

# PENNSYLVANIA BULLETIN

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**Agencies in this issue**

The Courts

Department of Agriculture

Department of Banking and Securities

Department of Environmental Protection

Department of Health

Department of Transportation

Environmental Quality Board

Governor's Office

Insurance Department

Pennsylvania Public Utility Commission

**Detailed list of contents appears inside.**



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

**No. 546, May 2020**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

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

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

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

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

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

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

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### Printing Format

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

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

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

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

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

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

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

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

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

### Fiscal Notes

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

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2020.

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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

[ 204 PA. CODE CHS. 71 AND 73 ]

### Order Permitting Limited Practice by Persons Unable to Sit for July 2020 Pennsylvania Bar Examination Because of COVID-19; No. 837 Supreme Court Doc.

#### Order<sup>1</sup>

#### *Per Curiam*

And Now, this 28th day of April, 2020, upon the recommendation of the Pennsylvania Board of Law Examiners,

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania, and Rule 1952(A) of the Rules of Judicial Administration, that persons unable to sit for the July 2020 Pennsylvania bar examination because of COVID-19 shall be permitted to temporarily engage in the limited practice of law as follows:

(a) *Limited practice permitted.* The requirements for the limited practice of law by a person who is unable to sit for the July 2020 Pennsylvania Bar Examination because the administration of the bar examination has been postponed or cancelled because of the COVID-19 pandemic (a “2020 limited licensee”) include the following:

(1) The 2020 limited licensee is a graduate from a law school that was ABA accredited at the time the 2020 limited licensee matriculated or graduated who (i) received without exception a *juris doctor* degree and (ii) has never failed the Pennsylvania bar examination.

(2) The Pennsylvania Board of Law Examiners (the “Board”) has not determined that the 2020 limited licensee lacks the current character and fitness required to be a member of the bar of this Court.

(3) The 2020 limited licensee has filed an application to sit for the July 2020 Pennsylvania bar examination.

(4) The 2020 limited licensee shall be supervised by a member of the bar of this Court as described in this order and as certified as prescribed in Subdivision (c) of this order.

(5) The 2020 limited licensee shall agree to adhere to the Pennsylvania Rules of Professional Conduct and to submit to any applicable disciplinary authorities to the same extent as a generally licensed attorney.

(6) The 2020 limited licensee shall have submitted to the Board a declaration executed subject to a charge of perjury for false statements confirming that all of the foregoing requirements have been met and asking for certification as a 2020 limited licensee. The Board shall offer a form on which such a declaration may be submitted.

(b) *Bar Examination Application.* In order to be eligible for the benefits of this order, an applicant must have filed an application to sit for the Pennsylvania bar examination, and the Board must have received an affirmative certification from the law school from which the applicant

was graduated certifying that (1) the applicant has been awarded without exception a *juris doctor* degree from that law school and (2) to the best of the law school’s knowledge, the applicant has the character and fitness required to be a member of the bar of this Court.

(c) *Supervising Attorney.* The attorney under whose supervision a 2020 limited licensee engages in the limited practice permitted by this order—

(1) Shall have been an actively practicing member of the bar of the Supreme Court of Pennsylvania for at least five years.

(2) Shall assume personal professional responsibility for ensuring that the 2020 limited licensee’s legal work is competent and compliant with the Pennsylvania Rules of Professional Conduct.

(3) Shall submit a certification to the Board naming the 2020 limited licensee and confirming that the supervising attorney agrees to comply with his or her obligations pursuant to this order with respect to the designated 2020 limited licensee.

(4) Shall not supervise more than two 2020 limited licensees under the provisions of this order.

(d) *Limited Practice Permitted.* Subject to the restrictions of this subdivision, a 2020 limited licensee may engage in the following activities:

(1) Under the direct and ongoing supervision of the supervising attorney, a 2020 limited licensee may counsel a client with respect to legal issues.

(2) Under the direct and ongoing supervision of the supervising attorney, a 2020 limited licensee may prepare documents on behalf of a client, including documents that will be filed in a court, administrative tribunal or agency of the Commonwealth. The supervising attorney’s signature must appear on any documents that will be filed in a court, administrative tribunal or agency of the Commonwealth.

(3) Under the direct and ongoing supervision of the supervising attorney, a 2020 limited licensee may appear for any activity subsumed within the practice of law. The supervising attorney or another attorney who meets the qualifications of Subdivisions (c)(1) and (2) of this order must be present for any such proceeding.

A 2020 limited licensee shall disclose in any legally related communications that he or she is a “2020 Limited Licensee,” and the 2020 limited licensee may not hold himself or herself out as an attorney generally admitted to the bar of this Court.

(e) *Duration.* Permission to engage in the limited practice of law pursuant to this order shall commence upon receipt by the applicant of a written certification from the Board that the Board has received (1) the applicant’s declaration described in (a)(6) confirming satisfaction of the requirements of this order; (2) the supervising attorney’s certification described in (c)(3); and (3) the law school’s confirmation described in (b) that it has conferred a law degree on the applicant and that, to the best of the law school’s knowledge, the applicant has the character and fitness required to be a member of the bar of this Court.

<sup>1</sup> This Order, as certified on April 28, 2020, replaces a previous version that was sent to the Prothonotary on April 27, 2020 and docketed, but was withdrawn prior to publication.



Permission to engage in the limited practice of law pursuant to this order shall terminate no later than (1) the date of the next Pennsylvania bar examination to be administered after the effective date of this order if the 2020 limited licensee does not sit for that examination or (2) the date on which the Board announces the results of the next Pennsylvania bar examination to be administered after the effective date of this order if the limited licensee does sit for that examination.

However, a person permitted to engage in the limited practice of law under this order who passes that next administration of the bar examination may continue to practice under this order until that person is formally admitted to the general practice of law.

In no event may any person engage in the limited practice of law under this order after the date that is six months after release of the results of the next Pennsylvania bar examination to be administered after the effective date of this order.

(f) *Additional limitation.* Time spent in the limited practice of law permitted by this order may not be counted for purposes of any Bar Admission Rule that permits general admission to the bar of the Supreme Court of Pennsylvania without examination, including but not limited to Rule 204.

[Pa.B. Doc. No. 20-626. Filed for public inspection May 8, 2020, 9:00 a.m.]

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CH. 89 ]

#### Amendments to Rules of Organization and Procedure of The Disciplinary Board of The Supreme Court of Pennsylvania

##### Order No. 97

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania amends its Board Rules and Procedures to modify Rules §§ 89.163 and 89.202 related to the content and form of briefs and briefs on exceptions.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

By the Disciplinary Board of the  
Supreme Court of Pennsylvania

JESSE G. HEREDA,  
Executive Director

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

##### CHAPTER 89. FORMAL PROCEEDINGS

##### Subchapter C. HEARING PROCEDURES

##### ORAL ARGUMENT AND BRIEFS

#### § 89.163. Content and form of briefs.

(a) *General rule.* Briefs shall contain:

(1) A concise statement of the case.

(2) An abstract of the evidence relied upon by the participants filing, preferably assembled by subjects, with references to the pages of the record or exhibits where the evidence appears.

(3) Proposed findings and conclusions together with the reasons and authorities therefor, separately stated.

(b) *Exhibits.* Exhibits should not be reproduced in the brief, but may, if desired, be reproduced in an appendix to the brief. Any analysis of exhibits relied on should be included in the part of the brief containing the abstract of evidence under the subjects to which they pertain.

(c) *Length.* Briefs (exclusive of any cover, table of contents, table of citations or appendix) shall be limited to [ 30 pages ] 6,000 words in length[ , except that for ] and shall be in 14-point Arial typeface. For good cause shown, the limitation on length may be altered or waived with respect to a particular brief upon application to and order of the Chair of the hearing committee or the special master at least ten days before the time fixed for the filing of the brief.

##### Subchapter D. ACTION BY BOARD AND SUPREME COURT

#### § 89.202. Content and form of briefs on exceptions.

(a) *Briefs on exceptions.*

(1) Briefs on exceptions shall contain:

(i) A short statement of the case.

(ii) A summary of the basic position of the party filing.

(iii) The grounds upon which the exceptions rest.

(iv) The argument in support of the exceptions with appropriate references to the record and legal authorities.

(2) There may also be included specific findings and conclusions proposed in lieu of those to which exception is taken and any proposed additional findings and conclusions.

(3) Exceptions to the form of recommended order shall specify the portions thereof to which exception is taken,

and may set forth a form of order suggested in lieu of that recommended by the hearing committee or special master.

(b) *Briefs opposing exceptions.* Briefs opposing exceptions shall generally follow the same style prescribed for briefs on exceptions, but may omit a statement of the case if it was correctly stated in a brief on exceptions.

(c) *Length.* Briefs on exceptions and briefs opposing exceptions shall be self-contained and limited to [ 30 pages ] **6,000 words** in length [ , **except that for** ] **in 14-point Arial typeface.** For good cause **shown**, the limitation on length may be altered or waived for either class of briefs upon application to and order of the Board Chair at least ten days before the time fixed for filing of the respective briefs.

(d) *Copies.* Three copies of each brief shall be filed with the Board Prothonotary in addition to the copies served on the participants in the proceedings.

[Pa.B. Doc. No. 20-627. Filed for public inspection May 8, 2020, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM  
GENERAL PROVISIONS**

**PART V. PROFESSIONAL ETHICS AND CONDUCT  
[ 204 PA. CODE CHS. 89 and 93 ]**

**Amendments to Rules of Organization and Procedure of The Disciplinary Board of The Supreme Court of Pennsylvania**

**Order No. 96**

By Order dated March 31, 2020, effective April 30, 2020, the Supreme Court of Pennsylvania amended Rule 218 of the Pennsylvania Rules of Disciplinary Enforcement related to filing fees and penalties on unpaid taxed expenses in reinstatement matters. By this Order, the Board is making conforming changes to its Rules to reflect the adoption of those amendments.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the  
Supreme Court of Pennsylvania*

JESSE G. HEREDA,  
*Executive Director*

**Annex A**

**TITLE 204. JUDICIAL SYSTEM GENERAL  
PROVISIONS**

**PART V. PROFESSIONAL ETHICS AND CONDUCT**

**Subpart C. DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA**

**CHAPTER 89. FORMAL PROCEEDINGS**

**Subchapter F. REINSTATEMENT AND  
RESUMPTION OF PRACTICE**

**REINSTATEMENT OF FORMERLY ADMITTED  
ATTORNEYS**

**§ 89.273. Procedures for reinstatement.**

\* \* \* \* \*

(d) *Attorneys suspended for less than one year.* Enforcement Rule 218(g) provides that:

(1) Upon the expiration of any term of suspension not exceeding one year and upon the filing thereafter by the formerly admitted attorney with the Board of a verified statement showing compliance with all the terms and conditions of the order of suspension and of Chapter 91 Subchapter E (relating to formerly admitted attorneys), **along with the payment of a non-refundable filing fee of \$250**, the Board shall certify such fact to the Supreme Court, which shall immediately enter an order reinstating the formerly admitted attorney to active status, unless such person is subject to another outstanding order of suspension or disbarment.

\* \* \* \* \*

**CHAPTER 93. ORGANIZATION AND  
ADMINISTRATION**

**Subchapter G. FINANCIAL MATTERS**

**TAXATION OF COSTS**

**§ 93.111. Determination of reimbursable expenses.**

\* \* \* \* \*

(d) *Assessed Penalties on Unpaid Taxed Expenses and Administrative Fees.*

(1) Failure to pay taxed expenses within thirty days of the assessment becoming final in accordance with subdivisions (g)(1) and (g)(2) of Enforcement Rule 208 **and subdivision (f)(3) of Enforcement Rule 218**, and/or failure to pay administrative fees assessed in accordance with subdivision (g)(4) of Enforcement Rule 208 within thirty days of notice transmitted to the respondent-attorney shall result in the assessment of a penalty, levied monthly at the rate of 0.8% of the unpaid principal balance, or such other rate as established by the Supreme Court of Pennsylvania, from time to time.

\* \* \* \* \*

[Pa.B. Doc. No. 20-628. Filed for public inspection May 8, 2020, 9:00 a.m.]

# Title 237—JUVENILE RULES

## PART I. RULES

[ 237 PA. CODE CH. 13 ]

### Order Amending Rule 1300, and Rescinding and Replacing Rule 1302 of the Pennsylvania Rules of Juvenile Court Procedure; No. 838 Supreme Court Rules Doc.

#### Order

*Per Curiam*

And Now, this 28th day of April, 2020, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 49 Pa.B. 3887 (July 27, 2019):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Pennsylvania Rule of Juvenile Court Procedure 1300 is amended; and

2) Pennsylvania Rule of Juvenile Court Procedure 1302 is rescinded and replaced in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on October 1, 2020.

#### Annex A

### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart B. DEPENDENCY MATTERS

#### CHAPTER 13. PRE-ADJUDICATORY PROCEDURES

#### PART A. VENUE

#### Rule 1300. Venue.

A. *Generally.* A dependency proceeding shall be commenced in:

- 1) the county in which the child is present; or
- 2) the child's county of residence.

B. *Change of [venue. For] Venue. At any time prior to the adjudicatory hearing, for* the convenience of parties and witnesses, the court, upon its own motion or motion of any party, may transfer an action to the appropriate court of any county where the action could originally have been brought or could be brought at the time of filing the motion to change venue.

C. *Transmission of [all records] All Records.* If there is a change of venue **ordered** pursuant to paragraph (B), **within five days:**

[ 1) the transferring court shall transfer certified copies of all documents, reports, and summaries in the child's official court record to the receiving court; and

2) The county agency of the transferring court shall transfer all its records to the county agency where venue has been transferred. ]

1) the transferring county's clerk of courts shall inform the receiving county's clerk of courts of the manner in which certified copies of all documents, reports, and summaries in the child's official court record will be transferred;

2) the transferring county's clerk of courts shall transfer certified copies of all documents, reports, and summaries in the child's official court record to the receiving county's clerk of courts;

3) the transferring county agency shall transfer all its records to the receiving county agency;

4) the receiving county's clerk of courts shall notify its county agency and the transferring county's clerk of courts of its receipt of the official court records; and

5) the receiving county agency shall schedule the next court proceeding in accordance with the time requirements of these Rules.

D. Continuation of Services. To ensure there is no interruption in services, the transferring county agency is to continue services until the case transfer has been completed, which occurs when the receiving county's clerk of court notifies of receipt of the official court record as provided in paragraph (C)(4).

#### Comment

See 42 Pa.C.S. § [ 6321 ] **6321(b)**.

For procedures regarding motions and answers, see Rule 1344. In addition to the procedures for service of orders under Rule 1167, an order changing venue is to be served upon the new county agency and the receiving court so they may begin proceedings in the receiving county.

