Fairless Dr, Fairless Hills, PA 19030-5012, Falls Township, **Bucks County**. This action is for a proposed modification of processes at this existing facility to include the following: (a) the

installation and operation of a new acid etching unit (Source ID 103) that will vent to the existing back-up packed tower scrubber (Source ID C103); and (b) the existing acid etching unit (Source ID 102) that will vent only to the primary packed tower scrubber (Source ID C102). Application received: January 30, 2023. Issued: September 26, 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.

55-00007: Lozier Corporation, 48 East Ohio St., McClure, PA 17841, McClure Borough, **Snyder County**. The Department issued a renewal State Only (Natural Minor) Operating Permit for their manufacturing facility. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with State and Federal regulations. New expiration date: October 1, 2028. Application received: November 7, 2022. Issued: October 2, 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.

40-00125: Sunlight Crematory of Wilkes-Barre LLC, 628 Nanticoke St, Hanover Township, PA 18706, Hanover Township, **Luzerne County**. The Department has issued a renewal State-Only Operating Permit for their cremation units. 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: May 4, 2023. Accepted: May 4, 2023. Issued: September 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.

03-00202: Peoples Natural Gas Co. LLC Roaring Run Station, 1201 Pitt Street, Pittsburgh, PA 15221, Kiskiminetas Township, **Armstrong County**. The Department issued the renewal of the State Only Operating Permit for Peoples Natural Gas Co Roaring Run Station for the compression and delivery of natural gas into the pipelines for transportation to People's distribution system. The facility is a Natural Minor. The primary sources at the facility consist of 670 bhp compressor engine, emergency generator, fugitive VOC emissions, storage tanks, and compressor blowdowns. The potential emissions for this facility are estimated at 3.77 tpy NO_x, 2.27 tpy CO, 2.36 tpy VOC, 0.90 tpy HAPS and 7.34 tpy methane. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act

and the Air Pollution Control Act. Application received: August 4, 2022. Issued: September 28, 2023.

43-00294: Intl Timber & Veneer/Jackson Commerce Park, 75 McQuiston Dr, Jackson Center, PA 16133-1635, Jackson Township, **Mercer County**. The Department issued a renewal State Only Natural Minor Operating Permit for the hardwood veneer and plywood manufacturing facility. The facility's primary emission sources include: a 23.9 mmBtu/hr wood fired boiler controlled by primary and secondary cyclones, an 8.4 mmBtu/hr natural gas boiler, three space heaters, four veneer dryers, and sawing, grinding and chipping sources controlled by cyclones for the processing of hardwood logs into veneer. The PM, SO_x, NO_x, CO, and VOC emissions are less than 22 TPY, 3 TPY, 30 TPY, 69 TPY, and 8 TPY, respectively; thus, the facility is a natural minor. The wood-fired boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The 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: September 15, 2022. Renewal issued: September 26, 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.

38-03035: V&S Lebanon Galvanizing LLC, 987 Buckeye Park Road, Columbus, OH 43207-2596, Union Township, **Lebanon County**. For the hot dip galvanizing facility. The State-Only Permit was renewed. Application received: May 9, 2023. Issued: September 26, 2023.

36-05157: Ivy Creek Custom Cabinetry, Inc., 99 Elmwood Avenue, Landisville, PA 17538-1305, East Hempfield Township, **Lancaster County**. For the wood cabinet manufacturing facility. The State-Only Permit was renewed. Application received: April 27, 2023. Issued: September 26, 2023.

38-03022: Murry's Inc., 1501 Willow Street, Lebanon, PA 17046-4578, City of Lebanon, **Lebanon County**. For their meat-derived foodstuff processing facility. The State-Only Permit was renewed. Application received: April 28, 2023. Issued: September 26, 2023.

06-03102: City of Reading, 815 Washington Street, Reading, PA 19601-3615, City of Reading, **Berks County**. For the Reading WWTP. The State-Only Permit was renewed. Application received: August 31, 2022. Issued: September 26, 2023.

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

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

46-00007: Holy Redeemer Hospital & Medical Center, 1648 Huntingdon Pike, Meadowbrook, PA 19046-8001, Abington Township, **Montgomery County**. This action is for the renewal of a Synthetic Minor Operating Permit for two 12.247 MMBtu/hr boilers, one 20.4 MMBtu/hr boiler, and three emergency generators at an existing hospital and medical center. Application received: August 30, 2022. Issued: September 25, 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.

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.

28-05015: Blue Ridge Landfill Co., 1660 Orchard Drive, Chambersburg, PA 17201-9206, Greene Township, **Franklin County**. For the landfill facility. The Title V permit was administratively amended to incorporate the provisions of Plan Approval No. 28-05015C. Application received: September 5, 2023. Issued: September 25, 2023.

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

36-03120: Wenger Feeds, LLC, 220 Eby Chiques Road, Mount Joy, PA 17552-8800, Rapho Township, **Lancaster County**. For the animal feed processing facility. The State-Only Permit was administratively amended in order to reflect a change of ownership. Application received: May 5, 2023. Issued: September 28, 2023.

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

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.

14-00002: Graymont (PA), Inc., 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. The facility has been authorized to make multiple de minimis emission increases of NO_x, CO, VOC, and PM₁₀ over the permit cycle term, including the installation of a temporary sampler chute estimated to have an increase of 0.003 ton/yr PM₁₀; the reconfiguration of the C322 dust collector/Source ID P308 estimated to be an increase of 0.1 ton/yr PM₁₀, the installation of a new emergency engine estimated to be increases of 0.11 ton/yr PM₁₀, 0.30 ton/yr NO_x, 0.10 ton/yr SO_x, 0.60 ton/yr CO, and 0.14 ton/yr VOC; the installation of a small (0.329 MMBtu/hr), natural gas-fired space heater estimated to be increases of 0.003 ton/yr PM₁₀, 0.008 ton/yr NO_x, 0.001 ton/yr SO_x, 0.12 ton/yr CO, and 0.008 ton/yr VOC; the filter bag change associated with Source ID C313F estimated to emit 0.00 ton/yr PM₁₀; the reconfiguration of C306/C325 dust collection to conveyor (345-BEC-876) estimated to be an increase of 0.26 ton/yr PM₁₀; the installation of a drag conveyor (Silo 21/22) estimated to be an increase of 0.034 ton/yr PM₁₀; the relocation of a blow line (Silo 55) estimated to be an increase of 0.00 ton/yr PM₁₀; and the installation of the new hydrate system blending screw estimated to be an increase of 0.01 ton/yr PM₁₀. Moreover, the total de minimis increases are estimated to be 0.52 ton/yr PM₁₀, 0.30 ton/yr NO_x, 0.10 ton/yr SO_x, 0.72 ton/yr CO, and 0.15 ton/yr VOC and below the respective thresholds under 25 Pa. Code section 127.449. All pertinent documents are available for public review during normal business hours at the PA DEP'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.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Permits

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

Contact: Bonnie Herbert, Clerical Assistant 3.

Mining Permit No. 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 to add a degas borehole, affecting 4.3 surface acres. Application received: February 6, 2023. Accepted: April 7, 2023. Issued: September 7, 2023.

Mining Permit No. 11031301. NPDES No. PA0235539. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Jackson, Cambria and Croyle Townships, Cambria County. To revise the permit and related NPDES permit for installation of surface features and boreholes into the mine workings, affecting 3.3 surface acres. Application received: November 14, 2022. Accepted: January 10, 2023. Issued: September 13, 2023.

Mining Permit No. 30841317. NPDES No. PA0213527. Consol Pennsylvania Coal Company, LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Morris and Washington Townships, Greene County. To revise the permit and related NPDES permit for the addition of 5.1 acres of surface permit area and deletion of 11.7 acres of surface area for revisions to borehole access roads, affecting 6.6 surface acres. Application received: March 13, 2023. Accepted: May 9, 2023. Issued: September 14, 2023.

Mining Permit No. 30841307. NPDES No. PA0213438. Iron Emerald, LLC, 200 Evergreene Drive, P.O. Box 1020, Waynesburg, PA 15370, Franklin Township, Greene County. To revise the permit and related NPDES permit for post-mining land use change to commercial/industrial. Application received: January 13, 2023. Accepted: February 27, 2023. Issued: September 28, 2023.

Mining Permit No. 03981301. NPDES No. PA0215198. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Plumcreek and Armstrong Townships, Armstrong and Indiana Counties. To revise the permit and related NPDES permit for installation and maintenance of a rockdust borehole and communications borehole, affecting 3.4 surface acres. Application received: January 31, 2023. Accepted: March 30, 2023. Issued: September 28, 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. 10820122. NPDES No. PA0604852. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Marion Township, Mercer Township, Butler County. Renewal of an existing bituminous surface mine and associated NPDES permit. Application received: April 20, 2023. Issued: September 29, 2023.

Mining Permit No. 10813005. PA0615218. Amcord, Inc., c/o Three Rivers Management, Inc., 600 River Avenue, Suite 200, Pittsburgh, PA 15220, Washington Township, Butler County. Revision to an existing bituminous surface mine to change from chemical treatment system to passive treatment system. Application received: May 25, 2023. Issued: October 2, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54950104. Keystone Anthracite, Inc., 259 North Second Street, Girardville, PA 17935, West Mahanoy Township, Shenandoah and Gilberton Boroughs, Schuylkill County. Transfer and correction to increase the permit acreage of an anthracite surface mine, coal refuse reprocessing and preparation plant operation affecting 638.8 acres. Receiving streams: Shenandoah Creek and Mahanoy Creek. Application received: November 7, 2022. Transfer issued: September 29, 2023. Correction issued: September 29, 2023.

Mining Permit No. 54950104. GP104 Permit No. PAM122048. Keystone Anthracite, Inc., 259 North Second Street, Girardville, PA 17935, West Mahanoy Township, Shenandoah and Gilberton Boroughs, Schuylkill County. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving streams: Shenandoah Creek and Mahanoy Creek. Application received: November 7, 2022. Coverage issued: September 29, 2023.

Mining Permit No. GP12-54950104. Keystone Anthracite, Inc., 259 North Second Street, Girardville, PA 17935, West Mahanoy Township, Shenandoah and Gilberton Boroughs, Schuylkill County. Coverage to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12. Application received: November 7, 2022. Coverage issued: September 29, 2023.