Pursuant to paragraph (C), all records are to be transferred within five days of the order for change in venue. Nothing in this rule prohibits the use of electronic means when transferring and receiving records, but the manner in which records are transmitted must be communicated. If there is an electronic transfer, the receiving county is to send an electronic confirmation of receipt of the records as the return receipt. The transferring county's clerk of courts is to docket the confirmation of receipt of records by the receiving county and may close the case once the confirmation has been received.

For transfer of agency records, see 55 Pa. Code § 3490.401.

**Official Note:** Rule 1300 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. **Amended April 28, 2020, effective October 1, 2020.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1300 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1300 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

**Final Report explaining the amendments to Rule 1300 published with the Court's Order at 50 Pa.B. 2389 (May 9, 2020).**

Rule 1302. [ Inter-County ] **Intercounty** Transfer.

[ A. *Transfer.* A court may transfer a case to another county at any time.

B. *Transmission of official court record.* If the case is transferred pursuant to paragraph (A):



1) the transferring court shall transfer certified copies of all documents, reports, and summaries in the child's official court record to the receiving court; and

2) the county agency of the transferring court shall transfer all its records to the county agency where jurisdiction has been transferred.

#### Comment

*See 42 Pa.C.S. § 6321. ]*

(Editor's Note: The text of this rule is entirely new and printed in regular type to enhance readability.)

A. *Best Interest of the Child.* Any time after the adjudicatory hearing, upon motion of a party or court, a court may consider the transfer of a case to another county if the transfer is best suited to the safety, protection, and physical, mental, and moral welfare of the child.

B. *Notice.* The court shall serve notice of a hearing upon the parties. The county agency in the proposed receiving county shall receive notice of the hearing and be granted standing to participate in the hearing.

C. *Hearing.* The hearing should be conducted in the transferring county no more than 20 days from the date of the notice in paragraph (B). The county agency in the proposed receiving county shall be permitted to appear at the hearing utilizing advance communication technology.

D. *Acceptance of Jurisdiction.* If the court in the transferring county finds that a proposed transfer would be in the child's best interest and would result in a transfer between judicial districts:

1) the court shall communicate with the president judge or designee of the receiving judicial district to ascertain whether jurisdiction will be accepted;

2) a record of the communication shall be made and served promptly by the court on the parties; and

3) upon service of the record of the communication, the parties shall have five days to file written responses with the court regarding the decision to accept jurisdiction.

#### E. *Order.*

1) An order approving a transfer shall specify an effective date for the transfer no less than ten days from date of the order to allow for the coordination of services and preparation of the official court record for transmission.

2) The court shall direct the clerk of courts to serve the order upon the parties, the receiving county agency, and the president judge or designee of the receiving court, if applicable.

F. *Matters of Cooperation between Courts.* Communication between courts on schedules, calendars, court records, and similar matters may occur without informing the parties. A record need not be made of the communication.

G. *Receiving Court.* On or before the effective date of the order established in paragraph (E)(1), the receiving court shall enter an order:

1) accepting jurisdiction of the case as of the effective date;

2) appointing a guardian *ad litem* and counsel, if necessary;

3) directing the clerk of courts to serve the order upon the transferring court, if necessary, the county agencies, the parties, and the transferring county's clerk of courts;

4) directing the receiving county agency to conduct a home visit and safety assessment consistent with the requirements of 55 Pa. Code § 3490.401; and

5) scheduling a review hearing to occur within 30 days.

#### H. *Transmission of Official Court Record.*

1) The transferring county's clerk of courts shall inform the clerk of the receiving court of the manner in which certified copies of all documents, reports, and summaries in the child's official court record will be transferred.

2) On the effective date of the transfer, the transferring county's clerk of courts shall transmit certified copies of all documents, reports, and summaries in the child's official court record to the clerk of the court of the receiving county.

3) The receiving county's clerk of courts shall notify its county agency and the transferring court of its receipt of the official court records.

I. *County Agencies.* The transferring county agency shall continue services until the effective date of the transfer.

#### Comment

If proceedings are commenced in a county other than the county of the child's residence, then a change of venue should be sought pursuant to Rule 1300 prior to adjudication.

The child's best interest concerning an intercounty transfer includes, but is not limited to, the child's current or anticipated county of residence, the resources of the receiving county, and needs of the child and family. A proposed transfer between judicial districts is not in the child's best interest unless the court of the receiving judicial district accepts jurisdiction.

Service of the acceptance order on the transferring court pursuant to paragraph (G)(3) is unnecessary if the transfer occurs within the same judicial district.

The period between the order approving the transfer and the effective date of the transfer is intended to prepare for the case transfer. The county agencies are expected to communicate prior to the actual transfer of a case to another county so that efforts can be coordinated and services transitioned without interruption. Coordination includes the inter-agency transfer of records maintained by the county agency that are not otherwise included in the official court record. *See* 55 Pa. Code § 3490.401. This period also allows the clerk to prepare the official court record for transmission to the receiving county on the effective date of the transfer.

Nothing in this rule prohibits the use of electronic means when transferring and receiving records. However, if there is an electronic transfer, the receiving county is to send an electronic confirmation of receipt of the records as the return receipt. The transferring county's clerk of courts is to docket the confirmation of receipt of records by the receiving county and may close the case once the confirmation has been received.

Upon receiving the order accepting the case, the transferring court may order the termination of court supervision pursuant to Rule 1631(A)(12).

**Official Note:** Rule 1302 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009,

effective immediately. Rescinded and replaced April 28, 2020, effective October 1, 2020.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1302 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1302 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the rescission and replacement of Rule 1302 published with the Court's Order at 50 Pa.B. 2389 (May 9, 2020).

**JUVENILE COURT PROCEDURAL RULES  
COMMITTEE**

**FINAL REPORT<sup>1</sup>**

**Amendment of Pa.R.J.C.P. 1300 and Rescission and  
Replacement of Pa.R.J.C.P. 1302**

On April 28, 2020, the Supreme Court amended Pennsylvania Rule of Juvenile Court Procedure 1300 concerning changes in venue in dependency proceedings, together with the rescission and replacement of Pennsylvania Rule of Juvenile Court Procedure 1302 concerning intercounty transfers of dependency cases. The purpose of this rule-making was to improve and formalize the areas of decision-making, communications, continuation of services, and records as they relate to these procedures.

*Amendment of Pa.R.J.C.P. 1300 (Venue)*

Paragraph (B) was amended to clarify that the window for seeking a change in venue is prior to the adjudicatory hearing. Paragraph (C) contains a specific five-day deadline for the transfer of records. Further, the paragraph includes a communication loop to indicate that records have been received, and a requirement for the receiving county agency to schedule the next court proceeding. These amendments are intended to facilitate the location of records and to ensure the case proceeds after the change of venue.

Post-publication, previously proposed Comment language addressing the continuation of services was elevated to the rule text and now appears as new paragraph (D). This language was added to address the continuation of services when services may have commenced prior to adjudication, such as those ordered in a shelter care hearing pursuant to Pa.R.J.C.P. 1242(E). Its placement in the rule text is similar to that of Pa.R.J.C.P. 1302(I).

*Rescission and Replacement of Pa.R.J.C.P. 1302 (Intercounty Transfer)*

Given the scope of the revisions, Pa.R.J.C.P. 1302 was rescinded and replaced in its entirety. The rule is intended to establish a procedural concept involving a two-step process for intercounty transfers. First, the transferring county is to conduct a hearing to determine whether an intercounty transfer is in the child's best interest. Second, assuming the transferring court determines in the affirmative, the transferring court then communicates with the receiving court to ascertain whether jurisdiction will be accepted.

The requirement of the child's best interest for an intercounty transfer is set forth in paragraph (A). Com-

mentary has been added to suggest factors in determining whether a transfer is in a child's best interest.

The receiving county agency, as the provider of services and the party to receive legal custody of the child, has an interest in the transfer. Therefore, paragraph (B) requires that receiving county agency be given notice of the transfer hearing in the transferring county and granted standing to participate. Further, paragraph (C) permits the receiving county agency to appear via advance communication technology.

Paragraph (D) requires subsequent communication with the court in the receiving judicial district to determine whether the receiving court will accept jurisdiction. Thereafter, the parties may file written responses with the transferring court regarding the decision to accept jurisdiction. Paragraph (F) permits the courts to discuss administrative matters without informing the parties or making a record. Paragraphs (D) and (F) were based, in part, on the Uniform Child Custody Jurisdiction and Enforcement Act, 23 Pa.C.S. § 5410.

Paragraph (E) requires that an order approving a transfer contain a date certain and at least a ten-day window before the actual transfer. This window is to provide for the transmission of the record and coordination of services between the county agencies as set forth in paragraphs (H) and (I). Prior to the transfer order's effective date, the receiving court is required to enter an order accepting jurisdiction, as well as appointing a guardian *ad litem* and counsel, as needed, directing a home visit and safety assessment, and scheduling a review hearing.

The amended and replaced rules will become effective October 1, 2020.

[Pa.B. Doc. No. 20-629. Filed for public inspection May 8, 2020, 9:00 a.m.]

**SUPREME COURT**

**General Statewide Judicial Emergency—Investigation Grand Jury Operations; No. 535 Judicial Administration Doc.**

**Order**

*Per Curiam*

*And Now*, this 28th day of April, 2020, in consideration of this Court's declaration of a general, statewide judicial emergency, which has been extended through June 1, 2020, *see* 531 and 532 Judicial Administration Docket, the Court offers the following guidance and directives as to the operation of investigating grand juries. *See generally* 42 Pa.C.S. §§ 4541—4553 (commonly known as the Investigating Grand Jury Act).

Presently-impaneled investigating grand juries *Are Permitted* to operate during the general, statewide judicial emergency. However, all in-person access and proceedings *Shall Be Closely Regulated*. All supervising judges *Shall Implement And Maintain* procedures that restrict potential COVID-19 exposure that could result from interactions of supervising judges, court staff, the Commonwealth's attorneys, grand jurors, witnesses and their counsel, and others who may come before the investigating grand jury. To the extent practicable in light of the necessity for some in-person appearances and proceedings, safety measures should be employed that are as

<sup>1</sup> The Committee's Final Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

consistent as possible with the federal and state executive guidelines for countering the spread of the COVID-19 virus.

In alignment with this Court's previous guidance as to other judicial functions, supervising judges are encouraged to establish protocols for conducting investigating grand jury proceedings through the use of advanced communication technology, to the extent that constitutional requirements can be satisfied.<sup>1</sup> It is noted that advanced communication technology could be used in conjunction with certain in-person participation at proceedings. By way of example, a witness could appear and be questioned by the attorney for the Commonwealth in person, while some or all of the investigating grand jurors participate in the proceedings via the use of advanced communication technology.

The Administrative Office of Pennsylvania Courts stands ready to provide guidance to the supervising judges concerning implementation of technological resources.

Should any witness or other person involved in the operation of the investigating grand jury believe that the enforcement of a time deadline or the participation in any portion of the proceedings poses a significant danger to the health of one or more persons, or that compliance or participation is unreasonable or impossible in light of restrictions arising out of the Governor's prevailing orders and directives, he or she may file a certification detailing the reasons with the supervising judge. Upon receipt of such a certification, the supervising judge *Shall Set* a deadline for any responses and *Shall Provide* a reasonable opportunity to be heard. Relief from deadlines, as well as temporary excusal from or modification of participation in any portion of the proceedings, *Shall Be Liberally Allowed* upon the filing of a certification, unless the certification is deemed to be unfounded after the affordance of appropriate process.

Supervising judges *Shall Facilitate* the submission of filings, documents, and other materials by means other than in-person delivery whenever possible. Any state or local rule that impedes such alternative means of filing is suspended through June 1, 2020.

Physicians, nurses, or other healthcare professionals who are substantially involved in responding to the COVID-19 public health emergency *Shall Not Be Required* to appear before or otherwise participate in investigating grand jury proceedings during the pendency of the general, statewide judicial emergency.

Applications to convene new investigating grand juries, see 42 Pa.C.S. §§ 4543 and 4544, may be submitted and adjudicated during the general, statewide judicial emergency. The summoning of prospective jurors and the selection of grand jurors, see generally Pa.R.Crim.P. 221, 222, 241, and 242, are *Suspended* during the pendency of the emergency.

[Pa.B. Doc. No. 20-630. Filed for public inspection May 8, 2020, 9:00 a.m.]

<sup>1</sup> Advanced communication technology includes, but is not limited to, systems providing for two-way simultaneous communication of image and sound, as well as closed-circuit television. See Pa.R.J.A. No. 1952(A)(2)(e) and Note (citing Rule of Criminal Procedure 103 for the definition of advanced communication technology).

## SUPREME COURT

### WESTERN DISTRICT

#### General Statewide Judicial Emergency; Nos. 531 and 532 Judicial Administration Doc.

#### Emergency Order of Statewide Judicial Administration Applicable from May 1, 2020, through June 1, 2020

*Per Curiam*

*And Now*, this 28th day of April, 2020, pursuant to Rule of Judicial Administration 1952(A) and the Pennsylvania Supreme Court's constitutionally-conferred general supervisory and administrative authority over all courts and magisterial district judges, see PA. CONST. art. V, § 10(a), this Court *Directs* that the general, statewide judicial emergency declared in this Court's Order of March 16, 2020, *Is Extended* through June 1, 2020.

From the time of the Court's Order of March 16, 2020, Pennsylvania's courts have remained operational, albeit with significant limitations due to the current pandemic, including restricted public access to court facilities. Beginning May 4, 2020, unless otherwise provided by a local emergency order, Pennsylvania courts generally *Shall Be Open* to conduct all court business. However, all *In-Person Access And Proceedings Shall Be Strictly Limited* according to the terms of this Order or a more restrictive order issued by a local court under its authorized emergency powers.

The courts' priorities *Shall Remain Centered* on their critical functions;<sup>1</sup> however, courts *Shall Put Forward Their Best Efforts* to accomplish the timely administration of justice in all other matters, subject to the constraints and safety considerations set forth below.

This Order prospectively replaces the Second Supplemental Order of April 1, 2020, issued at the above dockets, which *Shall Remain In Effect* until that Order expires on its own terms. The explanatory background information set forth in that Order, as well as the Order of March 18, 2020, is incorporated here by reference.

The Court further explains and *Directs* as follows:

#### I. Background

Per the request of the Commonwealth's Secretary of Health, Pennsylvania courts have been generally closed to the public for over one month, subject to a series of general and specific directives and exceptions centered on the continuous performance of the courts' most critical functions. The Secretary's concern—shared by all Justices of this Court—is with safeguarding the health and safety of court personnel, court users, and members of the public in light of the risks posed by the COVID-19 virus. In view of the ongoing public health crisis, this Court finds that a further extension of the statewide judicial emergency is necessary.