Noncoal Permits

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 4873SM1. NPDES Permit No. PA002451. Magnesita Refractories Co., 425 Salem

Church Road, York, PA 17408, West Manchester Township, **York County**. Renewal of NPDES Permit on a quarry operation. Receiving streams: Honey Run and UNT to Codorus Creek. Application received: July 21, 2022. Renewal issued: September 27, 2023.

Mining Permit No. 45152801. NPDES Permit No. PA0226378. Elmer F. Possinger & Sons, Inc., P.O. Box 520, Bartonsville, PA 18321, Hamilton Township, **Monroe County**. NPDES permit on a quarry operation. Receiving stream: McMichaels Creek. Application received: February 21, 2023. Permit issued: September 29, 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.

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

Contact: RA-EPEASTERNNOGPRG@pa.gov.

E0829223-006. Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Asylum Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 22, 2023. Issued: September 27, 2023.

To construct, operate and maintain:

1. a permanent gravel access road impacting 7,191 square feet (0.165 acre) of a UNT to Susquehanna River (WWF-MF) floodway (Wyalusing, PA Quadrangle, Latitude: 41.715695°, Longitude: -76.327601°);

2. a permanent gravel access road with a 8' by 3.33' corrugated metal arch culvert with wingwalls impacting 40 linear feet (1,650 square feet) of a UNT to Susquehanna River (WWF-MF), 14,775 square feet of floodway impacts and 125 square feet (0.003 acre) of PEM and 52 square feet (.001 acre) of PSS wetland impacts (Wyalusing, PA Quadrangle, Latitude: 41.714731°, Longitude: -76.326587°);

3. an 124-foot 10-inch maximum diameter intake line with a 2.3' x 7.5' intake screen placed on the bottom of Susquehanna River (WWF-MF) impacting 59 linear feet (2,579 square feet), and a 30' x 30' equipment pump pad impacting 8,787 square feet of the floodway (Wyalusing, PA Quadrangle, Latitude: 41.713598°, Longitude: -76.326107°);

The project will result in 99 linear feet and 4,229 square feet (0.097 acre) of stream impacts, 30,753 square feet (0.706 acre) of floodway, 125 square feet (0.003 acre) of PEM and 52 square feet (.001 acre) of PSS wetland impacts, all for the purpose of establishing a water withdrawal for Marcellus well development in Asylum Township, Bradford County.

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.

E4502222-010. Stadden Group, 121 Alger Avenue, Tannersville, PA 18372, Pocono Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a road crossing and utility crossing of tributary Pocono Creek (HQ—CWF, MF) and adjacent PEM EV wetlands consisting of a 45-foot long 8.75-foot by 2.5-foot concrete box culvert depressed 12-inches below the existing streambed elevation. Project also includes an aerial utility crossing, 4 outfall structures and the removal of an existing roadway within the floodway of Pocono Creek. Project will impact a de minimus amount of wetland equal to 0.01 acre. The project is located along Stadden Road (T481), approximately 0.3 mile West of intersection with SR 0611 in Pocono Township, Monroe County (Mount Pocono, PA Quadrangle: Latitude: 41.019366, Longitude: -75.301077. Application received: October 25, 2022. Issued: September 26, 2023.

E3502223-001. Moscow Sewer Authority, P.O. Box 525, 309 Market Street, Moscow, PA 18444-0525, Moscow Borough, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain approximately 6,000 l.f. of 1 1/2 inch to 4-inch diameter sewer lines within the Van

Brunt Creek Watershed (HQ—CWF, MF) to expand service area and replace failing on-lot septic systems. Project includes the following activities: 1. Install a 1.25-inch PVC sewer lateral with length of 19.0-feet approximately 5.0-foot below Stream S2 (Van Brunt Creek). Pipe will be bored beneath stream. 2. Install a 1.25-inch PVC sewer lateral with length of 4.0-feet approximately 3.0-foot below Stream S3 (Trib Van Brunt Creek). Pipe will be bored beneath existing stream crossing. 3. Install a 2.0-inch PVC sewer force main with length of 3.0-feet approximately 7.0-foot below Stream S4 (Trib Van Brunt Creek). Pipe will be bored beneath stream. 4. Install a 4.0-inch PVC sewer force main with length of 6.0-feet approximately 6.0-foot below Stream S5 (Trib Van Brunt Creek) along SR 0690. 5. Install a 4.0-inch PVC sewer force main with length of 16.0-feet approximately 5.0-foot below Stream S6 (Van Brunt Creek) along SR 0690. The project also includes the installation of a temporary crossing of Wetland W9 for use during construction consisting of 155 l.f. of temporary timber matting. Total project impacts equal 45 l.f. of stream crossings. The project is located along SR 0690, Gardner Road and adjacent area in Moscow Borough, Lackawanna County (Moscow, PA Quadrangle, Begin—Latitude: 41.339042, Longitude: -75.535896, End—Latitude: 41.334036, Longitude: -75.554041. Application received: February 14, 2023. Issued: September 26, 2023.

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

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

E2506223-003. Artist In Residence Distillerie, 243 Rue Bombardier, Gatineau, QC J8R 0C6, Harborcreek Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District.

Permanently impact 0.232 acre of Palustrine Emergent wetlands for the construction of a distillery, storage facilities, restaurant, stormwater facilities, and utility lines approximately 760 feet southeast of the intersection of SR 430 and Interstate 90 (Hammett, PA Quadrangle N: 41.1199°; W: -79.95971°) in Harborcreek Township, Erie County. Mitigation for project impacts is through purchase of 2.37 credits through the PA ILF fund. Application received: May 12, 2023. Issued: September 20, 2023.

E1006223-001. City of Butler, 140 West North Street, Butler, PA 16001, City of Butler, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District.

Construct and maintain a pedestrian bridge with a span of 53 feet, a length of 68 feet, and a width of 6 feet over Shanks Hollow Run, along with three new playground sets, four parking lots, and other facilities in Butler Memorial Park (Butler, PA Quadrangle N: 40.873881°; W: -79.907754°) in City of Butler, Butler County. Application received: May 3, 2023. Issued: September 20, 2023.

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

Contact: 717-705-4802.

E4403223-001. Jonothan D. Hostetler, 121 Shale Bank Lane, Milroy, PA 17063, Brown Township, **Mifflin County**. U.S. Army Corps of Engineers Baltimore District.

To install and maintain a 184.00 inch by 77.00 inch aluminum box culvert with 12 inch baffles and minimum of 18 inch depressed into the streambed elevation over

Tea Creek (HQ—CWF), wing walls, 18 inch minimum depth R-4 riprap with hydraulically washed fines and the driveway; that will have 16 foot by 14 foot permanent watercourse impact, a 11 foot by 20 foot floodway due to culvert installation and 115 feet by 10 feet permanent floodway impact due to driveway construction, all for the purpose of providing an access to the private property. Latitude: 40.68638°, Longitude: -77.6144°. Application received: January 9, 2023. Issued: October 2, 2023.

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

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

E1501222-007. Kennett Township, 801 Burrows Run Road, Chadds Ford, PA 19317, Kennett Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District.

To perform the water obstruction and encroachment activities associated with the addition of 7,300+/- foot long and 6 feet wide asphalt roadside path along Chandler Mill Road parallel to the West Branch Red Clay Creek (TSF-MF), as part of the Kennett Greenway initiative in Kennett Township, Chester County, PA. This project is located in Chester County, Kennett Township, PA (USGS PA Quadrangle). Latitude: 39.821245°, Longitude: -75.716067°. Application received: September 21, 2022. Permit issued: September 26, 2023.

E1501223-011. Aqua Resources, Inc., 762 West Lancaster Avenue, Bryn Mawr, PA 19010, Tredyffrin Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District.

To propose construction and maintenance for the site associated with Aqua Exposed Sewer Manhole/Interceptor Sewer Main, about 80 feet of streambank stabilization/repair along Little Valley Creek (EV-MF). The proposed project will protect the exposed sewer main and interceptor and help reduce future scour and exposure/failure of the infrastructure. The project proposes approximately 1,488 sq ft watercourse, 5,632 sq ft floodway, and 1,591 sq ft floodplain temporary impacts. Permanent impacts include 1,036 sq feet watercourse, 488 sq ft floodway, and 6 sq ft floodplain. The site is located within Little Valley Creek between Swedesford Road and U.S. 202 SB on the ramp (Valley Forge, PA USGS Map) in Tredyffrin Township, Chester County. Latitude: 40.062160°, Longitude: -75.477270°. Application received: May 24, 2023. Permit issued: September 26, 2023.

Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: OGSUBMISSION@pa.gov, 412-442-4281.

E6307223-003. MarkWest Liberty Midstream & Resources, LLC, 4600 J. Barry Court, Suite 500, Canonsburg, PA 15317, Donegal Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Latitude: 40.093888°, Longitude: -80.475886°. Application received: May 4, 2023. Issued: September 29, 2023.

The project proposes to expose approximately 5,050 LF of existing Greaves 12" steel gas pipeline and 1,350 LF of existing Hunter 12" steel gas pipeline in preparation for

longwall mining activities under these pipelines. Pipeline exposure is anticipated to last approximately six months and will result in temporary impacts to four (4) Palustrine Emergent (PEM) wetlands and two (2) streams and their associated floodway. Proposed project impacts in-

clude excavation of the existing pipelines, stockpiling of soils, installation of temporary flume pipes and riprap aprons, installation of timber mat bridges over streams and wetlands for equipment crossing, and site restoration post-construction.