Some local courts have utilized the procedures specified in Rule of Judicial Administration 1952 and/or this Court's prior orders to declare local emergencies. Such local emergencies **REMAIN IN FULL FORCE AND EFFECT**, empowering President Judges in those districts to continue to exercise emergency powers under Rule

<sup>1</sup> As reflected below, the present Order employs the term "critical functions" to include the tasks referred to in prior orders as "essential" ones. This approach recognizes that—since the prevailing circumstances have required several extensions of this Court's emergency declaration—it has now become incumbent upon the courts to undertake a broader range of functions to assure the proper administration of justice.



1952(B)(2). Extant local emergency orders and directives, including any provisions of these affecting time calculations or deadlines, SHALL REMAIN IN FULL FORCE AND EFFECT until they expire or are rescinded locally.

Should other President Judges deem it prudent to exercise emergency powers above and beyond the authority and latitude provided in this Order, they may file a declaration of an emergency in their districts with the Supreme Court Prothonotary in the Eastern, Western, or Middle District Office, as appropriate for the particular local judicial district. Such a declaration generally SHALL BE SELF-EFFECTUATING subject to any subsequent order by this Court or the local court, with the understanding that the temporary suspension or modification of any statewide court rules other than those addressed in this Order shall first require an application to this Court pursuant to Rule of Judicial Administration 1952(B)(2)(m).

In the jurisdictions with prevailing local emergencies, self-effectuating extensions may be filed. However, any declaration extending a local emergency beyond June 1, 2020, should provide supporting reasoning.<sup>2</sup>

## II. The Safety of Judges, Court Staff, Court Users, and Others

To the extent they are not already in place, all court leaders MUST IMPLEMENT AND MAINTAIN procedures that restrict potential COVID-19 exposure which could result from interactions of judges, court staff, and county agency staff among themselves and with or among members of the public present at court facilities. Among other measures, President Judges may restrict access to court facilities so that appropriate social distancing can be maintained. To the degree practicable in light of the necessity for some in-person appearances and proceedings, safety measures should be employed that are as consistent as possible with the federal and state executive guidance associated with countering the spread of the COVID-19 virus. To the extent that hearings and conferences can be held in the presence of counsel only, the courts SHALL PERMIT the parties' physical presence to be excused. In all events, any necessary in-person proceedings SHALL BE HELD in courtrooms designated by the individual courts of common pleas to minimize person-to-person contact.

Consistent with the previous guidance, and subject to the direction of President Judges, all courts—including magisterial district courts—are encouraged to consider deciding matters on the papers and/or to conduct court proceedings through the use of advanced communication technologies,<sup>3</sup> to the extent that constitutional requirements can be satisfied. Any state or local rule that impedes a judge's ability to utilize available technologies to limit in-person contact is suspended through June 1, 2020.

The Administrative Office of Pennsylvania Courts stands ready to provide guidance to courts concerning local implementation of technological resources. In the absence of a certification as provided in Part III of this Order, no proceeding should be delayed solely on account of the present public health crisis that could reasonably

<sup>2</sup> If a docket number has been assigned to the judicial district for emergency purposes, any further order concerning administrative directives or other matters associated with the local judicial emergency should be captioned so as to indicate that docket number. For convenience, declarations of emergency and associated local orders may be transmitted via electronic mail to: Irene.Bizzoso@pacourts.us.

<sup>3</sup> Advanced communication technology includes, but is not limited to: systems providing for two-way simultaneous communication of image and sound; closed-circuit television; telephone and facsimile equipment; and electronic mail. See Pa.R.J.A. No. 1952(A)(2)(e) & comment (citing Rule of Criminal Procedure 103 for the definition of advanced communication technology).

be conducted using available advanced communication technologies in a manner that is consistent with constitutional requirements.

## III. Court Filings and Time Limitations and Deadlines

The suspensions of time calculations and deadlines indicated in this Court's previous orders and in any order of an intermediate or local court SHALL REMAIN IN EFFECT for the time specified in those orders. In all events, legal papers or pleadings (other than commencement of actions where statutes of limitations may be in issue) which are required to be filed between March 19, 2020, and May 8, 2020, generally SHALL BE DEEMED to have been filed timely if they are filed by close of business on May 11, 2020. Upon adequate notice, however, President Judges or presiding judges may enforce deadlines prior to May 11, 2020, in the critical-functions arena.

President Judges are HEREBY INVESTED with substantial discretion in connection with the enforcement of time deadlines and are DIRECTED to ensure that the enforcement of any deadline does not create an unreasonable risk to the health or safety of court personnel, attorneys, court users, or the general public.

Should any attorney or *pro se* litigant believe that the enforcement of a time deadline or participation in any proceeding poses a significant danger to the health of one or more persons, or that compliance or participation is unreasonable or impossible in light of restrictions arising out of the Governor's prevailing orders and directives, he or she may file a certification detailing the reasons with the court having jurisdiction over the litigation. Upon receipt of such a certification, the presiding judge SHALL SET a deadline for responses and provide a reasonable opportunity to be heard to all parties.

All courts SHALL PROVIDE FOR COURT FILINGS BY MEANS OTHER THAN IN-PERSON DELIVERY WHENEVER POSSIBLE. Any state or local rule that impedes such alternative means of filing is suspended through June 1, 2020.

Attorneys are encouraged to conduct depositions remotely, via telephone, videoconference, or similar means. Absent articulable and specific concerns about reliability or other relevant considerations, court reporters need not be present in the same locations as witnesses and/or counsel.

Depositions of and required appearances for doctors, nurses, or other healthcare professionals who are substantially involved in responding to the COVID-19 public health emergency ARE SUSPENDED for the duration of this Order.

## IV. Priorities

The performance of critical court functions, ensuring that parties' rights are protected, remains of the highest priority. Consistent with this Court's previous Orders, such functions include:

### A. Intermediate Courts

- a. Election matters;
- b. Children's Fast-Track matters;
- c. Matters credibly labeled as emergency filings; and
- d. Any other function deemed by a President Judge to be critical consistent with constitutional limitations.

### B. Courts of Common Pleas

- a. Election matters;
- b. Emergency bail review and habeas corpus hearings;
- c. Gagnon I hearings;
- d. Bench warrant hearings pursuant to Rule of Criminal Procedure 150;
- e. Juvenile delinquency detention;
- f. Juvenile shelter, adjudication and disposition, and permanency hearings;
- g. Temporary protection from abuse hearings;
- h. Emergency petitions for child custody or pursuant to any provision of the Juvenile Act;
- i. Emergency petitions for guardianship;
- j. Civil mental health reviews, *see* 50 P.S. § 7302;
- k. Emergency equity civil matters (injunctions and stays);
- l. Any pleading or motion relating to public health concerns and *involving immediate and irreparable harm*;
- m. Commencement of a civil action, *by praecipe* for a writ of summons, for purposes of tolling a statute of limitations;<sup>4</sup>
- n. Any other function deemed by a President Judge to be critical consistent with constitutional requirements.

### C. Magisterial District Courts, Philadelphia Municipal Court, Philadelphia Arraignment Court Magistrates and Pittsburgh Municipal Court, Arraignment Division

- a. Preliminary arraignments (bail setting) for bailable cases;
- b. Criminal case filings and subsequent processing;
- c. Preliminary hearings for incarcerated persons only;
- d. Issuance of search warrants;
- e. Emergency protection from abuse petitions; and
- f. Any other function deemed by a President Judge to be critical consistent with constitutional limitations.

### V. Open Courts

In proceedings as to which a right to public and press access would otherwise exist, provision must be made to ensure some reasonable means of access. For example, with respect to a proceeding conducted using audio-visual means, such public access may be effectuated during the proceeding by providing live-stream access, or by making a recording available as soon as possible after the proceeding has been concluded.

### VI. Jury Trials

Jury trials, both criminal and civil, remain SUSPENDED and will be scheduled for a date in the future by the courts. Local court leaders SHALL ASSESS options for resumption of jury trials consistent with prevailing health-and-safety norms.

### VII. Payments

Per the Orders of March 18 and April 1, 2020, in-person payments to Magisterial District Courts were suspended, but payments could be accepted by mail, electronically (online), or by telephone as permitted in the Magisterial District Court receiving the payment. The effect of that

<sup>4</sup> If a court of original jurisdiction is closed to filings, the alternative mechanism for filing of an emergency *praecipe* in the Superior Court shall remain in place, as set forth in the March 24, 2020 Order.

Order is extended until May 11, 2020. To the extent that a payor was or is entitled to a payment determination hearing under these Orders or the extension provided herein, a missed payment or default SHALL NOT RESULT in the issuance of an arrest warrant for failure to make payment, nor shall the non-payment result in driving privileges being suspended, prior to such hearing.

On and after May 11, 2020, payments should be accepted by mail, electronically (online), or by telephone as may be permissible in the court receiving the payment, and the use of such means is strongly encouraged. Payments may be made in person, however, if other means are not available to the payor, as may be permissible in the Magisterial District Court receiving the payment pursuant to authorization by the President Judge.

### VIII. Prompt Trial

Rule of Criminal Procedure 600(C) remains SUSPENDED in all judicial districts through at least June 1, 2020. The purport of this directive is that the time period of the statewide judicial emergency continuing through at least June 1, 2020, SHALL BE EXCLUDED from the time calculation under Rule 600(C). Nothing in this Order, however, or its local implementation, shall affect a criminal defendant's right to a speedy trial under the United States and Pennsylvania Constitutions—albeit that the circumstances giving rise to this Order and the suspension may be relevant to the constitutional analysis.

### IX. Children's Fast Track Appeals

This Court's "Order Regarding Alternative Filing Procedure for Children's Fast Track Appeals," dated March 27, 2020, SHALL REMAIN IN FULL FORCE AND EFFECT through at least June 1, 2020. This Order approved the Superior Court's provision for filing children's fast track appeals upon a certification that filing in the court of original jurisdiction is impractical due to the closure of court facilities.

### X. Guidance to Legal Professionals

To the degree necessary, attorneys should counsel their clients that the public health emergency can in no way be used to secure strategic advantage in litigation, including by means of dilatory conduct. In such instances, it may be useful to explain that the duties of a lawyer as advocate continue during the COVID-19 crisis, including the duty to expedite litigation (Rule 3.2 of the Rules of Professional Conduct), the duty of candor toward the tribunal (Rule 3.3 of the Rules of Professional Conduct), and the duty of fairness to opposing party and counsel (Rule 3.4 of the Rules of Professional Conduct).

As previously prescribed with respect to Courts of Common Pleas, the Court continues to AUTHORIZE AND ENCOURAGE use by legal professionals of advanced communication technology to the greatest extent possible. In addition, updated guidance has been provided by the executive branch explaining that:

[A]lthough law offices remain generally closed and lawyers and staff should continue to perform all work remotely to the extent possible, lawyers and staff may access physical offices on a limited basis as necessary to render legal services that cannot practically be completed through the use of advanced communication technology, and which are being rendered to comply with a court directive or deadline, or

to meet client needs that are critical to the client's health or safety, including, but not limited to, matters of healthcare, incompetence, incapacitation, end-of-life decision making, government benefits necessary to sustain life and access healthcare and income, or legal functions necessary for the operation of government at all levels. Any in-person activity shall be subject to the Orders of Secretary of Health providing for building safety measures (issued April 5, 2020) and business safety measures (issued April 15, 2020), including any amendments, and related Department of Health guidance.

INDUSTRY OPERATION GUIDANCE, *Uploaded by Governor Tom Wolf*, <https://www.scribd.com/document/452553026/UPDATED-4-30pm-April-27-2020-Industry-Operation-Guidance> (last visited April 28, 2020).<sup>5</sup>

Lawyers accessing their offices for the purposes set forth above are expected to comply with the Secretary's Orders concerning building and worker safety. *See supra* note 5.

### XI. Dispossession of Property

Per this Court's Orders of March 18 and April 1, 2020—in view of the economic effects of the COVID-19 pandemic—no officer, official, or other person employed by the Pennsylvania Judiciary at any level is authorized to effectuate an eviction, ejection, or other displacement from a residence based upon the failure to make a monetary payment through April 30, 2020. All terms of those Orders related to dispossession of residences ARE EXTENDED until May 11, 2020, at which time the statewide suspension of procedures related to dispossession of property SHALL CEASE. The Court takes judicial notice that certain filings, charges, and acts relating to dispossession will remain subject to temporary restraints

<sup>5</sup> The referenced Orders of the Secretary of Health are as follows: ORDER OF THE SECRETARY OF THE PA. DEPT OF HEALTH DIRECTING BUILDING SAFETY MEASURES (April 5, 2020), <https://www.governor.pa.gov/wp-content/uploads/2020/04/20200405-SOH-Building-Safety-Measures.pdf> (last visited April 28, 2020); and ORDER OF THE SECRETARY OF THE PENNSYLVANIA DEPARTMENT OF HEALTH DIRECTING PUBLIC HEALTH SAFETY MEASURES FOR BUSINESSES PERMITTED TO MAINTAIN IN-PERSON OPERATIONS (April 15, 2020), <https://www.governor.pa.gov/wp-content/uploads/2020/04/20200415-SOH-worker-safety-order.pdf> (last visited April 28, 2020).

on account of other directives, including provisions of the federal Coronavirus Aid, Relief, and Economic Security Act. See 15 U.S.C. § 9058.

[Pa.B. Doc. No. 20-631. Filed for public inspection May 8, 2020, 9:00 a.m.]

## SUPREME COURT

### WESTERN DISTRICT

#### General Statewide Judicial Emergency—Supreme Court Operations; No. 533 Judicial Administration Doc.

#### Order

*Per Curiam*

*And Now*, this 28th day of April 2020, on account of the ongoing COVID-19 pandemic, and to safeguard the health and safety of court personnel, court users, and members of the public, the Court *Directs* that the due dates for any filings due in the Supreme Court from March 16, 2020, and through May 8, 2020, are *Extended*, and those filings will be considered timely if filed on or before May 11, 2020.

This extension on filing deadlines does not apply to:

A. Matters governed by Rule of Appellate Procedure 903(c)(1)(ii) (relating to appeals in matters arising under the Pennsylvania Election Code);

B. Matters governed by Rule of Appellate Procedure 3331 (relating to the review of special prosecutions or investigations);

C. Matters classified as Children's Fast Track, *see* Pa.R.A.P. 102 (relating to definitions); and

D. Any matters where the Supreme Court Prothonotary directs otherwise.

Filings encompassed by exceptions A, B, or C above must be made within the time established by general rule using the PACFile electronic filing system. *See* Pa.R.A.P. 125 (relating to electronic filing).

[Pa.B. Doc. No. 20-632. Filed for public inspection May 8, 2020, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Project Contractors

The Department of Agriculture (Department) is soliciting applications to conduct agricultural research on one or more of the following research topic areas, with the research to be conducted from July 1, 2020, to June 30, 2021, with the possibility, but not the assurance, of extending that research into subsequent years. All funding is contingent upon 2020-2021 budget appropriations.

This notice establishes the procedures by which grant applications will be solicited and reviewed, and by which grants will be awarded.

1. *Grant Solicitation.* The Department will accept grant applications for the purposes, in the form and according to the schedule set forth as follows. Additional publication and dissemination of this notice shall be made to applicants who have previously submitted grant applications to or received grants from the Department, as well as any individuals or entities who have requested notification from the Department of grant availability.

2. *Research Topic Areas.* The research topics the Department is interested in funding are as follows:

a. *Ongoing multiyear research projects.* The Department has, in previous years, provided funding for various multiyear research projects that might be continued or extended to complete research the Department identifies as addressing continued priorities of the agricultural industry, such as:

- Mitigating the impact of pests like Phorid Flies and Spotted Lanternflies.
- Examining the economic impact of pest infestations like Phorid Flies and Spotted Lanternflies.
- Measuring pesticide impacts on organic and other sensitive crops.
- Implementing Chapter 5 of the Pennsylvania Pollinator Protection Plan (see <https://ento.psu.edu/pollinators/pollin-spotlight-items/the-pennsylvania-pollinator-protection-plan-p4>).

The Department will consider proposals to continue supporting these and other types of previously-funded research.

b. *Resource conservation, climate and the quality of our soil, water and air.* The Department is seeking new proposals that address agriculture's role in stewarding natural resources and innovations in combatting and adapting to climate change. Specifically, the Department requests applications for projects that:

- Provide ongoing water quality monitoring in high-priority streams identified in version 3 of the Chesapeake Bay Watershed Implementation Plan.
- Provide ongoing air quality monitoring around high-priority production areas, particularly mushroom facilities in Chester and Berks Counties.
- Quantify the benefits to soil health and climate change resiliency from best management practices (BMP) in conservation.
- Quantify reductions in carbon emissions through on-farm energy efficiency measures.

- Identify opportunities in agricultural production practices that could be conducted concurrently with solar energy production.

- Integrate silvopasture and other agro-forestry revenue streams into dairy, livestock or poultry farms.

- Identify soil testing and remediation strategies for urban agriculture.

- Assess the adoption and implementation of BMPs by farmers that are part of conservation plans to ensure compliance and appropriate credit is received.

- Identify and determine the applicability and effectiveness of nutrient management technologies to assist the Commonwealth in assessing the utility of various approaches.

c. *Innovations in agricultural production and processing.* The Department seeks applications that address new opportunities in both agricultural production and value-added processing of agricultural production in either or both food and nonfood arenas, such as:

- Crop varieties that may offer greater climate resilience.

- Feeding trials on crops that offer promise as new livestock feed sources.

- Sensor technologies that offer affordable measuring of soil health, including water retention.

- Pharmaceutical or industrial uses for milk proteins or other milk components.

- Beverages that blend milk with fruit juices.

- Beverage packaging that is easily recycled or biodegradable.

- Packaging that makes milk available in individual servings or multipacks of individual servings.

- Any other innovation that:

- o Facilitates agriculture's continued economic vitality.

- o Assures the health and safety of consumers, plants and animals.

- o Assures agricultural stewardship of natural resources.

3. *Grant Agreement.* The terms and conditions of the grant will be governed by a grant agreement between the Department and the applicant which shall be tendered to the applicant for execution, returnable in no more than 30 days. The Department may require that the grant agreement be submitted and executed electronically.

4. *Application Delivery and Deadline.* Interested applicants must submit a complete electronic research project proposal and grant application using the Department of Community and Economic Development's Electronic Single Application web site at <https://www.esa.dced.state.pa.us/Login.aspx> on Tuesday, June 9, 2020, by 4 p.m. Questions regarding this online application process may be directed to Morgan Sheffield, Grants Coordinator for the Department of Agriculture, at (717) 787-3568.

5. *Scoring of Applications.* The Department will evaluate each complete and timely-filed project proposal and grant application it receives, using a 100-point scale assessing:

- a. Up to 10 points for the research project needs statement.

- b. Up to 15 points for the impact of research outcomes.
- c. Up to 5 points for the presence of additional funding partners or matching funds.
- d. Up to 30 points for the research methodology.
- e. Up to 20 points for project evaluation and replicability.
- f. Up to 20 points for support and participation from industry.

6. *Scores.* Upon completion of evaluations, the Department will prepare a record identifying each complete and timely-filed project proposal and grant application received and the numerical score assigned to each. The Department shall award grants based upon its evaluation and scoring.

7. *Multiyear Projects or Extensions.* The Department may award grant funding for multiyear projects or extensions of an ongoing project, if the Department identifies that a multiyear term or an extension advances the grant's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice.

8. *Notice of Award.* Applicants shall be notified by mail of the decision on their grant applications by the Department. Best efforts will be made to do so within 15 days of the application deadline.

9. *Grant Agreement.* With the mailed grant award notice, the Department will provide applicants with a grant agreement for execution and return within 30 days or instructions as to finalizing the grant agreement electronically. The Department will obtain the required Commonwealth signatures on the grant agreements and return a copy of the fully-executed grant agreement to the applicant. The grant agreement is not effective, and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall 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 such information as the Department may require.

10. *Nonmatching Cost-Reimbursable Grant.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project, but outside funding may be considered as an evaluation criterion under section 5(c) of this solicitation. Payment of grant funds will occur on a reimbursement basis, with the possibility upon the written submission of justification and subsequent approval of the Department of an advance payment option.

11. *Allowable Indirect Cost Reimbursement.* Grants made hereunder are subject to an indirect cost cap of 15% of total project costs. For the purpose of this research grant funding solicitation, indirect costs shall include administrative salaries and benefits, office supplies and equipment, facility related cost including maintenance and repairs, telephones, memberships/dues, freight/postage cost and any consultant related costs associated with the administration of this research grant.

12. *Reporting Requirements.* Upon completion of research projects funded through this program, grant recipients will submit to the Department within 60 days a final report detailing the nature of the questions under study,

an explanation of the research design and methods, findings of the research and recommendations for future study.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 20-633. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### General Permit Standards and Requirements for Hemp

#### *Recitals.*

This Notice amends and replaces the previous Notice "General Permit Standards and Requirements for Hemp" published in the January 4, 2020 *Pennsylvania Bulletin* (50 Pa.B. 11, Saturday January 4, 2020).

A. The Act relating to Controlled Plants and Noxious Weeds ("Act") (3 Pa.C.S.A. § 1501 et seq.) authorizes the Department of Agriculture (Department) through the Controlled Plant and Noxious Weed Committee (Committee) to establish a controlled plant list and to add plants to or remove plants from the controlled plant list (3 Pa.C.S.A. § 1511(b)(3)(ii)(iii)).

B. The Act provides for publication of the noxious weed and the controlled plant list and additions or removals or changes thereto to be published as a notice in the *Pennsylvania Bulletin* and for such additions or removals to become effective sixty (60) days from publication (3 Pa.C.S.A. § 1511(b)(3)(iv)).

C. Pursuant to that authority, the Committee acted to add hemp to the Controlled Plant List and published such Notice in the *Pennsylvania Bulletin* on April 6, 2019 (49 Pa.B. 1667, Saturday April 6, 2019).

D. Section 1513 of the Act authorizes the Department to issue General Permits, on a Statewide or Regional basis, for the research, marketing, retail, wholesale, transport, storage, warehousing, display, distribution, cultivation or propagation of controlled plants, where the controlled plants have similar characteristics and are capable of being cultivated, propagated, processed and controlled or eradicated in a similar fashion (3 Pa.C.S.A. § 1513(1)).

E. General Permits and applications for General Permits must address at least those requirements set forth at section 1514(5)(i)—(viii) (3 Pa.C.S.A. § 1514(5)(i)—(viii)), but may include and address additional requirements as established by the Department herein (3 Pa.C.S.A. § 1513(3)).

F. General permits shall be published in the *Pennsylvania Bulletin* and become effective upon publication (3 Pa.C.S.A. § 1513(2)).

G. Hemp is also regulated on the federal level by the United States Department of Agriculture (USDA) as authorized by the Agricultural Improvement Act of 2018 (115-334), (2018 Farm Bill).

H. The 2018 Farm Bill defined "hemp" as the plant species *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers,

whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

I. The 2018 Farm Bill directed USDA to establish guidelines for states to follow in establishing plans to allow for state primacy in the regulation of growing or cultivation of hemp plants.

J. With the designation of hemp as a Controlled Plant under the authority of the Act, persons are required to obtain a permit from the Department prior to cultivating, propagating, growing or processing hemp.

K. Hemp has been designated a controlled plant in Pennsylvania and its propagation, cultivation, testing, transportation, warehousing and storage, processing, distribution and sale is of a statewide concern.

L. This General Permit establishes rules and requirements for the distribution and sale of hemp planting materials, and for the propagation, cultivation, testing, transportation, warehousing, storage, and processing of hemp as authorized by the Act.

M. This General Permit does not and may not abrogate the provisions of the act related to industrial hemp research, at 3 Pa.C.S.A. §§ 701—710, including, permitted growers must still submit fingerprints to the Pennsylvania State Police for the purpose of obtaining criminal history record checks. The Pennsylvania State Police or its authorized agent shall submit the fingerprints to the Federal Bureau of Investigation for the purpose of verifying the identity of the applicant and obtaining a current record of any criminal arrests and convictions.

#### *General Permit.*

With the forgoing recitals incorporated into this General Permit by reference, the Department hereby establishes a General Permit, under the authority of the act related to controlled plants and noxious weeds (Act) (3 Pa.C.S.A. § 1501 et seq.), for the Controlled Plant, hemp. The terms of the General Permit are as follows:

#### *Article I. General Provisions and Definitions.*

(a) *Establishment of the Hemp General Permit.* A General permit is hereby established for the Controlled Plant, hemp, defined as the plant *Cannabis sativa L.* and any viable part of that plant, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis. This General Permit covers the entire Commonwealth.

(b) *Purpose of the General Permit.* The purpose of this general permit is as follows:

(1) To establish provisions to control the planting, growing, propagation and cultivation of hemp.

(2) To establish requirements under which persons may apply to plant, grow, propagate or cultivate hemp in the Commonwealth.

(3) To establish requirements establishing where hemp may be planted, grown, propagated and cultivated in the Commonwealth.

(4) To establish requirements for sale and distribution of hemp nursery stock.

(5) To establish requirements under which persons may apply to process hemp in the Commonwealth.

(6) To establish requirements for tetrahydrocannabinol (THC) testing of hemp planted, grown, propagated, cultivated or processed in the Commonwealth.

(7) To establish requirements for the transportation of hemp planted, grown, propagated and cultivated in the Commonwealth.

(8) To establish requirements for storage and warehousing of hemp planted, grown, propagated and cultivated in the Commonwealth.

(9) To establish requirements for the disposal of a permitted crop where the THC concentration exceeds 0.3 percent on a dry weight basis.

#### (c) *Definitions.*

*Act.* The act of October 30, 2017, P.L. 774, No. 46, at 3 Pa.C.S.A. §§ 1501—1562, related to controlled plants and noxious weeds.

*Agent or inspector.* A representative of the Department of Agriculture duly appointed by the Secretary of Agriculture to carry out the provision of the Act and this General Permit.

*Applicant.* A person(s) signing and submitting a hemp application and responsible for ensuring compliance with the terms of the application and permit.

*Committee.* The Controlled Plant and Noxious Weed Committee established in section 1511 (relating to designation of noxious weeds and controlled plants).

*Control order.* A written order issued by the department to a person detailing required treatment measures to control noxious weeds or controlled plants.

*Controlled plant.* A plant species or subspecies that has been designated by the Committee as a controlled plant and is regulated to prevent uncontained growth and to negate undesirable characteristics.

*Controlled Substances Act (CSA).* The Federal statute codified in 21 U.S.C. 801—971, establishing federal U.S. drug policy under which the manufacture, importation, exportation, possession, use and distribution of certain substances is regulated.

*Culpable mental state greater than negligence.* Meaning acts made intentionally, knowingly, or with recklessness. This definition is derived from the definition of negligence in Black's Law Dictionary. See Black's Law Dictionary (10th ed. 2014).

*Department.* The Department of Agriculture of the Commonwealth. Distribute or distribution. To barter, consign, exchange, give away, import, in any way transfer, offer for sale, sell or otherwise supply or transport a noxious weed or controlled plant in this Commonwealth.

*Distribute or distribution.* To barter, consign, exchange, give away, import, in any way transfer, offer for sale, sell or otherwise supply or transport a noxious weed or controlled plant in this Commonwealth.

*Drug Enforcement Administration (DEA).* A federal law enforcement agency under the United States Department of Justice, and the lead agency for domestic enforcement of the Controlled Substances Act.

*Eradication.* The elimination or removal of a noxious weed or controlled plant so that no further growth occurs for at least three consecutive years.

*Farm Service Agency (FSA).* An agency of the United States Department of Agriculture that provides services to farm operations.

*General permit.* A Statewide or regional permit that is issued by the department for a controlled plant and specifies terms and conditions for distribution, cultivation or propagation of the controlled plant.



*Hemp.* The plant *Cannabis sativa L.* and any viable part of that plant, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis.

*Landowner.* A person in whom is vested the title of property or with any rights in real property that permit possession or control of surface activities on the real property. The term includes a department, board, commission, agency and instrumentality of the Federal Government and the Commonwealth and any of its political subdivisions.

*Lessee.* A person who has entered into a contract granting the person occupation or use of property during a certain period of time in exchange for a specified rent.

*Lot.* The term "lot" refers to a contiguous area in a field, greenhouse or indoor growing structure containing the same variety or strain of cannabis throughout. To be defined by the producer in terms of farm location, field acreage and variety (i.e. cultivar) and to be reported as such to the Department and the FSA.

*Negligence.* Failure to exercise the level of care that a reasonably prudent person would exercise in complying with the regulations and standards established.

*Permit.* A document issued by the Department authorizing a person to perform functions and activities related to hemp which require adherence to the rules and requirements established by this General Permit.

*Person.* An individual, corporation, association, partnership, municipality or any other entity.

*Processor.* Any person who converts hemp material into a different form or product.

*Propagate.* To increase, multiply or spread a plant or crop through planting, cultivation or any means of reproduction.

*School Property.* Any property used by students that is under the jurisdiction of a public school district, intermediate unit, area vocational-technical school, charter school or non-public school.