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Latitude/ Longitude</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
Stream A (UNT to Middle Wheeling Creek)	Perennial	Flume Pipe	WWF	40.0936030 -80.4841110	360	60	0.01	-
Stream A (UNT to Middle Wheeling Creek)	Perennial	Equipment Crossing	WWF	40.0936030 -80.4841110	55	5.5	0.001	-
Stream A (UNT to Middle Wheeling Creek)	Perennial	Excavation	WWF	40.0936030 -80.4841110	264	48	0.01	-
Stream A (UNT to Middle Wheeling Creek)	Perennial	Riprap Apron	WWF	40.0936030 -80.4841110	320	40	0.01	-
Stream A floodway	Perennial	Excavation and Equipment Crossing	WWF	40.0936030 -80.4841110	5,232	109	0.12	-
Stream B (UNT to Middle Wheeling Creek)	Perennial	Flume Pipe	WWF	40.0940030 -80.4798670	390	65	0.01	-
Stream B (UNT to Middle Wheeling Creek)	Perennial	Equipment Crossing	WWF	40.0940030 -80.4798670	85	8.5	0.001	-
Stream B (UNT to Middle Wheeling Creek)	Perennial	Excavation	WWF	40.0940030 -80.4798670	340	40	0.01	-
Stream B (UNT to Middle Wheeling Creek)	Perennial	Riprap Apron	WWF	40.0940030 -80.4798670	400	40	0.01	-
Stream B floodway	Perennial	Excavation & Equipment Crossing	WWF	40.0940030 -80.4798670	4,480	112	0.10	-
Wetland A	PEM	Equipment Crossing	-	40.0935810 -80.4841690	620	62	0.01	-
Wetland A	PEM	Excavation	-	40.0935810 -80.4841690	1,007	53	0.02	-
Wetland B	PEM	Flume Pipe	-	40.0936030 -80.4841110	360	60	0.01	-
Wetland B	PEM	Equipment Crossing	-	40.0936030 -80.4841110	120	12	0.002	-
Wetland B	PEM	Excavation	-	40.0936030 -80.4841110	612	36	0.01	-
Wetland C	PEM	Equipment Crossing	-	40.0938390 -80.4795900	1,030	103	0.02	-
Wetland C	PEM	Excavation	-	40.0938390 -80.4795900	1,368	72	0.03	-
Wetland D	PEM	Equipment Crossing	-	40.0936530 -80.4793670	440	44	0.01	-
Wetland D	PEM	Excavation	-	40.0936530 -80.4793670	528	44	0.01	-

Contact: RA-EPSW-OGSUBMISSION@pa.gov, 412-442-4281.

E6507222-010. Eastern Gas Transmission and Storage, Inc., 6603 West Broad Street, Richmond, VA 23230, Hempfield Township, Westmoreland County. U.S. Army Corps of Engineers Pittsburgh District. Latitude: 40.304175°, Longitude: -79.613476°. Application received: October 25, 2022. Issued: September 26, 2023.

Eastern Gas Transmission and Storage, Inc., 6603 West Broad Street, Richmond, VA 23230. Project proposes to replace the “top joint” valve assembly of the existing JW-477 gas storage well, and to construct operate and maintain fill within a section of existing stream channel, relocation of stream to the west of the existing gas storage well, installation of grade control boulder vane, J-hook and a boulder cross vane structures, root wads, and riparian plantings to stabilize the banks. This includes temporary road crossings of one stream and one wetland under GP086507222-030. Approximately 0.5 acre of total earth disturbance is anticipated as a result of the project. The project is located within Hempfield Township, Westmoreland County, Pittsburgh USACE District (40.304175, -79.613476), Sub-Basin 19D (Lower Youghiohony River Watershed), Quad Name: Greensburg). This is a Federal Energy Regulatory Commission (FERC) jurisdictional facility and the project falls under the 2.55(a) category, which is a non-reporting FERC maintenance activity.

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Perm. (Ac)</i>	<i>Impact Area Perm. (LF)</i>
Trib 37608 to Little Sewickley Creek	Perennial	Temporary Road Crossing 1	TSF	0.002	12	-	-
Trib 37608 to Little Sewickley Creek Floodway	Perennial	Temporary Road Crossing 1	TSF	0.01	39	-	-
Trib 37608 to Little Sewickley Creek	Perennial	Stream Realignment; Excavation; Installation of Structures; Construction Workspace; Fill Placement	TSF	0.014	91	0.01	57
Trib 37608 to Little Sewickley Creek Floodway	Perennial	Stream Realignment; Excavation; Installation of Structures; Construction Workspace; Fill Placement; Riparian Planting	TSF	0.17	136	0.007	46
Wetland 3	Palustrine Emergent (PEM) wetland	Temporary Road Crossing 2	-	0.005	19	-	-

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101,717-783-5784.

Contact: Josh Fair, Water Program Specialist, 717-772-5988.

EA09-018CO. Simon and Debbie Oneill, 1076 Deer Run Road, Ottsville, PA 18942, Bedminster Township, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District.

The Division of Dam Safety has approved a proposal to construct a non-jurisdictional dam across a tributary to Mink Run (CWF, MF). The dam will inundate approximately 355 feet of the tributary; no wetlands will be impacted (Bedminster, PA Quadrangle; Latitude: 40.4507, Longitude: -75.1796) in Bedminster Township, Bucks County. The project was approved on September 28, 2023. Application received: July 14, 2023. Approved: September 29, 2023.

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

Contact: 717-705-4802.

EA2103223-001. Silver Spring Township, 8 Flowers Drive, Mechanicsburg, PA 17050, Silver Spring Township, **Cumberland County**. U.S. Army Corps of Engineers Baltimore District.

To 1) Regrade, stabilize, and maintain the banks and floodway of Hogestown Run (CWF, MF), resulting in 3,182 linear feet of permanent impact to Hogestown Run (CWF, MF) and 0.64 acre of permanent impact to emergent exceptional value wetlands; 2) Install and maintain 18 log framed stone deflectors, resulting in 1,332 linear feet of permanent impact to Hogestown Run (CWF, MF); 3) Install and maintain 11 log framed cross vanes, resulting in 385 linear feet of permanent impact to Hogestown Run (CWF, MF); 4) Plant and maintain a 35-foot wide riparian buffer along each side of Hogestown Run (CWF, MF), all for the purposes of improving a section of Hogestown Run (CWF, MF) by utilizing the installation, operation, and maintenance of fish habitat enhancement structures, bank stabilization, and the introduction of a riparian buffer. The project is located along North Locust Point Road in Silver Spring Township, Cumberland County. Latitude: 40.221649°, Longitude: -77.066048°. Application received: March 28, 2023. Issued: August 10, 2023.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

ESCGP # 3 ESG295823013-00

Applicant Name **Coterra Energy Inc.**

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275

Township(s) Lathrop Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) UNT to Horton Creek (CWF, MF)

Application received: June 2, 2023

Issued: September 29, 2023

ESCGP # 3 ESG295923019-00

Applicant Name **Seneca Resources Co LLC**

Contact Person Douglas Kepler

Address 51 Zents Boulevard

City, State, Zip Brookville, PA 15825-2701

Township(s) Westfield Township

County **Tioga County**

Receiving Stream(s) and Classification(s) Broughton Hollow (WWF, MF), Tributary 31072 to Jemison Creek (WWF, MF)

Application received: September 1, 2023

Issued: September 29, 2023

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for

the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

1618 Route 61 S Schuylkill Haven PA0053, Storage Tank Facility ID # **54-27209**, 1618 Route 61 South, Schuylkill Haven, PA 17972, Schuylkill Haven Borough, **Schuylkill County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Cross-America Partners, 600 Hamilton Street, Suite 500, Allentown, PA 18101 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health standards.

Former Egan Oil Service Station, Storage Tank Facility ID # **40-28631**, 871 Exeter Avenue, Exeter, PA 18643, Exeter Borough, **Luzerne County**. Quad 3 Group, 37 North Washington Street, Wilkes-Barre, PA 18701, on behalf of K3 Development, LLC, 133 Philadelphia Avenue, West Pittston, PA 18643 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 and site-specific standards.

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

Contact: Lee, 814-332-6127.

Kwik Fill M 207, Storage Tank Facility ID # **25-23780**, 12201 E Main St, North East, PA 16428, North East Township, **Erie County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of United Refining Company, 11 Bradley St, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Diesel. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

Circle K 4212, Storage Tank Facility ID # **25-91527**, 830 Route 19 North, Waterford, PA 16441, Waterford

Borough, **Erie County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry, PA 16066, on behalf of Circle K Stores, Inc., 1100 Situs Court, Suite 100, Raleigh, NC 27606 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 residential Statewide health standards.

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

Contact: Gregory Bowman, Environmental Group Manager.

Adams County Auto and Truck Repair, Storage Tank Facility ID # **01-28005**, 720 W Elm Ave, Hanover, PA 17331-4703, Conewago Township, **Adams County**. Buchart Horn, Inc., 445 W Philadelphia St, York, PA 17401, on behalf of Shipley Energy, 415 Norway St, York, PA 17403 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The plan is intended to document the remedial actions for meeting 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.

309 Car Wash, Storage Tank Facility ID # **46-02713**, 773 Bethlehem Pike, Montgomeryville, PA 18936, Montgomery Borough, **Montgomery County**. RMS Environmental, 1000 East Walnut Street, Suite 722, Perkasie, PA 18944, on behalf of 309 Car Wash, 773 Bethlehem Pike, Montgomeryville, PA 18936 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

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

Turkey Hill # 239, Storage Tank Facility ID # **56-37192**, 829 North Center Avenue, Somerset, PA 15501, Somerset Borough, **Somerset County**. Kleinfelder, Inc., 51 Dutilil Road, Suite 240, Cranberry Township, PA 16066, on behalf of TH Minit Markets, LLC, 165 Flanders Road, Westborough, MA 01581 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel fuel. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

Diamond Mini Mart, Storage Tank Facility ID # **56-81507**, 302 Mulberry Street, Berlin, PA 15530, Berlin Borough, **Somerset County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Brett Custer, 302 Mulberry Street, Berlin, PA 15530 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

Solomons Mini Mart, Storage Tank Facility ID # **65-81314**, 615 Hancock Avenue, Vandergrift, PA 15690, Vandergrift Borough, **Westmoreland County**. Letterle &

Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Jill Solomon, 157 Sheridan Avenue, Vandergrift, PA 15690 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 site-specific standards.

GetGo # 3051, Storage Tank Facility ID # **65-80084**, 4285 State Route 51, Belle Vernon, PA 15012, Rostraver Township, **Westmoreland County**. BJAAM Environmental, Inc., P.O. Box 523, Canal Fulton, PA 44614, on behalf of Giant Eagle, Inc., 31 35th Street, Pittsburgh, PA 15201 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline and diesel fuel. The report is intended to document the remedial actions for meeting residential Statewide health and site-specific standards.

GetGo # 3102, Storage Tank Facility ID # **02-80087**, 1137 Washington Avenue, Carnegie, PA 15106, Scott Township, **Allegheny County**. Apex Companies, LLC, 975 Georges Station Road, Suite 100, Greensburg, PA 15601, on behalf of Guttman Energy, 200 Speers Street, Belle Vernon, PA 15012 submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel, kerosene, used motor oil, and unleaded and leaded gasoline. The combined plan and report is intended to document the remedial actions for meeting residential and 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.

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

Contact: Lee, 814-332-6127.

Country Fair Store 38, Storage Tank Facility ID # **25-91603**, 1810 Sassafras Street, Erie, PA 16510, City of Erie, **Erie County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of Country Fair Inc., 2251 East 30th Street, Erie, PA 16510 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Unleaded Gasoline. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on September 29, 2023.

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

Contact: Michael Stefanic, P.G., Project Officer.

29th Street Exxon, Storage Tank Facility ID # **22-17541**, 512 S 29th St, Harrisburg, PA 17104-2105, City of Harrisburg, **Dauphin County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Colloita Stores, Inc., 8 S. Seasons Dr., Dillsburg, PA 17019, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Unleaded Gasoline Constituents. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on September 25, 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.

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 228, 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 residential did not demonstrate attainment of the Statewide health and site-specific standards and was disapproved by DEP on September 25, 2023.

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 contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on September 27, 2023.

Bob Warks Liberty, 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 was acceptable to meet the site-specific standards and was approved by DEP on September 29, 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.

Rest Star Express, Storage Tank Facility ID # **02-80940**, Avenue B, Buncher Commerce Park, Leetsdale, PA 15056, Leetsdale Borough, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of The Buncher Company, 1251 Waterfront Place, Suite 201, Pittsburgh, PA 15222 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel/gasoline. The plan nonresidential was not acceptable to meet the site-specific standards and was disapproved by DEP on August 31, 2023.

Sunoco # 0002-5304, Storage Tank Facility ID # **02-20433**, 1627 Freeport Road, Natrona Heights, PA 15065, Harrison Township, **Allegheny County**. Enviro-Trac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sunoco, Inc., 5733 Butler Street, Pittsburgh, PA 15201 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report residential was not acceptable to meet the Statewide health standards and was disapproved by DEP on September 13, 2023.

980 Full Service Mart, Storage Tank Facility ID # **63-80720**, 222 SR 980, McDonald, PA 15057, Cecil Township, **Washington County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120, on behalf of PA T, P.O. Box 67676, Harrisburg, PA 17106 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and used oil COCs. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on September 13, 2023.

A to Z Convenience Store, Storage Tank Facility ID # **02-03926**, 1617 West Street, Homestead, PA 15120, Homestead Borough, **Allegheny County**. Compliance Environmental Service, 2700 Kirila Boulevard, Hermitage, PA 16148, on behalf of Gary Graham—Executor for the Estate of Robert Graham, 131 East 17th Avenue, Hermitage, PA 16148 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on September 13, 2023.

Donatis Gulf Services, Storage Tank Facility ID # **65-32363**, 1610 Freeport Road, Arnold, PA 15068, City of Arnold, **Westmoreland County**. Flynn Environmental, Inc., 5640 Whipple Avenue Northwest, North Canton, OH 44720, on behalf of Jeffrey Johasky, 2777 Valley View Drive, Lower Burrell, PA 15068 submitted a Remedial Action Plan concerning remediation of soil contaminated with unleaded gasoline. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on September 13, 2023.

**STORAGE TANKS
CLOSURE-IN-PLACE VARIANCE**

The Following Variance from Closure Requirements Under the Authority of the Storage Tank Spill Prevention Act (35 P.S. § 6021.501) and Under 25 Pa. Code Chapter 245, Subchapter E, Has Been Issued by the Bureau of Environmental Cleanup and Brownfields, P.O. Box 8762, Harrisburg, PA 17105-8762.

Central Office: Environmental Cleanup & Brownfields Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-772-5551.

Contact: ra-tanks@pa.gov.

Variance No.	U-23-0003
Applicant Name & Address	AT&T Corporation 311 S Akard St Dallas, TX 75202
Municipality	City of Philadelphia
County	Philadelphia County
Tank Type	Underground Storage Tank
Tank Capacity	25,000

The variance request asks that underground storage tanks (USTs) 001 and 002 be excluded from part of the UST closure requirements located in 25 Pa. Code § 245.452(b). Specifically, the variance requests that USTs 001 and 002 be permanently closed without being removed from the ground or filled with a non-shrinking, inert solid material as required by regulation to facilitate the installation of a new, structurally independent, field-constructed USTs built within USTs 001 and 002. A variance was granted with the following conditions: (1) AT&T Corporation shall comply with all remaining applicable requirements of 25 Pa. Code Chapter 245 and shall not violate any applicable provision of the Storage Tank and Spill Prevention Act; (2) The new, structurally independent, field-constructed UST built within USTs 001 and 002 shall be installed within one (1) year of performing the required site assessment of USTs 001 and 002; and (3) This Variance Approval will remain in effect until October 2, 2026, unless amended or revoked by the Department or terminated for any reason by AT&T Corporation or the Department.

**STORAGE TANKS
CONTAINMENT PERMEABILITY VARIANCE**

The following variance from emergency containment permeability requirements under the authority of the Storage Tank Spill Prevention Act (35 P.S. § 6021.501) and under 25 Pa. Code Chapter 245, Subchapter F, has been issued by the Bureau of Environmental Cleanup and Brownfields, P.O. Box 8762, Harrisburg, PA 17105-8762.

Central Office: Environmental Cleanup & Brownfields Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: ra-tanks@pa.gov.

Variance No.	A-21-0002
Applicant Name & Address	American Refining Group, Inc. 77 N. Kendall Ave. Bradford, PA 16701-1726

Municipality	Bradford City
County	McKean
Tank Type	Aboveground
Tank Capacity	Multiple

This variance approval replaces the variance approval published on August 19, 2023 at 53 Pa.B. 5183. The variance request asked that thirteen (13) aboveground storage tank (AST) systems be excluded from the 1×10^{-6} cm/s maximum permeability requirement for emergency containment structures for ASTs installed after October 11, 1997, located in 25 Pa. Code § 245.542(d)(1). Documentation submitted with the variance request demonstrated that unique conditions at the refinery made compliance with the requirements of § 245.542(d)(1) technically impractical, infeasible, and unsafe, and that alternative monitoring and response capabilities at the refinery were as protective of human health and the environment as those requirements. A variance was granted with the following conditions: (1) American Refining Group, Inc. (ARG) shall continue to maintain the condition, integrity, and capacity of the emergency containment structures for the designated AST systems to be fully protective of the waters of this Commonwealth; (2) ARG shall conduct and document formal inspections of the emergency containment structures for the designated AST systems three times daily, every 8 hours; (3) ARG shall continue to maintain the refinery's response and remedial action capabilities in accordance with the refinery's current Integrated Contingency Plan (ICP), as they relate to the designated AST systems; (4) ARG shall continue to maintain the integrity and functionality of the refinery's onsite drainage system, as it relates to the designated AST systems; (5) ARG shall submit, for DEP review and comment, drafts of proposed changes to the refinery's ICP that may impact the refinery's monitoring, response, and remedial action capabilities or the operation and maintenance of the refinery's onsite drainage system for the designated AST systems; (6) The variance approval applies only to the AST systems for which it was requested; (7) The variance approval will remain in effect until it is amended or revoked by DEP or terminated for any reason by ARG or DEP; (8) DEP may revoke and/or terminate the variance approval, in whole or in part, upon written notification to ARG.

[Pa.B. Doc. No. 23-1406. Filed for public inspection October 13, 2023, 9:00 a.m.]

**DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

Availability of Competitive Grants through the Infrastructure Investment and Jobs Act; Pennsylvania Grid Resilience Grants Program

The Department of Environmental Protection (Department) announces an opportunity to apply for approximately \$16 million in competitive grants offered through the Pennsylvania Grid Resilience Grants Program (Grant Program), one of the programs funded under the Infrastructure Investment and Jobs Act (IIJA) of 2021. Fund-

ing is available for eligible resilience measures intended to mitigate the impact of electric grid disruptive events.

The Department is seeking applications for innovative, advanced and transformative projects resulting in a more resilient and reliable electric grid while promoting the expansion of clean energy generation, workforce benefits and positive outcomes in disadvantaged communities. Other restrictions may apply. Entities that own or operate electric power system infrastructure throughout this Commonwealth should apply. These entities may include electric grid operators, electricity storage operators, electricity generators, transmission owners or operators, distribution providers, fuel suppliers and any other relevant entity as determined by the Department in consultation with the United States Department of Energy.

The Department will not reimburse grant recipients for project costs incurred prior to the grant performance period set forth in the applicable grant agreement. The Grant Program guidance document and application instructions are available on the Department's IJA funding for energy webpage at [https://www.dep.pa.gov/Business/Energy/OfficeofPollutionPrevention/Pages/Infrastructure-Investment-and-Jobs-Act-\(IIJA\).aspx](https://www.dep.pa.gov/Business/Energy/OfficeofPollutionPrevention/Pages/Infrastructure-Investment-and-Jobs-Act-(IIJA).aspx).

A recorded presentation providing an overview of the Grant Program and application process is available on the Department's IJA funding for energy web site during the application period. Applicants can contact the Department's Energy Programs Office at RA-EPPAGRIDRESILIENC@pa.gov with questions or to request clarification about the presentation or Grant Program documents.

Applications must be submitted through the Commonwealth's web site at <https://www.esa.dced.state.pa.us/Login.aspx>. Concept Paper submission availability will close at 11:59 p.m. on November 1, 2023. Applicants will receive feedback on Concept Papers by e-mail and given an encourage or discourage notification by November 28, 2023. Applicants may still submit a full application if given a discourage notification from the Department. The full application will be received any time upon public notice and will close at 11:59 p.m. on January 19, 2024, after which time the Department will review and score applications

RICHARD NEGRIN,
Secretary

[Pa.B. Doc. No. 23-1407. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Fiscal-Year Report for the Reclamation Fee O & M Trust Account

The Department of Environmental Protection (Department) announces the availability of a draft Fiscal-Year Report (report) for the Reclamation Fee O & M Trust Account. This account was established to provide funds for the operation and maintenance of mine drainage treatment facilities at mine sites with post-mining discharges at Alternate Bonding System Legacy Sites as defined at 25 Pa. Code § 86.17(e) (relating to permit and reclamation fees) this report contains a financial analysis of the revenue and expenditures from the account for Fiscal Year (FY) 2022-2023 and provides projections for the FY 2023-2024.