*THC.* The chemical delta-9 tetrahydrocannabinol. For the purposes of this General Permit, THC shall include total potential tetrahydrocannabinol in a plant or product, derived from the corrected sum of the tetrahydrocannabinol and tetrahydrocannabinolic acid content.

*USDA.* The United States Department of Agriculture.

## Article II. Procedure for Application and Permitting.

(a) *Permit Application Process.* The following rules and requirements apply to permitting and the application for a permit.

(1) To produce or process hemp under the Pennsylvania Hemp General Permit, a person must apply for and be issued a Permit from the Department.

(2) No permit shall be issued to grow, cultivate or propagate hemp for personal use.

(3) The Department will begin accepting applications effective with publication of the General Permit in the *Pennsylvania Bulletin*.

(4) Conditions and terms of this General Permit may change upon future conditions, including requirements imposed by USDA in acceptance of the Pennsylvania State Hemp Plan, legal standards imposed by another federal agency, statutory or regulatory changes or changes in other legal requirements.

(5) Application periods will be announced by the Department and published at [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/industrial\\_hemp/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/industrial_hemp/Pages/default.aspx). Persons anticipating late season or indoor planting must submit their applications during published application periods.

(6) The permit application will be available online at the Department's Hemp Program website at [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/industrial\\_hemp/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/industrial_hemp/Pages/default.aspx). Applications may also be requested by contacting The Bureau of Plant Industry at 717-787-4843 or by mail at:

Hemp Program  
Pennsylvania Department of Agriculture  
2301 North Cameron Street  
Harrisburg, PA 17110.

(7) Applications shall be submitted with the application fee and supporting documents. The completed application along with all required reporting constitutes a written plan as required by the Act. Incomplete applications will not be processed.

(8) Any persons who materially falsify any information in their application shall be deemed ineligible to participate in the program.

(9) Upon successful review of completed applications, the Department will issue permit documents to approved applicants.

(b) *Application Contents.* All applications shall comply with the requirements established herein.

(1) *Contact Information.* Set forth contact information including at a minimum, legal name, address, day and evening telephone numbers, and email address (if available). If the applicant is a business entity, the applicant shall provide the full name of the business, address of the principal business location, full name and title of the key participants, an email address if available, and an EIN number of the business entity.

(2) *Location Information.* Provide the physical location, including a detailed plot map and description of the site to be planted or the site where the hemp will be propagated, cultivated, stored or processed. A separate application is required and shall be submitted for each physical address (individually titled property) of a growing, cultivating, propagating, storage, or processing location.

(i) The description of the location shall include the county and municipality.

(ii) Contain a legal description of the land, plot map and geospatial location of the overall site and each separate field, greenhouse, building or other site where hemp will be produced, warehoused or processed. The plot map should show the name of each road bordering the physical location.

(iii) If the address/facility is not owned by the applicant, a copy of the fully executed lease signed by the property and issued to the business or applicant must be attached to the application, and also a completed signed agreement granting the Department access to the property to enter the property for up to 3 years following the termination of the lease and allow for the destruction of any hemp plants found on the property by the lease holder during that time. A template of this access agreement will be provided on the Department's website.

(iv) *Location Restrictions:*

(A) Given the potential of hemp pollen to interfere with medical marijuana crops, hemp may not be planted within three miles of an approved medical marijuana growing facility.

(B) Hemp may not be grown, cultivated, propagated or planted in or within 200 feet of any structure that is used for residential purposes, without prior written approval from the Department. Any written approval may establish additional requirements set forth by the Department therein.

(C) A person shall not handle, process, warehouse or store leaf or floral material from hemp in a facility or field location that is within 200 feet of any structure that is used for residential purposes, without prior written approval from the Department. Any written approval may establish additional requirements set forth by the Department therein.

(D) May not grow, plant, cultivate or propagate less than one-quarter acre and 300 hemp plants in any outdoor location nor less than 2,000 square feet and 200 hemp plants in any indoor facility, unless prior written approval is provided by the Department. Any written approval may establish additional requirements set forth by the Department therein.

(E) Shall not grow, plant, cultivate or propagate hemp within 1,000 feet of a pre-kindergarten through 12th grade school property or a public recreational area, unless prior written approval is provided by the Department. Any written approval may establish additional requirements set forth by the Department therein.

(F) Shall not include on application or Site Modification Request any property for growing, planting, cultivating or propagating hemp that is not owned or completely controlled by the applicant or permitted grower.

(G) Hemp shall be physically segregated from other crops unless prior written approval is obtained in writing from the Department. Any written approval may establish additional requirements set forth by the Department therein.

(H) Hemp plant material from each lot shall be kept separate from and may not be commingled with hemp plant material from other lots.

(I) The use of land, properties and facilities shall comply with all laws, regulations and requirements of any governmental agency or other regulating authority, including building, commercial, environmental, zoning and other regulated categories.

(3) *Hemp Variety Information.* Applicants shall list the type and amount of seed, clones, propagules or cuttings they have acquired or intend to acquire and hemp varieties they intend to plant, propagate and cultivate.

(i) For all hemp seed, clones, propagules or cuttings which will be grown, cultivated, propagated or planted the source, including the legal name and address shall be listed.

(ii) The anticipated acreage for each type or variety of hemp shall be listed.

(iii) The type of product(s), (such as fiber, seed, dried flower, CBD or other) to be produced or processed.

(4) *Criminal History Information.* Applications shall be accompanied by proof of completed criminal history reports for the applicant and any other key participants in hemp program activities. This shall include a Federal

Bureau of Investigation (FBI) background check. These must be dated no more than sixty (60) days prior to the date the application is received by the Department.

(i) Key participants are a person or persons who have a direct or indirect financial interest in the entity producing hemp, such as an owner or partner in a partnership. A key participant also includes persons in a corporate entity at executive levels including chief executive officer, chief operating officer and chief financial officer.

(ii) Key participant does not include other management positions like farm, field or shift managers.

(iii) Any key participant having a disqualifying criminal history background, such as a disqualifying felony as provided for by section 297B(e)(3)(B)(i) of the 2018 Farm Bill, will not meet the requirements of this General Permit and may not participate in the Hemp Program. A disqualified key participant will result in rejection of the Hemp Program application.

(iv) The criminal history reports must indicate that the applicant and key participants have not been convicted of a State or Federal felony related to a controlled substance for a period of 10 years prior to the date when the report was completed.

(v) FBI background checks are valid for 3 years. Directions for obtaining FBI background checks meeting the Hemp Program requirements are available on the Department's website at [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/industrial\\_hemp/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/industrial_hemp/Pages/default.aspx).

(5) *Attestations.* The applicant shall attest to all the following statements:

(i) That subject to the criminal penalties for unsworn falsification to authorities, at 18 Pa.C.S.A. § 4904, during the time period of the application and General Permit issued thereunder they will immediately report to the Department any key participant of the permit that is convicted of a state or federal controlled-substance-related felony.

(ii) That subject to the criminal penalties for unsworn falsification to authorities, at 18 Pa.C.S.A. § 4904, the plant materials have been selected from apparently disease-free and pest-free sources.

(iii) That in propagating, cultivating, harvesting, transporting and processing of hemp, all biosecurity safeguards will be utilized in order to assure isolation from the domestic environment outside of permitted locations.

(iv) That subject to the criminal penalties for unsworn falsification to authorities, at 18 Pa.C.S.A. § 4904, the approved applicant and permit holder will continue to comply with the permit requirements for the duration of time the hemp or hemp materials are in the permit holder's possession, including any regrowth of the hemp.

(c) *Hemp Permit Approval and Renewal.* Once a Permit application has been approved by the Department, the Department will issue a Permit to the applicant for the approved site. Permits are issued on a calendar year basis and all the following rules and requirements apply.

(1) Permits are not transferrable in any manner.

(2) An applicant whose application has been approved will not be considered a permitted grower under this General Permit and shall not commence any activities, including purchase or planting of any hemp seeds, hemp plants, hemp plant parts, hemp materials or hemp products until the applicant is issued a Permit by the Department for that year.

(3) Permits are issued on a calendar year basis, do not renew automatically and must be renewed every calendar year.

(4) Applications for renewal will be subject to the same terms, conditions and approval process as set forth in the General Permit and application for initial or new permits.

(5) Permits will be valid until December 31 of each calendar year.

(d) *Permit Holder Responsibilities.*

(1) An approved applicant and permit holder, or any person propagating, cultivating, transporting, storing, warehousing, distributing, retailing, wholesaling, processing or researching hemp and required to have a permit, shall comply with all the provisions of this General Permit.

(2) *Compliance.* The approved applicant and permit holder shall continue to comply with the permit requirements established in this General Permit for the duration of time the hemp or hemp materials are in the permit holder's possession, including any regrowth of the hemp.

(3) Upon receipt of a Hemp Program permit, the permit holder shall provide their unique Department hemp permit number and associated hemp production locations and acreage information to FSA.

(4) For any variety or field plot of one (1) acre or less, permit holder shall post signage at the plot location. The signage shall be of weather resistant material, be a minimum of 18 by 30 inches in size, have a letter size of at least 1 inch and shall include the following information:

(i) The statement, "Pennsylvania Department of Agriculture Permitted Hemp Growing Site";

(ii) Permit holder's name;

(iii) Permit holder's permit number; and

(iv) the Department's telephone number.

(5) Signage shall not include the following:

(i) Any logo of the Department.

(ii) Any language setting forth health or medical claims.

(6) *Change in Information or Status.* The following rules and requirements apply to any change in Permit information.

(i) A Permit holder must notify the Department immediately should there be any change in the information provided on the Permit application, including acreage, varieties or type of hemp or hemp seed procured, planted, cultivated or harvested, closure, sale of land or any other information required in the application.

(ii) If at any time, there is a change to the information submitted in the permit application, a permit modification is required. FSA must also be notified of changes.

(iii) Any change to the growing, planting, cultivating or propagation location or ownership of the location shall require a new permit and must be submitted during the permit submission time period for that calendar year.

(7) *Abandonment or closure of permitted hemp site.* The permitted hemp grower shall, prior to abandonment or closure of the permitted site, notify the Department in writing of his intent to close or abandon the site. Failure to do so will result in the permitted grower being charged and responsible for any destruction costs, including destruction of hemp that may have escaped the boundaries

of the permit location and may result in the assessment of other penalties as allowed under the Act.

(8) Permit holders, including all key participants, are responsible for and shall immediately notify The Department of any drug related convictions they receive during the time period of a permit.

*Article III. Propagation and Cultivation.*

The following rules and requirements apply to the propagation and cultivation of hemp.

(a) *Hemp Source Materials.* The permit holder is responsible for sourcing, purchasing, and acquiring the hemp seed, clones, propagules or cuttings which they will be growing, planting, cultivating or propagating and shall ensure that this complies with all the requirements of this general permit.

(1) *Prohibited Hemp Varieties and Varieties of Concern.* A permit holder shall check the Department's website or request a list of Prohibited Hemp Varieties and Varieties of Concern.

(i) *Prohibited Hemp Varieties.* Prohibited Hemp Varieties have tested higher than 1.0% THC in previous years and resulted in required crop destruction.

(A) Prohibited Hemp Varieties and the seed thereof, listed by the Department, shall not be approved for planting, propagation, cultivation, sale, transfer, retail, wholesale, distribution, transportation, storage or warehousing in the Commonwealth.

(B) Prohibited Hemp Varieties and the seed thereof shall be illegal in the Commonwealth and shall be subject to a Control Order, ordering its destruction, a stop-sale order or a seizure and condemnation order or any combination of the above and the imposition of penalties as allowed under the Act.

(ii) *Hemp Varieties of Concern.* Hemp Varieties of Concern are varieties that have tested higher than 0.3% THC in some Pennsylvania planting locations in previous years, or have tested high in other states, resulting in crop destruction. Hemp Varieties of Concern including the seed thereof shall be pre-approved by the Department for planting, propagation, cultivation, sale, transfer, retail, wholesale, distribution, transportation, storage, warehousing, or processing in the Commonwealth.

(2) *Hemp seed source.* All the following requirements shall be met:

(i) The permit holder shall be responsible for sourcing and purchasing all hemp seed and shall assure the seed, whether internationally or domestically sourced, meets all phytosanitary requirements for movement of seed.

(ii) *Hemp seed labeling.* All seed shall meet the labeling requirements of the PA Seed Act (3 Pa.C.S.A. § 7101 et seq.). A summary of these requirements is available on the Department's Hemp Program webpage: [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/Industrial\\_hemp/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/Industrial_hemp/Pages/default.aspx).

(iii) The permit holder shall obtain a statement from the licensed producer or guarantor supplying the seed that the variety has a THC content equal to or less than 0.3% on a dry weight basis, as determined by an independent third-party laboratory.

(iv) *Reuse of hemp seed.* Seed produced by a permit holder may only be saved or used for future planting under the following conditions:



(A) The original seed source holding rights to the seed grants such permission to the permit holder and provides written approval and documentation of their authority to grant that permission.

(B) The permit holder has registered with the Department's certified seed program and met the requirements of the Seed Act (3 Pa.C.S.A. § 7101 et seq.) and its attendant regulations.

(v) *Sale of hemp seed.* The provisions of the Seed Act (3 Pa.C.S.A. § 7101 et seq.), its attendant regulations and this General Permit shall apply to the sale of hemp seeds.

(3) *Hemp nursery stock:* Hemp clones, cuttings and seedlings for planting, propagation and cultivation are permitted under the following conditions:

(i) Hemp clones, cuttings and propagules being shipped into the Commonwealth for planting, propagation, cultivation or sale or transfer shall be accompanied by a Federal Phytosanitary certificate, a state of origin-issued health certificate or certification that the plants were grown at a state licensed and inspected nursery.

(ii) Any permit holder receiving hemp nursery stock, whether for propagation of additional nursery stock or for production planting, shall obtain a statement from the licensed producer or guarantor supplying the hemp clones, cuttings or propagules that mature plants from the variety have a THC content of less than 0.3% on a dry weight basis, determined by an independent third-party laboratory.

(iii) Production of hemp nursery stock is permitted under the following conditions:

(A) Any permit holder who is vegetatively propagating plant material must have documentation verifying that the person holding rights to the source material has granted permission to the permit holder for this activity.

(B) Permit holders who intend to sell or distribute hemp nursery stock

1. shall hold a Pennsylvania Nursery License under the Plant Pest Act (PPA) (act of December 16, 1992, P.L. 1228, No. 162) (3 P.S. § 258.1 et seq.), and make all transactions in accordance with provisions of the PPA and its attendant regulations.