The Department will accept comments on this draft report through Monday, November 6, 2023. Commentators are encouraged to submit comments using the Department's online eComment process at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments may be mailed to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Reclamation Fee Report" as the subject line in written communication.

The report and any comments provided will be reviewed with the Mining and Reclamation Advisory Board at the November 9, 2023, meeting.

The report is available on the Department's web site at www.ahs.dep.pa.gov/eComment.

Questions regarding the draft report should be directed to Greg Greenfield, Department of Environmental Protection, Bureau of Mining Programs, Rachel Carson State Office Building, 5th Floor, P.O. Box 8461, Harrisburg, PA 17105-8461, at grgreenfie@pa.gov or (717) 787-3174.

Persons with a disability may contact the Department or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RICHARD NEGRIN,
Secretary

[Pa.B. Doc. No. 23-1408. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
AHN North Fayette Surgery Center	28 Pa. Code § 551.3 (relating to definitions)
	28 Pa. Code § 559.2(1)—(5) (relating to director of nursing)
	28 Pa. Code § 559.3(c) (relating to nursing personnel)
Allegheny Health Network Endoscopy Center, Westmoreland	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)

<i>Facility Name</i>	<i>Regulation</i>
	28 Pa. Code § 559.3(c)
Allegheny Health Network Monroeville Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Allegheny Health Network Surgery Center—Bethel Park, LLC	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Apple Hill Surgical Center Partners	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Azura Valley Access Center	28 Pa. Code § 555.32(a)—(c) (relating to administration of anesthesia)
Brandywine Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Hanover Surgicenter, LLC	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Interventional and Surgical Suites of Wilkes-Barre, LLC	28 Pa. Code § 569.35(7) (relating to general safety precautions)
Lancaster General Hospital Ambulatory Surgical Facility	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
North Shore Endoscopy Center, LLC	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Philadelphia Women's Center, Inc.	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Saint Luke's Anderson Ambulatory Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Saint Luke's Endoscopy Center—Buxmont	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Saint Luke's Endoscopy Center—Twin Rivers	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Saint Luke's West End Endoscopy Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Saint Vincent Endoscopy Center	28 Pa. Code § 551.3
	28 Pa. Code § 555.31(a) (relating to principle)
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Saint Vincent Surgery Center of Erie	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)

<i>Facility Name</i>	<i>Regulation</i>
Sally K. Balin Ambulatory Surgical Center, PC	28 Pa. Code § 553.31(a)
Susquehanna Valley Surgery Center, LLC	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Altoona Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 555.2 (relating to medical staff membership)
	28 Pa. Code § 555.3(a)—(f) (relating to requirements for membership and privileges)
	28 Pa. Code § 555.4(a)—(c) (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners)
	28 Pa. Code § 557.2(a)—(d) (relating to plan)
	28 Pa. Code § 557.3(a)—(f) (relating to Quality Assurance and Improvement Program)
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Center for Reproductive Endocrinology and Infertility	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Children's Hospital of Pittsburgh North	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Community Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Digestive Health and Endoscopy Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Hamot Surgery Center, LLC	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Leader Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Pinnacle Procedure Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Saint Margaret Harmor Outpatient Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
UPMC South Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC Specialty Care York Endoscopy	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
	28 Pa. Code § 559.3(c)
UPMC Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)

<i>Facility Name</i>	<i>Regulation</i>
	28 Pa. Code § 559.3(c)
UPMC Surgery Center Lewisburg	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
UPMC West Mifflin Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
West Shore Surgery Center, Ltd.	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)
Wexford Surgery Center	28 Pa. Code § 551.3
	28 Pa. Code § 559.2(1)—(5)
	28 Pa. Code § 559.3(c)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, 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. 23-1409. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from September 1, 2023, through September 30, 2023. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Azura Vascular Care Northeast Philadelphia	§ 567.53(1) (relating to sterilization control)	9/12/2023	Granted w/Conditions
Center for the Surgical Arts, LLC	§ 569.35(7) (relating to general safety precautions)	8/30/2023	Granted w/Conditions
Children's Hospital of Philadelphia Brandywine Valley Specialty Care and Surgery	§ 551.3 (relating to definitions)	9/12/2023	Granted w/Conditions

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 559.2(1)—(5) (relating to director of nursing)	9/12/2023	Granted w/Conditions
	§ 559.3(c) (relating to nursing personnel)	9/12/2023	Granted w/Conditions
Chop Bucks Specialty Care And Ambulatory Surgery Center	§ 551.3	9/12/2023	Granted w/Conditions
	§ 559.2(1)—(5)	9/12/2023	Granted w/Conditions
	§ 559.3(c)	9/12/2023	Granted w/Conditions
GSH Outpatient Surgery Center	§ 551.3	9/12/2023	Granted w/Conditions
	§ 559.2(1)—(5)	9/12/2023	Granted w/Conditions
	§ 559.3(c)	9/12/2023	Granted w/Conditions
Jefferson Surgery Center—Langhorne	§ 551.3	9/12/2023	Granted w/Conditions
	§ 555.31(a) (relating to principle)	9/12/2023	Granted w/Conditions
Regional Hospital Surgery Center	§ 551.3	9/12/2023	Granted w/Conditions
	§ 559.2(1)—(5)	9/12/2023	Granted w/Conditions
	§ 559.3(c)	9/12/2023	Granted w/Conditions
Temple University Hospital Northeastern Campus Endoscopy Center	§ 567.53(1)	9/12/2023	Granted w/Conditions
Wellspan Chambersburg Endoscopy Center, LLC	§ 551.3	9/12/2023	Granted w/Conditions
	§ 559.2(1)—(5)	9/12/2023	Granted w/Conditions
	§ 559.3(c)	9/12/2023	Granted w/Conditions
Wellspan Dr. Roy A. Himelfarb Surgery Center	§ 551.3	9/12/2023	Granted w/Conditions
	§ 559.2(1)—(5)	9/12/2023	Granted w/Conditions
	§ 559.3(c)	9/12/2023	Granted w/Conditions
Wellspan Surgical Center	§ 551.3	9/12/2023	Granted w/Conditions
	§ 559.2(1)—(5)	9/12/2023	Granted w/Conditions
	§ 559.3(c)	9/12/2023	Granted w/Conditions
Wellspan Surgery Center—Hanover	§ 551.3	9/12/2023	Granted w/Conditions
	§ 559.2(1)—(5)	9/12/2023	Granted w/Conditions
	§ 559.3(c)	9/12/2023	Granted w/Conditions

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
AHN Hempfield Neighborhood Hospital	§ 101.4 (relating to definitions)	8/28/2023	Granted w/Conditions
	§ 109.7 (relating to nursing staff qualifications)	8/28/2023	Granted w/Conditions
Allegheny General Hospital	§ 153.1(a) (relating to minimum standards) 2.2-3.4.5.9 support areas for staff	9/12/2023	Granted
Allegheny Valley Hospital	§ 153.1(a) 2.1-3.5.2.1(2) general	9/12/2023	Granted
	§ 153.1(a) 2.1-3.5.2.3(2)(a) handwashing station or hand scrub facilities	9/12/2023	Granted w/Conditions
The Children's Hospital of Philadelphia	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Conemaugh Memorial Medical Center	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Conemaugh Meyersdale Medical Center	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Conemaugh Miners Medical Center	§ 101.4	8/28/2023	Granted w/Conditions

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 109.7	8/28/2023	Granted w/Conditions
Conemaugh Nason Medical Center	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Crozer-Chester Medical Center	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Geisinger Medical Center Muncy	§ 153.1(a) 2.2-2.2.10.4 place for meditation and prayer	9/12/2023	Granted
	§ 153.1(a) 2.2-3.3.6.14(1) and (2) environmental services room	9/12/2023	Granted
Geisinger Wyoming Valley Medical Center	§ 51.3(b)—(d) (relating to notification)	8/28/2023	Granted w/Conditions
	§ 101.31(5) and (6) (relating to hospital requirements)	8/28/2023	Granted w/Conditions
	§ 105.15 (relating to patient identification)	8/28/2023	Granted w/Conditions
	§ 107.64 (relating to administration of drugs)	8/28/2023	Granted w/Conditions
	§ 117.30(3) and (4) (relating to emergency paramedic services)	8/28/2023	Granted w/Conditions
	§ 153.1(a) and (c)	8/28/2023	Granted w/Conditions
Grove City Hospital	§ 103.31 (relating to the chief executive officer)	9/21/2023	Granted w/Conditions
Heritage Valley Beaver	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Heritage Valley Sewickley	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Holy Redeemer Hospital	§ 51.3(a)—(d)	8/28/2023	Granted w/Conditions
	§ 101.31 (5) and (6)	8/28/2023	Granted w/Conditions
	§ 105.15	8/28/2023	Granted w/Conditions
	§ 107.64	8/28/2023	Granted w/Conditions
	§ 117.30(3) and (4)	8/28/2023	Granted w/Conditions
	§ 153.1(a) and (c)	8/28/2023	Granted w/Conditions
Lecom Health Corry Memorial Hospital	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
The Milton S. Hershey Medical Center	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Penn Highlands Brookville	§ 109.2(b) (relating to director of nursing services)	9/18/2023	Granted w/Conditions
Penn Highlands Elk	§ 109.2(b)	9/18/2023	Granted w/Conditions
Penn Highlands Huntingdon	§ 103.31	9/18/2023	Granted w/Conditions
Penn Highlands Tyrone	§ 103.31	9/18/2023	Granted w/Conditions
	§ 153.1(a) 2.12-3.2.2.1(2)(a) individual therapy room	9/18/2023	Granted
Penn State Health Hampden Medical Center	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Penn State Health Holy Spirit Medical Center	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Penn State Health Lancaster Medical Center	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Penn State Health Saint Joseph	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Regional Hospital of Scranton	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
The Robert Packer Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Saint Vincent Hospital	§ 103.31	9/21/2023	Granted w/Conditions
Select Specialty Hospital—Central Pennsylvania Harrisburg	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Troy Community Hospital, Inc.	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Uniontown Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
	§ 153.1(a) 2.2-2.2.2.2(1)(a) space requirements	9/12/2023	Granted
	§ 153.1(a) 2.2-2.10.3.2(2)(a) and (b) and (3) space requirements	9/12/2023	Granted
	§ 153.1(a) 2.2-2.11.3.2(2)(a) and (b)(ii) and (iv) continuing care nursery	9/12/2023	Granted
UPMC Kane	§ 107.62(a) and (b) (relating to oral orders)	8/29/2023	Granted w/Conditions
Wayne Memorial Hospital	§ 101.4	8/28/2023	Granted w/Conditions
	§ 109.7	8/28/2023	Granted w/Conditions
Wellspan Chambersburg Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Wellspan Ephrata Community Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Wellspan Gettysburg Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Wellspan Good Samaritan Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Wellspan Surgery and Rehabilitation Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Wellspan Waynesboro Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Wellspan York Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions
Wilkes-Barre General Hospital	§ 101.4	9/12/2023	Granted w/Conditions
	§ 109.7	9/12/2023	Granted w/Conditions

Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Cole Place	§ 201.3 (relating to definitions)	9/11/2023	Granted
Gina J. Merli Veterans Center	§ 205.7 (relating to basement or cellar)	9/5/2023	Granted
Green Home, Inc.	§ 201.3	9/11/2023	Granted
Holidays Veteran's Home	§ 205.7	9/11/2023	Granted
Mid-Valley Health Care Center	§ 211.12(f.1)(4) (relating to nursing services)	9/25/2023	Denied
Misericordia Nursing and Rehabilitation Center	§ 201.3	9/25/2023	Granted
Northampton County Home—Gracedale	§ 205.7	9/30/2023	Granted

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Saint Anne's Retirement Community	§ 205.7	9/11/2023	Granted
Saint Ignatius Nursing and Rehab Center	§ 204.19 (relating to plumbing, heating ventilation, air conditioning and electrical)	9/30/2023	Granted
Seton Manor Nursing and Rehabilitation Center	§ 205.7	9/11/2023	Granted
Spring Hill Rehabilitation and Nursing Center	§ 205.7	9/11/2023	Granted

Home Health Agencies

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
365 Health Services, LLC	§ 601.31 (relating to acceptance of patients, plan of treatment and medical supervision)	9/25/2023	Granted
	§ 601.6 (relating to definitions); regarding the definitions of licensed practical nurse and registered nurse	9/25/2023	Granted
Arsens Home Care, Inc., d/b/a CareGivers America, LLC Jenkintown	§ 611.51(a)(1) (relating to hiring or rostering of direct care workers)	9/26/2023	Granted
Care Finders Total Care, LLC	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Allentown)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Altoona)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Berwick)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Clarks Summit)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Clearfield)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Harrisburg)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Johnstown)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Lancaster)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Lebanon)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Lehighton)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Lewistown)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Milford)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Montrose)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Pittsburgh)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Plains)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Pottsville)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Sayre)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Selinsgrove)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Tannersville)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Wellsboro)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (WilliamSPORT)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (Wyomissing)	§ 611.51(a)(1)	9/26/2023	Granted
CareGivers America, LLC (York)	§ 611.51(a)(1)	9/26/2023	Granted
Helping Hand Home Care Agency, Inc.	§ 611.51(a)(1)	9/26/2023	Granted
Maxim Healthcare	§ 611.51(a)(1)	9/26/2023	Granted
Penn Home Palliative Care	§ 601.6, regarding the definitions of licensed practical nurse and registered nurse	9/25/2023	Granted
	§ 601.31	9/25/2023	Granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Penn Medicine Home Health	§ 601.6, regarding the definitions of licensed practical nurse and registered nurse	9/25/2023	Granted
	§ 601.31	9/25/2023	Granted
Philadelphia Home Care Agency, Inc.	§ 611.51(a)(1)	9/26/2023	Granted
TruCare Home Care	§ 611.51(a)(1)	9/26/2023	Granted
Union Home Care LLC	§ 611.51(a)(1)	9/26/2023	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-1410. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Home Health Agencies; Requests for Exception

The following home health care agencies are seeking MSL Compact exceptions to 28 Pa. Code § 601.6 (relating to definitions), specifically the definitions of licensed practical nurse and registered nurse:

Anova Home Healthcare Services, Inc.
875 Greentree Road
2 Parkway Court
Suite 120
Pittsburgh, PA 15220
LIC # 0239051

Bayada Home Health Care, Inc.
1611 Pond Road
Suite 103
Allentown, PA 18104
LIC # 753305

Bayada Home Health Care, Inc.
881 Marcon Boulevard
Suite 100
Allentown, PA 18109
LIC # 772205

Bayada Home Health Care, Inc.
3565 Route 611
Suite 100
Bartonsville, PA 18321
LIC # 03450501

Bayada Home Health Care, Inc.
100 Broadhead Road
Suite 120A and 120B
Bethlehem, PA 18017
LIC # 04300501

Bayada Home Health Care, Inc.
231 East Market Street
Blairsville, PA 15717
LIC # 05190501

Bayada Home Health Care, Inc.
2041 Columbia Boulevard
Bloomsburg, PA 17815
LIC # 02740501

Bayada Home Health Care, Inc.
512 Township Line Road
Building 3
Suite 303
Blue Bell, PA 19422
LIC # 06570501

Bayada Home Health Care, Inc.
233 Northern Boulevard
Suite 5A
Clarks Summit, PA 18411
LIC # 03860501

Bayada Home Health Care, Inc.
100 East Lancaster Avenue
Suite 220
Downingtown, PA 19335
LIC # 05260501

Bayada Home Health Care, Inc.
1600 Peninsula Drive
Suite 117
Erie, PA 16505
LIC # 02680501

Bayada Home Health Care, Inc.
2147 West 12th Street
Unit A5
Erie, PA 16505
LIC # 06050501

Bayada Home Health Care, Inc.
390 Waterloo Boulevard
Suite 220
Exton, PA 19341
LIC # 06300501

Bayada Home Health Care, Inc.
750 East Park Drive
Suite 102
Harrisburg, PA 17111
LIC # 77700501

Bayada Home Health Care, Inc.
2500 York Road
Suite 140
Jamison, PA 18929
LIC # 77910501

Bayada Home Health Care, Inc.
2500 York Road
Suite 150
Jamison, PA 18929
LIC # 06810501

Bayada Home Health Care, Inc.
1850 William Penn Way
Suite 110
Lancaster, PA 17601
LIC # 03490501

Bayada Home Health Care, Inc.
1850 William Penn Way
Suite 201
Lancaster, PA 17601
LIC # 723105

Bayada Home Health Care, Inc.
701 Bridge Street
Suite 201
Lehigh, PA 18235
LIC # 05950501

Bayada Home Health Care, Inc.
1 Lane
Suite 205/206
Lock Haven, PA 17745
LIC # 03660501

Bayada Home Health Care, Inc.
1305 South Mai Street
Suite 201
Meadville, PA 16335
LIC # 07220501

Bayada Home Health Care, Inc.
5001 Louise Drive
Suite 203
Mechanicsburg, PA 17055
LIC # 04350501

Bayada Home Health Care, Inc.
300 Oxford Drive
Suite 410
Monroeville, PA 15146
LIC # 77630501

Bayada Home Health Care, Inc.
4314 Old William Penn Highway
Suite 207
Monroeville, PA 15146
LIC # 07210501

Bayada Home Health Care, Inc.
11 Campus Boulevard
Suite 190
Newtown Square, PA 19073
LIC # 06380501

Bayada Home Health Care, Inc.
3409 West Chester Pike
Suite 102
Newtown Square, PA 19073
LIC # 759805

Bayada Home Health Care, Inc.
2490 Boulevard of the Generals
Suite 130
Norristown, PA 19403
LIC # 03430501

Bayada Home Health Care, Inc.
100 North 20th Street
Suite 201
Philadelphia, PA 19103
LIC # 04940501

Bayada Home Health Care, Inc.
320 Abington Drive
Suite 1
Reading, PA 19610
LIC # 01830500

Bayada Home Health Care, Inc.
8 West Snyder Street
Selingsgrove, PA 17870
LIC # 04440501

Bayada Home Health Care, Inc.
2123 East College Avenue
Suite 200
State College, PA 16801
LIC # 04460501

Bayada Home Health Care, Inc.
600 Main Street
Suite 4
Towanda, PA 18848
LIC # 04170501

Bayada Home Health Care, Inc.
209 East 3rd Street
Williamsport, PA 17701
LIC # 04260501

Bayada Home Health Care, Inc.
2325 Maryland Road
Suite 225
Willow Grove, PA 19090
LIC # 03060501

Bayada Home Health Care, Inc.
100 North Wilkes-Barre Boulevard
2nd Floor
Suite 207
Wilkes-Barre, PA 17705
LIC # 767505

Bayada Home Health Care, Inc.
1189 Highway 315
Suite 4
Wilkes-Barre, PA 17705
LIC # 027300501

Bayada Home Health Care, Inc.
2 Meridian Boulevard
2nd Floor
Wyomissing, PA 19610
LIC # 02570501

Bayada Home Health Care, Inc.
115 East New Castle Street
Zelienople, PA 19610
LIC # 04600501

Deer Meadows Home Health and Support Services,
LLC
8301 Roosevelt Boulevard
Philadelphia, PA 19152
LIC # 398121

Guthrie Home Health
421 Tomahawk Road
Towanda, PA 18848
LIC # 712005

Jefferson at Home by Bayada
100 Witmer Road
Suite 180
Horsham, PA 19044
LIC # 714505

Jefferson at Home by Bayada
1020 North Delaware Avenue
Suite 301
Philadelphia, PA 19125
LIC # 764305

Saint Luke's Home Health
40 Union Station Plaza
Bethlehem, PA 18015
LIC # 700205

Wellspan VNA Home Care
540 South George Street
York, PA 17401
LIC #700405

WVUHS, LLC
205 East Street
Uniontown, PA 15401
LIC # 08250501

The following home health care agencies are seeking
MSL Compact exceptions to 28 Pa. Code § 601.31 (relat-
ing to acceptance of patients, plan of treatment and
medical supervision):

Anova Home Healthcare Services, Inc.
875 Greentree Road
2 Parkway Court
Suite 120
Pittsburgh, PA 15220
LIC # 0239051

Bayada Home Health Care, Inc.
1611 Pond Road
Suite 103
Allentown, PA 18104
LIC # 753305

Bayada Home Health Care, Inc.
881 Marcon Boulevard
Suite 100
Allentown, PA 18109
LIC # 772205

Bayada Home Health Care, Inc.
3565 Route 611
Suite 100
Bartonsville, PA 18321
LIC # 03450501

Bayada Home Health Care, Inc.
100 Broadhead Road
Suite 120A and 120B
Bethlehem, PA 18017
LIC # 04300501

Bayada Home Health Care, Inc.
231 East Market Street
Blairsville, PA 15717
LIC # 05190501

Bayada Home Health Care, Inc.
2041 Columbia Boulevard
Bloomsburg, PA 17815
LIC # 02740501

Bayada Home Health Care, Inc.
512 Township Line Road
Building 3
Suite 303
Blue Bell, PA 19422
LIC # 06570501

Bayada Home Health Care, Inc.
233 Northern Boulevard
Suite 5A
Clarks Summit, PA 18411
LIC # 03860501

Bayada Home Health Care, Inc.
100 East Lancaster Avenue
Suite 220
Downingtown, PA 19335
LIC # 05260501

Bayada Home Health Care, Inc.
1600 Peninsula Drive
Suite 117
Erie, PA 16505
LIC # 02680501

Bayada Home Health Care, Inc.
2147 West 12th Street
Unit A5
Erie, PA 16505
LIC # 06050501

Bayada Home Health Care, Inc.
390 Waterloo Boulevard
Suite 220
Exton, PA 19341
LIC # 06300501

Bayada Home Health Care, Inc.
750 East Park Drive
Suite 102
Harrisburg, PA 17111
LIC # 77700501

Bayada Home Health Care, Inc.
2500 York Road
Suite 140
Jamison, PA 18929
LIC # 77910501

Bayada Home Health Care, Inc.
2500 York Road
Suite 150
Jamison, PA 18929
LIC # 06810501

Bayada Home Health Care, Inc.
1850 William Penn Way
Suite 110
Lancaster, PA 17601
LIC # 03490501

Bayada Home Health Care, Inc.
1850 William Penn Way
Suite 201
Lancaster, PA 17601
LIC # 723105

Bayada Home Health Care, Inc.
701 Bridge Street
Suite 201
Lehighton, PA 18235
LIC # 05950501

Bayada Home Health Care, Inc.
1 Lane
Suite 205/206
Lock Haven, PA 17745
LIC # 03660501

Bayada Home Health Care, Inc.
1305 South Main Street
Suite 201
Meadville, PA 16335
LIC # 07220501

Bayada Home Health Care, Inc.
5001 Louise Drive
Suite 203
Mechanicsburg, PA 17055
LIC # 04350501

Bayada Home Health Care, Inc.
300 Oxford Drive
Suite 410
Monroeville, PA 15146
LIC # 77630501

Bayada Home Health Care, Inc.
4314 Old William Penn Highway
Suite 207
Monroeville, PA 15146
LIC # 07210501

Bayada Home Health Care, Inc.
11 Campus Boulevard
Suite 190
Newtown Square, PA 19073
LIC # 06380501

Bayada Home Health Care, Inc.
3409 West Chester Pike
Suite 102
Newtown Square, PA 19073
LIC # 759805

Bayada Home Health Care, Inc.
2490 Boulevard of the Generals
Suite 130
Norristown, PA 19403
LIC # 03430501

Bayada Home Health Care, Inc.
100 North 20th Street
Suite 201
Philadelphia, PA 19103
LIC # 04940501

Bayada Home Health Care, Inc.
320 Abington Drive
Suite 1
Reading, PA 19610
LIC # 01830500

Bayada Home Health Care, Inc.
8 West Snyder Street
Selingsgrove, PA 17870
LIC # 04440501

Bayada Home Health Care, Inc.
2123 East College Avenue
Suite 200
State College, PA 16801
LIC # 04460501

Bayada Home Health Care, Inc.
600 Main Street
Suite 4
Towanda, PA 18848
LIC # 04170501

Bayada Home Health Care, Inc.
209 East 3rd Street
Williamsport, PA 17701
LIC # 04260501

Bayada Home Health Care, Inc.
2325 Maryland Road
Suite 225
Willow Grove, PA 19090
LIC # 03060501

Bayada Home Health Care, Inc.
100 North Wilkes-Barre Boulevard
2nd Floor
Suite 207
Wilkes-Barre, PA 767505
LIC # 767505

Bayada Home Health Care, Inc.
1189 Highway 315
Suite 4
Wilkes-Barre, PA 18702
LIC # 027300501

Bayada Home Health Care, Inc.
2 Meridian Boulevard
2nd Floor
Wyomissing, PA 19610
LIC # 02570501

Bayada Home Health Care, Inc.
115 East New Castle Street
Zelienople, PA 19610
LIC # 04600501

Deer Meadows Home Health and Support Services,
LLC
8301 Roosevelt Boulevard
Philadelphia, PA 19152
LIC # 398121

Guthrie Home Health
421 Tomahawk Road
Towanda, PA 18848
LIC # 712005

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100 Witmer Road
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1020 North Delaware Avenue
Suite 301
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Saint Luke's Home Health
40 Union Station Plaza
Bethlehem, PA 18015
LIC # 700205

Wellspring VNA Home Care
540 South George Street
York, PA 17401
LIC #700405

WVUHS, LLC
205 East Street
Uniontown, PA 15401
LIC # 08250501

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379, fax (717) 787-3188, ra-communityprogramensure@pagov.

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. 23-1411. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
AHN Wexford Hospital	28 Pa. Code § 101.4 (relating to definitions)
	28 Pa. Code § 109.7 (relating to nursing staff qualifications)
Allegheny General Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Allegheny Valley Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Butler Memorial Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 107.26(b)(2) and (4) (relating to additional committees)
	28 Pa. Code § 109.7
Canonsburg Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Clarion Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 107.26(b)(2) and (4)
	28 Pa. Code § 109.7
Forbes Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
The Fulton County Medical Center	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Geisinger—Community Medical Center	28 Pa. Code § 107.64 (relating to administration of drugs)
Geisinger—Lewistown Hospital	28 Pa. Code § 103.31 (relating to the chief executive officer)
Geisinger Medical Center	28 Pa. Code § 107.64
Geisinger Saint Luke's Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Geisinger Wyoming Valley Medical Center	28 Pa. Code § 107.64
Grove City Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Helen M. Simpson Rehabilitation Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Indiana Regional Medical Center	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Jefferson Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
The Lancaster General Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Mount Nittany Medical Center	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Penn State Health Lancaster Medical Center	28 Pa. Code § 138.18(a) and (b) (relating to EPS studies)
Penn State Health Rehabilitation Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Punxsutawney Area Hospital, Inc.	28 Pa. Code § 101.4
	28 Pa. Code § 109.7

<i>Facility Name</i>	<i>Regulation and relating to</i>
Saint Clair Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Luke's Hospital—Anderson Campus	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Luke's Hospital—Carbon Campus	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Luke's Hospital—Easton Campus	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Luke's Hospital—Miners Campus	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Luke's Hospital—Monroe Campus	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Luke's Hospital—Upper Bucks Campus	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Luke's Hospital of Bethlehem, Pennsylvania	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Saint Vincent Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Select Specialty Hospital—Erie, Inc.	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Select Specialty Hospital—Johnstown, Inc.	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Select Specialty Hospital—Laurel Highlands, Inc.	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Select Specialty Hospital—McKeesport, Inc.	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Select Specialty Hospital—Pittsburgh/UPMC, Inc.	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Sharon Regional Health System	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Troy Community Hospital, Inc.	28 Pa. Code § 103.31
UPMC Altoona	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Bedford	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Carlisle	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Children's Hospital of Pittsburgh	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Cole	28 Pa. Code § 101.4
	28 Pa. Code § 107.62(a) and (b) (relating to oral orders)
	28 Pa. Code § 109.7
UPMC East	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Hamot	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Hanover	28 Pa. Code § 101.4
	28 Pa. Code § 109.7

<i>Facility Name</i>	<i>Regulation and relating to</i>
UPMC Horizon	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Jameson	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Kane	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Lititz	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Magee-Womens Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC McKeesport	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Memorial	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Mercy	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Muncy	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Northwest	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Passavant	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Pinnacle Hospitals	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Presbyterian Shadyside	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Saint Margaret	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Somerset	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Wellsboro	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
UPMC Williamsport	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
West Penn Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7
Wilkes-Barre General Hospital	28 Pa. Code § 101.4
	28 Pa. Code § 109.7

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
Children's Hospital of Philadelphia, The	2.1-2.8.9.2(4) features	22
Geisinger—Community Medical Center	2.2-3.10.2.2(1) hemodialysis patient care stations	22
	2.2-3.10.2.5(1) and (2) handwashing stations	22
Lower Bucks Hospital	2.2-2.6.2.2(1) space requirements	22

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
	2.2-2.6.2.2(3)(b) space requirements	22
	2.2-2.6.2.3(3)(b) windows	22
	2.2-2.6.2.6(1) toilet room or human waste disposal room	22
Saint Luke's Hospital of Bethlehem, Pennsylvania	2.2-3.5.2.2(1)(b)(i) and (ii) space requirements	22
UPMC Hamot	2.1-3.4.4.2 phase I post-anesthetic care unit (PACU)	18
	2.1-3.4.4.3 phase I post-anesthetic care unit (PACU)	18

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by "-O."

² 2022 Year FGI Regulations for Outpatient Facilities are indicated by "-O."