2. Shall only sell hemp stock plants to permit holders within Pennsylvania or to out-of-state persons that meet the requirements of the hemp program rules in their state, which may be verified by requesting visible proof of state permit or referencing a state listing of permit or license holders.

3. *Records of planting material sales:* Records of the sale or distribution of hemp nursery stock shall be maintained for a minimum of three (3) years and shall contain the following information for each sale or distribution.

(aa) Date of the sale or distribution.

(bb) Date of shipment.

(cc) Name, Address, telephone number, license or permit number of the purchaser and final grower, cultivator or propagator if different.

(dd) Quantity of plants in shipment, by variety and stage of development (cutting, seedling, rooted cutting, etc.)

(ee) Source of mother plants for nursery stock.

(ff) Seed information including a seed tag for plants started from seed.

(gg) The Federal Phytosanitary certificate, state of origin-issued health certificate or certification that the plants were grown at a state licensed and inspected nursery for each sale, distribution or shipment.

(hh) A copy of all attestations required above for seeds, clones, cuttings and propagules.

(ii) A copy of all Reports required for seeds, clones, cuttings and propagules.

(jj) A copy of all written grants of permission required for seeds, clones, cutting and propagules.

(b) *Inspection.* The Department may conduct unannounced inspections during normal business hours. The permit holder shall grant Department inspectors unrestricted access, during normal business hours, to all permitted sites or sites required to be permitted under the provisions of the Act and this General Permit, including, all growing, planting, cultivation and propagation locations and adjacent areas, buildings, storage and processing areas and all other grounds, structures, and facilities involved in the hemp production.

(1) Where practicable the Department will notify the permit holder of an inspection.

(2) Where the permit holder is given notice of an inspection the permit holder or a designated representative thereof, shall be present to accompany the Department inspector.

(c) *Reporting and Recordkeeping.* Permit holders shall comply with the following.

(1) *Reports.* The following reports are required from Permit Holders:

(i) *Report of production acreage, filed with FSA; FSA Report detail.* Permitted growers are required to report their hemp crop acreage with FSA, and to provide FSA with specific information regarding field acreage, greenhouse, or indoor square footage of hemp planted. This information shall include all the following:

(A) Name, street address, geospatial location or other comparable identification method specifying where the hemp will be produced, and the legal description of the land.

(B) Geospatial location or other methods of identifying the production locations.

(C) The information shall be provided for each field, greenhouse, building, or site where hemp will be grown, planted, cultivated or propagated.

(D) Follow the specific procedures for reporting hemp acreage to FSA which will be posted on the USDA Domestic Hemp Production Program website.

(ii) *Planting Report, filed with the Department*—The permit holder shall submit to the Department on forms provided by the Department, within 10 days after planting. The Report shall set forth all the following:

(A) Date planted.

(B) Stage of development at the time of planting (seed, cutting, etc).

(C) Variety and quantity of each variety planted.

(D) The plot map and geospatial location where each lot was planted including each separate field, greenhouse, building or other site and the square footage, acreage or plot dimensions of each.

(iii) *Inactive Permit report, filed with the Department.* The permit holder shall submit this report to the Depart-

ment on a form provided by the Department, when the permit holder determines that there will be no activity under the permit.

(iv) *Failed Crop Destruction Report, filed with the Department.* The permit holder shall submit this report to the Department on a form provided by the Department, if the crop is not suitable for harvest and rendered useless at the planting, cultivation, propagation or growing site. To be submitted within ten (10) business days of destruction of any surviving hemp plants.

(iv) *Harvest Report, filed with the Department.* The permit holder shall submit this report to the Department on a form provided by the Department. The report shall include harvested quantities and disposition of crop, by lot.

(2) *Recordkeeping Requirements.* Permitted growers shall maintain copies of all records and reports necessary to demonstrate compliance with the permit program. These records include those that support, document, or verify the information provided in the forms submitted to the Department, including:

(i) For each permitted location.

(A) The information provided on the application for a permit

(B) Permit document received from the Department

(C) A detailed map of the permitted site meeting all the requirements of subsection above [Article II(b)(2)].

(D) At least one label from every different lot of seed or nursery stock, along with any Material Transfer Agreements or THC testing documentation received from the source.

(E) Invoice(s) showing the amount of seed and hemp plants, hemp parts, hemp material and hemp products purchased and the name and address of the source of the material. This information shall cross reference the Permit number under which the materials were procured.

(F) The specific field and location where the seed, hemp plants, hemp parts, hemp material and hemp products were planted, cultivated and propagated (site map with planting sites indicated) and the corresponding permit for each.

(ii) For each individual lot

(A) Acreage (outdoor) or square footage (indoor)

(B) Variety name and amount planted, cultivated and propagated and the corresponding permit number.

(C) Type of Hemp—Fiber, Grain, Seed, CBD

(D) Planting Date

(E) Harvest Date

(F) THC test date and results (copy of analysis report(s))

(G) The yield of the site at harvest

(H) Any factors impacting harvest, including seed pressure, irrigation, storm damage, flooding, drought or any other issue arising

(3) All records, reports and documents shall be kept and maintained for a minimum of three years and made available to the Department for inspection upon request.

(d) *General Responsibilities.*

(1) Assure all hemp plants and products are within the boundaries of the legal description of the land, plot map and geospatial location submissions made to the Depart-

ment as required by subsection (ii) above. Cannabis plants found planted, cultivated, propagated or growing outside of the boundaries will not be covered by the permit, will constitute a violation of this General Permit and will be subject to destruction.

(2) *Cessation of propagation.* If the permit holder intends to stop planting, growing, propagating or cultivating hemp, the permit holder shall notify the Department and implement all measures ordered by the Department to destroy the hemp, including all regrowth, seeds, plantings, cultivars and parts of the hemp plant.

(3) *Abandonment.* If the permit holder abandons, relinquishes possession or ownership of, control over or responsibility for the hemp in a manner inconsistent with the provisions of this General Permit, all plant material, regrowth, seeds, plantings, cultivars and parts of the hemp plant shall be destroyed in a manner ordered and approved by the department.

(4) *Continued responsibility.* The original permit holder shall continue to be responsible for the hemp and hemp materials, seeds, regrowth, plantings, cultivars and parts of the hemp plant and the cost of destruction and eradication thereof.

(5) *Penalties.* The original permit holder shall continue to be subject to the penalties imposed under the Act and this General Permit.

#### *Article IV. Sampling and Testing for THC.*

(a) *Sampling and testing for THC.* All hemp planted, cultivated, propagated or growing in Pennsylvania shall be sampled and tested to determine THC concentration levels.

(1) *Sampling*

(i) Official samples must be collected by a Department-certified sampling agent and in accordance with the sampling procedures and requirements established by the Department and set forth on the Department's Hemp Program webpage: [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/industrial\\_hemp/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/industrial_hemp/Pages/default.aspx).

(ii) The sampling procedures will assure a representative sample of each variety and lot is procured for testing and address the process and procedures to be followed from entering a growing area and collecting the minimum number of plant specimens necessary to accurately represent the THC content, through laboratory testing of the samples and reporting results.

(iii) Samples must be collected no more than fifteen (15) days prior to harvest. If harvest is delayed more than 15 days from the sampling date, the lot must be resampled.

(iv) A Chain of Custody Form developed by the Department shall be utilized by all persons authorized to take Official samples.

(v) A sample receipt shall be completed by the certified sampling agent or Department employee conducting the sampling and signed by the hemp permit holder or an authorized representative thereof, who must be present when sampling is taking place.

(vi) No sample(s) may be removed from the permitted site prior to the chain of custody form and sample receipt being completed and signed.

(2) It shall be the responsibility of the hemp permit holder to assure that each hemp lot described in their permit is sampled and tested according to the guidelines established by the Department.

(i) The hemp permit holder shall hire a Department-certified sampling agent to take a representative sample of each lot of hemp planted, cultivated, propagated or grown, to submit for testing.

(ii) It is the responsibility of the permit holder to schedule testing within 15 days prior to harvest and to be present or have an authorized representative present at the growing site at the time of sampling.

(iii) The permit holder shall designate the specific laboratory where samples will be sent for THC testing. The laboratory shall be an independent laboratory able to meet all requirements for testing and reporting outlined in Article IV sections (e) and (f) below.

(iv) The hemp permit holder shall pay any fees charged and costs associated with sampling and testing.

(v) A permit holder may request that the laboratory retest samples. The permitted grower shall pay the fees and costs of the resampling and testing.

(vi) The permitted grower shall agree to the release of all original test results from the laboratory directly to the Department and to USDA.

(3) The Department may conduct random audits of hemp permit holders and take its own samples for testing.

(i) A Department employee may take Official samples to audit samples taken by a certified sampling agent. Such audits will be done on a random basis and may be done at the Department's discretion.

(ii) The Department may also take Official samples pursuant to an investigation, as the result of a complaint or where an Official sample tests above the 0.3% THC concentration threshold.

(b) *Prohibition Against Harvest Prior to Testing.*

(1) Hemp may not be harvested prior to an official sample being taken by the Department or a Department certified sampling agent.

(2) Any sample taken after harvest shall not be accepted, the crop will no longer be compliant, a notice of violation may be issued, and the harvested material may be required to be destroyed.

(c) *Movement Prohibition.* The following rules and requirements shall apply to the movement of hemp plants, parts and products. No hemp plants, plant parts or products are permitted to be removed from the permitted growing site until all the following rules and requirements have been met:

(1) THC testing has been completed on all samples by the Department or an independent laboratory able to meet all requirements for testing and reporting outlined in Article IV sections (e) and (f) below.

(2) The testing confirms acceptable THC level(s) at or below 0.3% on a dry weight basis for all samples from each representative lot.

(3) Written approval, such as a Letter of Clearance, for removal and movement of the hemp plant, hemp parts or hemp product is received from the Department.

(d) *THC Testing.*

(1) THC levels in representative samples must test at or below a THC level of 0.3% on a dry weight basis.

(2) Hemp plant, plant parts or products testing above 0.3% may be subject to a control order and may be required to be destroyed.

(3) After sampling, harvested plants and plant parts must be identified by signage denoting the sample with which they are associated.

(4) Harvested plants and plant parts must be separated and stored separately from each other according to lot, field, and variety associated with each sample.

(e) *THC Testing Laboratory Standards and Methods.* All the following shall comprise the rules and requirements for THC testing.

(1) Testing shall be done at the Department laboratory or an independent laboratory able to meet all requirements for testing and reporting outlined in Article IV sections (e) and (f). The laboratory shall be a DEA registered laboratory meeting standards of performance described in USDA regulation or guidance. The Department shall delay enforcement of the requirement for DEA registration of laboratories, in parallel with the delay of enforcement announced by USDA in an enforcement discretion memo issued February 27, 2020 (<https://www.ams.usda.gov/rules-regulations/hemp/enforcement>) or any subsequent related publication by USDA.

(2) Testing for THC will be conducted using post-decarboxylation or other similarly reliable method approved by the Department and by USDA where the THC concentration level measured includes the potential to convert delta-9-tetrahydrocannabinolic acid (THCA) into THC. Testing methodologies currently meeting these requirements include those using gas or liquid chromatography with detection.

(3) Testing shall be done and reported on a dry weight basis.

(4) The laboratory must report a Measurement of Uncertainty (MU) with each hemp test result. The laboratory must be able to provide documentation for derivation of the measurement of uncertainty if requested by the Department.

(f) *Test Results.*

(1) Laboratories performing THC testing for hemp produced under this program shall submit certified electronic copies of all test results to the Department and USDA.

(2) The Department will provide instructions, to all laboratories performing testing for Pennsylvania permitted growers, on the manner to electronically submit test results to the Department.

(3) Permitted growers shall receive and be able to provide a copy of all test results to the Department at the Department's request.

(4) Permitted growers shall be responsible for maintaining a copy of all test results for a period of 3 years and making them available to the Department upon request.

*Article V. Disposal of Non-compliant Products.*

(a) Where test results evidence THC levels exceeding the acceptable hemp THC level of 0.3%, the laboratory conducting the test shall promptly notify the permitted grower, Department and USDA and provide a copy of the test results.

(b) All hemp plants, plant parts and products shall be subject to a control order from the Department and shall be held for disposal in a manner that complies with the provisions of the control orders, the CSA and DEA regulations.

(c) The material must be collected for destruction by a person authorized under the CSA to handle marijuana,



such as a DEA-registered reverse distributor, or a duly authorized Federal, State, or local law enforcement officer, or official. The Department shall delay enforcement of the requirement for involvement of DEA-registered reverse distributors, in parallel with the delay of enforcement announced by USDA in an enforcement discretion memo issued February 27, 2020 (<https://www.ams.usda.gov/rules-regulations/hemp/enforcement>) or any subsequent related publication by USDA, if the permittee disposes of the plants using one of the means described at <https://www.ams.usda.gov/rules-regulations/hemp/disposal-activities>.

(d) Prior to the disposal of non-compliant hemp plants, plant parts or products, the permit holder must provide the following information and obtain approval from Department. Information shall include all the following.

- (1) DEA or USDA issued order of destruction, if any.
- (2) Date of removal.
- (3) Date of destruction.
- (4) Method of destruction.
- (5) Name and contact information for the person responsible for the removal and destruction.

(e) Documentation of removal and destruction of the non-compliant hemp plants, hemp parts and hemp products. Documentation shall be submitted to the Department within five (5) business days of completion of the removal and destruction and shall include:

- (1) Providing the Department and USDA with a copy of the documentation of disposal provided by the approved entity performing the removal and or
- (2) Compliance with the reporting requirements established by the Department and USDA.

#### *Article VI. Transportation.*

(a) All hemp plants, hemp parts and hemp products being transported in the Commonwealth shall be packaged in a manner that complies with and allows for all the following:

- (1) Conspicuous marking and individual identification of each package or bale.
- (2) Provides permit information to the transporter that can be utilized by law enforcement to verify the material is hemp, sets forth the manner of packaging, variety(s) and quantity and variety of material in each package.
- (3) Provides information setting forth each variety of hemp plant, hemp part and hemp product in the shipment.
- (4) Provides test results for each package and variety of hemp, hemp parts and hemp product verifying they meet the THC standards established by law and regulation.
- (b) All movement of hemp plants, plant parts and hemp products from a planting, cultivation, propagation or growing site or initial processing site shall be conducted in a manner to prevent any release of viable plant material to the environment and to maintain the identification of the producer, permit number and lot information.

(c) All shipments must be accompanied by shipping documents produced by the permit holder that shall include the following information (excluding samples being submitted for laboratory analysis):

- (1) Shipping date
- (2) Origin of the shipment
- (3) Permit holders name, address, phone number,
- (4) Growing location address (if different),
- (5) Permit number,
- (6) Variety information,
- (7) Copy of the certificate(s) of THC analysis covering all material in the shipment, (not required for seedlings)
- (8) Number of packages included in the shipment by variety,
- (9) Description of the plant or plant parts in the packaging (Ex. Seedlings, mature whole plants, buds, leaf, retted stems)
- (10) Destination of the shipment.
- (11) Attached copy of the Department's Letter of Clearance (not required for seedlings)
- (12) For seedlings and clones, each tray shall be marked with the variety information and producers permit number and accompanying documentation shall also include permit number of the person receiving the shipment.

(13) For harvested material in packaging of any weight, each container shall be individually identified by a label secured to the package with the following information.

- (i) Permit holders name, address, phone number,
- (ii) Growing location address (if different),
- (iii) Permit number,
- (iv) Variety information.

(14) For harvested material shipped in bulk, including bales, in addition to the accompanying documentation listed above, the shipping documents shall include the approximate weight of the shipment and if baled the number of bales and a description of the plant material included in the shipment.

#### *Article VII. Warehousing and Storage.*

(a) *Movement Off the Permitted Site Prior to Results and Letter.* Hemp harvested prior to receiving THC test results, including hemp plants, hemp parts, hemp materials and hemp products, may not be moved from the permitted site until a test at or below the acceptable THC level of 0.3% and the Department's Letter of Clearance is received by the permit holder.

(b) *Movement Upon Release.* Once released, movement of hemp, including hemp plants, hemp parts, hemp materials and hemp products to an offsite storage location, buyer, processor or any other location shall be accompanied by all required transportation and shipping documents required under this General Permit.

(c) *Containment.* All transportation, warehousing and storage of hemp plants, hemp parts, hemp materials and hemp products shall be conducted in a manner to prevent any release of viable plant material to the environment and to maintain the identification of the producer, permit number and varietal information for the material in storage.

(d) *Off-site Storage or Warehousing Location.* The permitted grower shall provide the Department with the following information for storage or warehousing locations

that are not on the permitted growing site but where the hemp crop shall remain under the permit holder's control/possession.

(1) The legal name of the entity owning the storage location or warehouse.

(2) The physical address and GPS location of the facility.

(3) Date of each delivery.

(4) Quantity, type, variety and amount of each, shipped to the facility.

(5) Total amount of hemp in storage at each off-site location.

(6) Permit number under which each separate load was shipped.

(e) Within five (5) business days of the last shipment of hemp plants, parts, and products from any off-site storage facility, the permit holder shall provide written notice to the Department that the off-site facility no longer contains any hemp associated with their permit.

*Article VIII. Processing.*

(a) Hemp processors located in the Commonwealth are required to obtain a permit before receiving hemp materials at their facility.

(1) No separate processing permit is required if all hemp being processed is from a growing permit under the same permittee and address.

(2) If hemp is received from another address, a processing permit must be obtained. A processing permit is required if receiving hemp material from other permittees or moving hemp from sites with separate permits, but all under the same permittee.

(3) No permit is required for secondary or tertiary processors that do not receive any potentially viable hemp material.

(b) A permitted processor may not accept hemp plants or plant parts unless they are

(1) From a permitted or licensed grower; and

(2) Accompanied by a certificate of analysis from a laboratory confirming the THC level of the material is not above the 0.3% limit.

(3) Hemp material received from out-of-state must meet the same sampling and testing requirements required for Pennsylvania hemp growers, as described in Article IV of this General Permit.

(c) A permit holder shall keep and make available to the Department upon request, at a minimum, the following records and documentation:

(1) Information on all shipments of hemp plants and plant parts received from all in-state and out-of-state hemp growers, including

(i) Permit or license number of the grower

(ii) Name address and phone number of the permitted or licensed grower

(iii) Certificate of analysis evidencing compliance with THC levels for each lot received

(iv) Date of delivery

(v) Amount and description of materials received.

(2) Processors shall document procedures used to render all plant material non-viable, and how that non-viable material leaves the facility (whether as usable product or waste).

(d) Processors are required to notify the Department of any attempt to sell or distribute hemp or cannabis material to them by a person who does not hold a valid permit or license from the state of origin of the shipment. The documentation shall include, if known, the name, address, phone number, amount of material offered, source of the material, and varieties.

(e) Processors are required to report to the Department any shipment of material that does not contain all the information required by section (b) of this Article VIII (related to processing).

*Article IX. Distribution and Sale.*

(a) *Legal Responsibility.* Growers, cultivators or propagators of hemp and processors of finished hemp products shall meet all laws, regulations, orders and requirements of all authorities that regulate any produced, marketed, labeled, distributed, or sold as part of the permitted hemp program.

(b) *Branding.* The name, symbols, and logos of the Commonwealth of Pennsylvania or any of its agencies, including the Pennsylvania Department of Agriculture, may not in any way be used in the labeling, promotion or marketing of any hemp products associated with the permit without explicit written permission from the Department.

*Article X. Hemp Permit Denial, Revocation and Suspension.*

(a) *Denial, Suspension or Revocation of Hemp Permit.* A hemp permit may be suspended or revoked if the Department or its representative receives credible information that a permittee has done any of the following:

(1) Violated a provision of the Act, the General permit or the Department-issued Permit,

(2) Failed to comply with a written order of the Department.

(3) Failed to comply with a statutory or regulatory requirement of the USDA or other federal agency with jurisdiction over the growing, planting, cultivation, propagation, distribution, sale, transportation, processing, warehousing, storage or marketing of hemp.

(b) *Action Upon Suspension, Revocation or Denial.* Upon suspension, revocation or denial of a permit the permit holder shall cease all activities, including planting, cultivation, propagation, selling, distribution, transportation, harvesting, and handling of any hemp plant, hemp plant part, hemp product or hemp material and shall not remove hemp or cannabis from the permitted site or location where hemp or other cannabis was located at the time when the Department issued the suspension, revocation or denial order.

*Article XI. Violations and Effective Date.*

(a) The Department shall carry out all enforcement provisions of the Act.

(b) When the Department determines that a negligent violation has occurred, the Department shall issue a Notice of Violation and require a corrective action plan to be developed and implemented.

(c) Negligent violations include (but are not limited to):

(1) failure to provide a legal description of the land on which the hemp is produced;

(2) failure to obtain a permit before engaging in production or processing;

(3) production of plants exceeding the acceptable hemp THC level. The Department will not consider hemp producers as committing a negligent violation if they produce plants exceeding the acceptable hemp THC level if they use reasonable efforts to grow hemp and the plant does not have a THC concentration of more than 0.5 percent on a dry weight basis.

(4) Failing to file required reports with the Department in a timely manner.

(i) Planting Report or Inactive Permit Report must be submitted to the Department by September 1 of the permit year, unless a request for a waiver is received and approved by the Department.

(ii) Harvest Report or Failed Crop Report must be submitted to the Department by December 1 of the permit year, unless a request for a waiver is received and approved by the Department.

(d) For testing violations, the Department will consider multiple tests of a single lot as the basis for any violation. This means that if multiple tests from a single lot have a THC concentration exceeding the acceptable hemp THC

level (but less than 0.5 percent if the hemp producer has made reasonable efforts to grow hemp), the Department considers this as one violation.

(e) A corrective action plan shall include a reasonable date by which the permit holder will correct the violation and requirements for reporting back to the Department on its compliance with the plan, for a period of not less than the next two calendar years.

(f) The Department shall approve and review a corrective action plan with the permittee and its implementation may be verified during a future audit or site visit.

(g) A permit holder who has received three negligent violations in a five-year period is ineligible to produce hemp for a period of five years from the date of the third violation. Negligent violations are not subject to criminal enforcement.

(h) If the Department determines that a violation is made with a culpable mental state greater than negligence, the Department shall report the violation to the Attorney General and the chief law enforcement officer of the commonwealth, as applicable, in addition to its own enforcement action.

*Effective date.* This General Permit shall become effective upon signature and publication in the *Pennsylvania Bulletin* and shall remain in effect until rescinded by subsequent order.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 20-634. Filed for public inspection May 8, 2020, 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 April 28, 2020.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
04-23-2020	Interim Clarion County Community Bank Clarion Clarion County	Filed

The purpose of incorporation of Interim Clarion County Community Bank is to facilitate the formation of a bank holding company structure for Clarion County Community Bank and it will merge with Clarion County Community Bank and become the wholly-owned subsidiary of CCCB Bancorp, Inc.

**Holding Company Acquisitions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
04-24-2020	Norwood Financial Corp. Honesdale Wayne County  Application for approval to acquire 100% of UpState New York Bancorp, Inc., Geneva, NY, and thereby indirectly acquire 100% of USNY Bank, Geneva, NY.	Approved

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
04-23-2020	Clarion County Community Bank Clarion Clarion County  Application for approval to merge Clarion County Community Bank with Interim Clarion County Community Bank to facilitate the formation of a bank holding company structure for Clarion County Community Bank.	Filed
04-24-2020	Wayne Bank Honesdale Wayne County  Application for approval to merge USNY Bank, Geneva, NY, with and into Wayne Bank, Honesdale.	Approved

**Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
04-24-2020	Coatesville Savings Bank Coatesville Chester County  Amendment to Article 1 of the institution's Articles of Incorporation provides for a change in the bank's corporate title to Prosper Bank.  Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	Filed

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
03-31-2020	TruMark Financial Credit Union Fort Washington Montgomery County  Merger of Bethany Baptist Christian Federal Credit Union, Chester, with and into TruMark Financial Credit Union, Fort Washington.	Effective

**Branch Applications****Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-23-2020	Belco Community Credit Union Harrisburg Dauphin County	<i>To:</i> 5500 Allentown Boulevard Harrisburg Dauphin County  <i>From:</i> 5785 Allentown Boulevard Harrisburg Dauphin County	Approved
04-23-2020	Belco Community Credit Union Harrisburg Dauphin County	<i>To:</i> 2217 Cumberland Street Lebanon Lebanon County  <i>From:</i> 1232 South Fifth Avenue Lebanon Lebanon County	Approved

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

RICHARD VAGUE,  
*Acting Secretary*



# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). 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).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30-days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15-days from the date of this public notice. Comments received within the respective comment periods will be 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 the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### I. NPDES Renewal Applications.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0035033 (Sewage)	Pinebrook Bible Conference 5339 Pinebrook Road East Stroudsburg, PA 18301-7187	Monroe County Stroud Township	Brodhead Creek (CWF (existing use)) (1-E)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0060755 (Sewage)	Wyoming County Housing Authority 133 SJ Bailey Road Nicholson, PA 18446	Wyoming County Meshoppen Township	Little Meshoppen Creek (CWF) (4-G)	Yes

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636, Email: RA-EPNPDES\_NCRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0020583 (Sewage)	Middleburg Municipal Authority Wastewater Treatment Plant 13 N Main Street Middleburg, PA 17842-1082	Snyder County Middleburg Borough	Middle Creek (TSF) (6-A)	No
PA0007854 (Industrial)	Milton Water System 105 Sodom Road Milton, PA 17847-9232	Northumberland County Milton Borough	West Branch Susquehanna River (WWF, MF) (10-D)	Yes
PA0113484 (Sewage)	Robinson Mobile Home Park 16064 Route 6 Mansfield, PA 16933-9199	Tioga County Richmond Township	Unnamed Tributary to North Elk Run (CWF) (4-A)	Yes
PA0112054 (Sewage)	Mifflin Manor Development STP P.O. Box 186 Montoursville, PA 17754-0186	Lycoming County Mifflin Township	Larrys Creek (EV (existing use)) (10-A)	Yes
PA0233587 (Industrial)	Emporium Hardwoods Division 15970 Route 120 Emporium, PA 15834-3756	Cameron County Shippen Township	Driftwood Branch Sinnemahoning Creek (TSF, MF) (8-A)	Yes

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0031330 (Sewage)	Cox Donahey Elementary School 112 Thornton Road Brownsville, PA 15417	Fayette County Redstone Township	Unnamed Tributary of Dunlap Creek (WWF) (19-C)	Yes
PA0093211 (Sewage)	Buffington STP Industrial Park Road Uniontown, PA 15401	Fayette County Menallen Township	Dunlap Creek (WWF) (19-C)	Yes
PA0093874 (Sewage)	Ruebel STP 102 Mill Street Saltsburg, PA 15681-8993	Westmoreland County Loyalhanna Township	Unnamed Tributary of Kiskiminetas River (WWF) (18-C)	Yes
PA0205796 (Sewage)	Wilpen Fire Co. STP 379 Wilpen Road Ligonier, PA 15658	Westmoreland County Ligonier Township	Unnamed Tributary of Hannas Run (CWF) (18-C)	Yes
PA0205800 (Industrial)	Southwestern PA Water Authority WTP 1442 Jefferson Street P.O. Box 187 Jefferson, PA 15344-4159	Greene County Cumberland Township	Monongahela River (WWF) (19-B)	Yes
PA0218464 (Industrial)	Gans Generating Facility 581 Gans Road Lake Lynn, PA 15451	Fayette County Springhill Township	Grassy Run (WWF) (19-G)	Yes
PA0254525 A-1 (Sewage)	Hillcrest Crossing MHP STP 100 Lorraine Drive Lower Burrell, PA15068-9785	Westmoreland County Lower Burrell City	Chartiers Run (TSF) (18-A)	Yes



<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0217468 (Industrial)	Beaver Falls Municipal Authority Eastvale Water Treatment Plant 1425 Eighth Avenue Beaver Falls, PA 15010-0400	Beaver County Eastvale Borough	Beaver River (WWF) (20-B)	Yes

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?c</i>
PA0222313 (Sewage)	Gene Kidder SRSTP 10127 Route 36 Brookville, PA 15825	Jefferson County Barnett Township	Unnamed Tributary to Cathers Run (HQ-CWF) (17-B)	Yes
PA0272990 (Sewage)	Jaelyn Rohrman SRSTP 107 McConnell Drive Butler, PA 16001-8318	Butler County Franklin Township	Unnamed Tributary to the Mulligan Run (CWF) (20-C)	Yes

**II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications.**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Email: RA-EPNPDES\_SERO@pa.gov.*

**PA0053538**, Storm Water, SIC Code 2833, 2834, 2836, **Merck Sharp & Dohme Corp**, 770 Sunnyside Pike, West Point, PA 19486. Facility Name: Merck Sharp & Dohme Corp. This existing facility is located in Upper Gwynedd Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi- Annual Average</i>	<i>Daily Maximum</i>	
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi- Annual Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Mo	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi- Annual Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Mo	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Mo	Report	XXX

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

- Stormwater monitoring requirements
- BMPs
- Routine inspection
- PPC Plan implementation
- TRC sampling from potable water line flushings and fire hydrant flushings

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.