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-1412. Filed for public inspection October 13, 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 § 201.3 (relating to definitions):

Avalon Place
3410 West Pittsburgh Road
New Castle, PA 16101
FAC ID # 194102

Avalon Springs Place
745 Greenville Road
Mercer, PA 16317
FAC ID # 132402

Cole Place
1001 East Second Street
Coudersport, PA 16915
FAC ID # 031802

Complete Care at Harston Hall, LLC
350 Haws Lane
Flourtown, PA 19301
FAC ID # 080702

Dock Terrace
275 Dock Drive
Lansdale, PA 19446
FAC ID # 044402

Green Home, Inc.
37 Central Avenue
Wellsboro, PA 16901
FAC ID # 072202

Haven Place
24 Cree Drive
Lock Haven, PA 17745
FAC ID # 122202

Jameson Care Center, Inc.
3349 Wilmington Road
New Castle, PA 16105
FAC ID # 069402

Kinzua Healthcare and Rehabilitation Center
205 Water Street
Warren, PA 16365
FAC ID # 071402

Moravian Hall Square Health and Wellness Center
175 West North Street
Nazareth, PA 18064
FAC ID # 392702

Mountain City Nursing and Rehabilitation Center
403 Hazle Township Boulevard
Hazle Township, PA 18202
FAC ID # 085602

Muncy Place
411 1/2 West Mahoning Street
Punxsutawney, PA 15767
FAC ID # 021802

Oil City Healthcare and Rehabilitation Center
1293 Grandview Road
Oil City, PA 16301
FAC ID # 331502

Phoebe Allentown Health Care Center
1925 Turner Street
Allentown, PA 18104
FAC ID # 161302

Phoebe Berks Health Care Center, Inc.
1 Heidelberg Drive
Wernersville, PA 19565
FAC ID # 167802

Phoebe Richland Health Care Center
108 South Main Street
Richlandtown, PA 18955
FAC ID # 260302

Phoebe Wyncote
208 Fernbrook Avenue
Wyncote, PA 19095
FAC ID # 232102

Sugar Creek Station Skilled Nursing and
Rehabilitation Complex
351 Causeway Drive
Franklin, PA 16323
FAC ID # 220602

UPMC Magee-Womens Hospital Transitional Care
Unit
300 Halket Street
Pittsburgh, PA 15213
FAC ID # 65030201

UPMC Northwest Transitional Care Unit
100 Fairfield Drive
Seneca, PA 16346
FAC ID # 151002

Walnut Creek Healthcare and Rehabilitation Center
4850 Zuck Road
Erie, PA 16506
FAC ID # 020602

Willowbrooke Court Skilled Care Center at Brittany
Point Estates
1001 Valley Forge Road
Lansdale, PA 19446
FAC ID # 740902

Willowbrooke Court Skilled Care Center at
Southampton Estates
238 Street Road
Southampton, PA 18966
FAC ID # 151302

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 205.7 (relating to basement or cellar):

Cheltenham Nursing and Rehabilitation Center
600 West Cheltenham Avenue
Philadelphia, PA 19126
FAC ID # 032202

Ephrata Manor
99 Bethany Road
Ephrata, PA 17522
FAC ID # 053502

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-DHPADNCFEXCEPT@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. 23-1413. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Thursday, November 2, 2023, from 10 a.m. to 1:30 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at the Department of Health, 625 Forster Street, 10th Floor, Room 1000, Harrisburg, PA. There will be a virtual option available using Microsoft Teams. The information for calling into the meeting is to dial (267) 332-8737 and enter conference ID 684452547#. Contact the Organ Donation Program at (717) 787-5876 or ra-dhorgandonation@pa.gov to RSVP or with any questions regarding the meeting. It is requested that all RSVP responses are received no later than October 27, 2023.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Amy Flaherty, Director, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5876, 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).

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-1414. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Change to Disproportionate Share Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final public notice of its increase to the funding and amendment of the payment methodology for a class of disproportionate share hospital (DSH) payments for qualifying acute care general hospitals for Fiscal Year (FY) 2022-2023. These payments will provide financial relief to hospitals that provided access to acute care services for Medical Assistance (MA) beneficiaries during

the novel coronavirus pandemic. The Department is not otherwise changing the qualifying criteria for these payments.

The Department published notice of its intent to allocate funding and amend payment methodology for these payments at 53 Pa.B. 2489 (May 6, 2023). The Department received no comments during the 30-day comment period. The Department will implement the changes set forth in the notice of intent.

Fiscal Impact

The FY 2022-2023 impact, as a result of the increase in the allocation for these DSH payments, is an annualized amount of \$170.421 million in total funds (State and Federal).

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1594. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2022-23 is \$36,802,000; (3) 1st Succeeding Year 2023-24 is \$38,600,000; 2nd Succeeding Year 2024-25 through 5th Succeeding Year 2027-28 are \$0; (4) 2021-22 Program—\$644,059,000; 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; (7) MA—Fee-for-Services; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 23-1415. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Disposing of Excess Land

Under 67 Pa. Code § 495.4(d) (relating to application procedure), the Department of Transportation is disposing of excess land located at the following locations: 33-04-0023 Pottstown Pike, Exton, PA, Chester County, approximately 1,364 ± square feet/hectares, adjacent to SR 100 Sections VAN Parcel 9; 33-04-0023.0200 Pottstown Pike, Exton, PA, Chester County, approximately 0,166 ± square feet/hectares, adjacent to SR 100 Sections VAN Parcel 23; 33-04-0029 Pottstown Pike, Exton, PA, Chester County, approximately 0,789 ± square feet/hectares, adjacent to SR 100 Sections VAN Parcel 7; 33-04-0023 Pottstown Pike, Exton, PA, Chester County, approximately 1,978 ± square feet/hectares, adjacent to SR 100 Sections VAN Parcel 6; and 33-04-0027 Pottstown Pike, Exton, PA, Chester County, approximately 1,722 ± square feet/hectares, adjacent to SR 100 Sections VAN Parcel 7.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Louis Belmonte, PE, District Executive, Engineering District 6.0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

Questions regarding this application or the proposed use may be directed to Barbara DiCianno, Right-of-Way Administrator, 7000 Geerdes Boulevard, King of Prussia, PA 19406, (610) 205-6504.

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 23-1416. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Medical Advisory Board Meeting

The Medical Advisory Board (Board) will meet on Friday, October 27, 2023. The meeting will begin at 10 a.m. at the Riverfront Office Center, Transportation University, 1101 South Front Street, Harrisburg, PA. Chairperson Diosdado Arroyo will preside. The meeting is open to the public.

Members of the public interested in addressing the Board with a concern relating to medical regulations must contact Robert Dowling at (717) 783-4534 by Friday, October 20, 2023. These concerns will be discussed during “Items from the Floor” on the agenda, which will open at 12 p.m.

The meeting location is accessible to persons with disabilities. Persons with special needs or requiring special aids are also requested to contact Robert Dowling at (717) 783-4534 prior to the meeting so that disability needs may be accommodated.

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 23-1417. Filed for public inspection October 13, 2023, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Advisory Committee Meeting

The State Transportation Advisory Committee will hold a meeting on Wednesday, October 18, 2023, from 10 a.m. to 12 p.m. This meeting will be held in the Keystone Building, 8N1, 400 North Street, Harrisburg, PA and by means of Microsoft Teams. The meeting information including the agenda is available at <https://bit.ly/3PgeVVn>.

For more information, contact the Office of the State Transportation Commission, (717) 787-2913, RA-PennDOTSTC@pa.gov.

MICHAEL CARROLL,
Secretary

[Pa.B. Doc. No. 23-1418. Filed for public inspection October 13, 2023, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-5326	State Board of Osteopathic Medicine Child Abuse Reporting Requirements	09/15/23	11/16/23
16A-6322	State Board of Psychology Child Abuse Reporting Requirements	09/15/23	11/16/23
11-261	Insurance Department Preparation of Forms	09/06/23	11/16/23

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 23-1419. Filed for public inspection October 13, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Quality Life Services—Chicora, LLC

Quality Life Services—Chicora, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Quality Life Services—Chicora in Chicora, PA. The initial filing was received on October 3, 2023, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 23-1420. Filed for public inspection October 13, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Quality Life Services—Grove City, LLC

Quality Life Services—Grove City, LLC has applied for a Certificate of Authority to operate a Continuing Care

Retirement Community at Quality Life Services—Grove City in Grove City, PA. The initial filing was received on October 3, 2023, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 23-1421. Filed for public inspection October 13, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Quality Life Services—Sarver, LLC

Quality Life Services—Sarver, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Quality Life Services—Sarver in Sarver, PA. The initial filing was received on October 3, 2023, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the

Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 23-1422. Filed for public inspection October 13, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Quality Life Services—Sugar Creek, LLC

Quality Life Services—Sugar Creek, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Quality Life Services—Sugar Creek in Worthington, PA. The initial filing was received on October 3, 2023, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 23-1423. Filed for public inspection October 13, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized under section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the termination of the insured's homeowners policy. The proceedings will be governed in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will

be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held at the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17130.

Appeal of Erie Insurance Exchange; Robert and Bethany Engler; File No. 23-115-285898; Doc. No. P23-09-008; November 16, 2023, 1 p.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 23-1424. Filed for public inspection October 13, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 30, 2023. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by October 30, 2023. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the listed docket number as follows or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2023-3042446. Little Red Riding Hood, Inc. (2216 Broadway Avenue, Pittsburgh, Allegheny County, PA 15216) for the right to begin to transport, as a common

carrier, by motor vehicle, persons in paratransit service, limited to those 60 years of age or older, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Clarion, Clearfield, Elk, Fayette, Forest, Greene, Indiana, Lawrence, Mercer, Somerset, Washington and Westmoreland, to points in Pennsylvania, and return. *Attorney*: Jason J. Kelley, Esquire, 424 South 27th Street, Suite 200, Pittsburgh, PA 15203.

A-2023-3042579. Dominion Limo, LLC (6224 Gillespie Street, Philadelphia, PA 19135) in limousine service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2023-3042813. My Ride When You Need It Limited Liability Company (23 West Market Street, Myerstown, Berks County, PA 17067) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Berks, Bucks, Chester, Delaware, Lancaster, Montgomery and York, and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2023-3043172. Bonnie Bell Limousine Service, LLC (128 5th Street, P.O. Box 32, Twin Rocks, Cambria County, PA 15960) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers,

including the driver, between points in the Counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Centre, Clarion, Clearfield, Huntingdon, Indiana, Jefferson, Somerset and Westmoreland.

A-2023-3043308. Tosti Bros Transportation, LLC (2601 North Front Street, Suite 210, Harrisburg, Dauphin County, PA 17110) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Cumberland, Dauphin and Lebanon, to points in Pennsylvania, and return.

A-2023-3043313. The Wright Transportation, LLC (749 Hamil Road, Verona, Allegheny County, PA 15147) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Beaver, Butler, Fayette, Indiana, Somerset, Washington and Westmoreland, to points in Pennsylvania, and return.

A-2023-3043369. Call-A-Car, Inc. (1163 Miller Road, Lake Ariel, Wayne County, PA 18435) to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in Pennsylvania, to AVP (Scranton-Wilkes-Barre International) Airport, and vice versa.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-1425. Filed for public inspection October 13, 2023, 9:00 a.m.]