**PA0050105**, Sewage, SIC Code 4952, **Lower Frederick Township** Montgomery County, 53 Spring Mount Road, Schwenksville, PA 19473-1738. Facility Name: Lower Frederick Township STP & Sewer System. This existing facility is located in Lower Frederick Township, **Montgomery County**.

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

The receiving stream(s), Perkiomen Creek (WWF, MF), is located in State Water Plan watershed 3-E and is classified for Migratory Fishes and 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 .5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0 Inst Min	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	63	94	XXX	15	22.5	30
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	83	125	XXX	20	30	40
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	12.5	XXX	XXX	3.0	XXX	6
Total Phosphorus	2.1	XXX	XXX	0.5	XXX	1

Sludge use and disposal description and location(s): Send to Pottstown STP or Delcora STP.

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

- Other Requirements
  - No Stormwater
  - Necessary Property Rights
  - Proper Sludge Disposal
  - Not Accept Wastewater Pollutants Associated with Unconventional Oil and Gas
  - 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.

**PA0011274**, Industrial, SIC Code 4941, **Aqua Pennsylvania, Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Neshaminy Falls Water Treatment Plant. This existing facility is located in Middletown Township, **Bucks 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), Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and 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 0.519 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.11	XXX	0.34
Total Suspended Solids	58	117	XXX	30	60	75
Total Phosphorus	1.9	3.9	XXX	1.0	2.0	2.5
Aluminum, Total	1.6	3.2	XXX	0.82	1.64	2.05
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	1.9	3.9	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 001 are based on a design flow of 0.519 MGD.—Limits.

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

The proposed effluent limits for Outfall 002 are based on a design flow of 0.425 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.11	XXX	0.34
Total Suspended Solids	58	117	XXX	30	60	75
Total Phosphorus	1.9	3.9	XXX	1.0	2.0	2.5
Aluminum, Total	1.6	3.2	XXX	0.82	1.64	2.05
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	1.9	3.9	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 003 are based on a design flow of 0.216 MGD.—Limits.

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

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

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

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

- Discharge of potable water to Neshaminy Creek
- Submission of an updated PPC Plan
- Chemical additives

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.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

**PA0276294**, Sewage, SIC Code 4952, **LT Realty, Inc.**, 150 Noble Lane, Bethany, PA 18431. Facility Name: Bethany Village Senior Living STP. This proposed facility is located in Dyberry Township, **Wayne County**.

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

The receiving stream, Tributary 5990 of Dyberry Creek (HQ-CWF/MF), is located in State Water Plan watershed 1-B and is classified for High Quality—Cold Water 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 0.0065 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.02
Temperature Increase (°F)	XXX	XXX	XXX	Report	XXX	XXX



Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	XXX	XXX	XXX	20.0	XXX	40.0
May 1 - Oct 31	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): N/A, WWTP has yet to be constructed.

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

- Solids Management

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

The EPA Waiver is in effect.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

**PA0259934**, Sewage, SIC Code 4952, **Cynthia & Mark Perez**, 945 Swopes Valley Road, Pine Grove, PA 17963-8405. Facility Name: Perez Residence. This existing facility is located in Bethel Township, **Lebanon 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), Bear Hole Run (CWF, MF), is located in State Water Plan watershed 7-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0288021**, Sewage, SIC Code 4952, 8800, **Ryan Janoski**, 114 Cadogan Slate Lick Road, Kittanning, PA 16201-8606. Facility Name: Ryan Janoski SRSTP. This proposed facility is located in South Buffalo Township, **Armstrong County**.

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

The receiving stream is an Unnamed Tributary to Pine Run, located in State Water Plan watershed 18-F and classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Sludge is to be disposed off-site through a registered septage hauler.

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

The EPA Waiver is in effect.

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### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.*

**WQM Permit No. 0920403**, Sewage, **Bristol Township**, 2501 Bath Road, Bristol, PA 19007.

This proposed facility is located in Bristol Township, **Bucks County**.

Description of Action/Activity: Plant expansion. Increase annual flow to 3.75 mgd and hydraulic flow to 5.0 mgd.

**WQM Permit No. 5120401**, Sewage, **Philadelphia Water Department**, 1101 Market Street, 2nd Floor, Philadelphia, PA 19107.

This proposed facility is located in the City of Philadelphia, **Philadelphia County**.

Description of Action/Activity: Converting dry well/wet well pump station to wet well submersible pump station of same capacity.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**WQM Permit No. 4820402**, Sewage, **Bridge Moorestown Rd., LLC**, 1 Gatehouse Drive, Parsippany, NJ 07054-4523.

This proposed facility is located in Bushkill Township, **Northampton County**.

Description of Proposed Action/Activity: This application is for a wastewater treatment plant using Moving Bed Biofilm Reactors (MBBR), a sewage collection system and a drip irrigation system to serve a proposed commercial development to be known as Bridge Dev Partners LLC's Warehouse. The effluent from the proposed wastewater treatment plant will be discharged to a drip irrigation field for land application and disposal of the treated wastewater. The hydraulic design capacity of the treatment system is 4,970 gpd which comes from the proposed 427,875 SF warehouse facility's estimated 142 employees with no Industrial Waste contribution. The proposed project is located at 433 Moorestown Road.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**WQM Permit No. WQG022672002**, Sewage, **Hudson Ridge Ventures, LLC**, 1454-A Baltimore Street, Hanover, PA 17331.

This proposed facility is located in York Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the sewers to serve Hudson Ridge.

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### IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Email: RA-EPNPDES\_SERO@pa.gov.*

**PAI130033**, MS4, **Warrington Township**, 852 Easton Road, Warrington, PA 18976. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Warrington Township, **Bucks County**. The receiving stream(s), Mill Creek (TSF, MF), Little Neshaminy Creek (WWF, MF), Tributary # 3 to Neshaminy Creek (TSF, MF), Unnamed Tributary to Neshaminy Creek (TSF, MF), is located in State Water Plan watershed 2-D, 2-F, and 3-J and is classified for Migratory Fishes, Warm Water Fishes, Trout Stock Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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 for small MS4s and is not in effect for large MS4s.

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## VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities.

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*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

*Contact: Aaron Redmond, Management Technician, 484.250.5821.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090050	PPL Electric Utilities Corporation Two North Ninth Street GENN4 Allentown, PA 18101-1139	Bucks Lehigh	Lower Milford Township Trumbauersville Borough Milford Township	Hosensack Creek CWF-MF Macoby Creek TSF-MF Unami Creek HQ-TSF-MF
PAD090046	Court & State, LLC 1125 Mill Creek Road Southampton, PA 18966-4355	Bucks	Newtown Borough	Unnamed Tributary to Newtown Creek WWF-MF
PAD090052	Gateway to New Hope, LLC 328 South Main Street New Hope, PA 18938-2256	Bucks	New Hope Borough	Aquetong Creek HQ-CWF
PAD090054	Sellersville Senior Apartments, LLC 12 Lutheran Home Drive Telford, PA 18969-1728	Bucks	Sellersville Borough	East Branch Perkiomen Creek TSF-MF
PAD090055	MM Metals USA, LLC 1100 Four Falls Corporate Center Suite 407 West Conshohocken, PA 19428	Bucks	Falls Township	Delaware River WWF-MF
PAD150163	West Chester Gun Club 200 East Boot Road West Chester, PA 19380	Chester	West Whiteland Township	Broad Run HQ-CWF/MF
PAD460053	High Street Conshohocken I, LLC 300 Conshohocken State Road West Conshohocken, PA 19428	Montgomery	Conshohocken Borough	Lower Schuylkill River WWF-MF
PAD460055	900 River Road, LLC c/o Novaya Foxfield Industrial, LLC 265 Franklin Street Suite 1001 Boston, MA 02110	Montgomery	Upper Merion Township	Matsunk Creek WWF-MF Schuylkill River WWF-MF
PAD510058	Relteva, LLC 1515 Des Peres Road Suite 300 St. Louis, MO 63131-1846	Philadelphia	City of Philadelphia	Unnamed Tributary to Pennypack Creek TSF-MF
PAD510061	3600 Haverford Avenue Associates, LP c/o TLC Property GP, LLC 200 Highpoint Drive Suite 215 Chalfont, PA 18914	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF
PAD510063	14515 McNulty Associates, LLC 2900 Black Lake Place Philadelphia, PA 19154	Philadelphia	City of Philadelphia	Black Lake Run WWF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510064	Jason Miller One Lincoln Financial Field Way Philadelphia, PA 19148	Philadelphia	City of Philadelphia	Schuylkill-River WWF-MF

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

*Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401, 610-391-9583.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390147	U-Haul Company of Northeastern PA 231 Mundy St. Wilkes-Barre, PA 18702	Lehigh	Lower Macungie Township	Spring Creek (HQ-CWF, MF)

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360050	James Zimmerman 84 Hickory Lane Ephrata, PA 17522	Lancaster	Brecknock Township	UNT Black Creek (HQ-WWF, MF)
PAD070009	Sandy Ridge Wind II, LLC 354 Davis Road Suite 100 Oakville, ON L6J2X1 Canada	Blair Center	Snyder Township Rush Township Taylor Township	UNTs Three Springs Run (HQ-CWF, MF) Three Springs Run (HQ-CWF, MF) UNT Sink Run (TSF, MF) Sink Run (TSF, MF) UNTs Vanscoyok Run (CWF, MF) Vanscoyok Run (CWF, MF) UNTs Big Fill Run (EV, MF) Decker Run (TSF, MF) UNTs Decker Run (TSF, MF) Sand Spring (HQ-CWF, MF) Big Fill Run (EV, MF)

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140060	Wildlife for Everyone Endowment Foundation 341 Science Park Rd State College, PA 16801	Centre	Ferguson Twp	Bald Eagle Creek, TSF Unnamed Wetlands, EV
PAD140061 Renewal Previously PAI041415002	State College Area School District 131 West Nittany Avenue State College, PA 16801	Centre	State College Boro	Trib to Slab Cabin Run

*Potter County Conservation District: 107 Market Street, Coudersport, PA 16915, 814-274-8411, X 4.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD530005	Potter Solar, LLC c/o Mr. Jack Kenworthy 155 Fleet Street Portsmouth, NH 03801	Potter	Hebron Township	Whitney Creek, EV Steer Run, HQ



Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD650023	Pennsylvania Department of Transportation Engineering District 12-0 825 North Gallatin Avenue Extension Uniontown, PA 15401	Westmoreland County	Mount Pleasant Township	Welty Run (HQ-CWF)

Regional Permit Coordination Office: Program Manager, Rachel Carson State Office Building, 400 Market Street, 10th Floor, P.O. Box 69206, Harrisburg, PA 17106-9206, 717-772-5987.

Bucks County Conservation District: 1456 Ferry Road, Suite 704, Doylestown, PA 18901-5550, 215-345-7577.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD090042	PA Turnpike Commission Gary Graham 700 S Eisenhower Blvd Middletown, PA 17057	Bucks County	Bristol Township	Neshaminy Creek (WWF, MF)

**VII. List of NOIs for NPDES and/or Other General Permit Types.**

PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
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**MS4 PAG-13 Notices of Intent Received.**

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.

NPDES Permit No.	Applicant Name & Address	Municipality, County	Waiver Application Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAG136319	Elco Borough P.O. Box 194 Elco, PA 15434-0194	Elco Borough Washington County	Y	N

**STATE CONSERVATION COMMISSION**

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

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

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

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

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal New</i>
Gerald Musser Providence Egg Producers 118 Killinger Road Annville, PA 17003	Lebanon	56	793.36	Poultry	NA	Renewal
Hickory Hollow Farm, LLC Lamar Harnish 491 Barnsley Road Oxford, PA 19363	Chester	1,300	660.27	Swine	EV, HQ	Renewal
Dwayne Brubacker 595 Brown Road Myerstown, PA 17067	Berks	88.2	266.9	Layer, White Egg, 18—90 weeks	N/A	Renewal
Smiling Porker Farm 530 Granger Lane Morris, PA 16938	Lycoming	226	3,271.50	Swine	EV	Renewal

**WATER ALLOCATIONS**

**Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. § 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.**

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

**WA2-118E, Water Allocations, Municipal Authority of the Borough of Oakmont**, P.O. Box 73, 721 Allegheny Avenue, Oakmont, PA 15139, Oakmont Borough, **Allegheny County**. The applicant requests the right to withdraw 10,900,000 gallons of water per day from the Allegheny River.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
PREAMBLE 1**

**Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation mea-

asures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

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

**Jay Gress**, 111 Industrial Way, Plymouth Township, **Montgomery County**. John W. Storb, Jr., Storb Environmental Inc., 410 Easton Road, Willow Grove, PA 19090 on behalf of Jay Gress, Jay Gress Inc., 111 Industrial Way, Conshohocken, PA 19428 submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with the release of VOCs. The proposed future use of the site will be non-residential. The proposed cleanup standard for the site is the Statewide Health Standard. The Notice of Intent to Remediate was published in the *Times Herald* on April 9, 2020.

**2045 West Hunting Park Avenue**, 2023-2061 West Hunting Park Avenue, City of Philadelphia, **Philadelphia County**. Thomas Geiger, Geosyntec Consultants, 1750 American Boulevard, Suite 200, Pennington, NJ 08534 on behalf of Duane Wanty, GPI Interim, Inc., 70 Mechanic Street, C41-32, Foxboro, MA 02035 submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with the release of PAHs, metals and VOCs. The proposed future use of the property will be restricted to non-residential. The proposed cleanup standard for the site is the Statewide Health Standard. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on April 8, 2020.

**80 East Oregon Avenue**, 80 East Oregon Avenue, City of Philadelphia, **Philadelphia County**. Jennifer Poole, Pennoni Associates, 1900 Market Street, Suite # 300, Philadelphia, PA 19103 on behalf of Suresh Reddy Anam, Anam Properties, LLC, 2500 West Cheltenham Avenue, Philadelphia, PA 19148 submitted a Notice of Intent to Remediate. VOCs and metals were detected in the soil and groundwater beneath the property. The proposed cleanup standards for the site are the Statewide Health Standard/Site-Specific Standard. The Notice of Intent to Remediate was published in the *Philadelphia Metro* on February 28, 2020.

**Wawa Dairy Truck Release**, West Baltimore Pike & Granite Run Mall Road, Middletown Township, **Delaware County**. Geoffrey Kristof, PG, Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381 on behalf of Joseph W. Standen, Jr., PG, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063 submitted a Notice of Intent to Remediate. Diesel spilled during a dairy truck accident and impacted soils on the south side of Baltimore Pike and surface water in Chrome Run through the storm water inlets on the south side of Baltimore Pike. The proposed cleanup standard for the site is the Statewide Health Standard. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on April 11, 2020.

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

**Former RSM Properties**, 248-256 Wyoming Avenue, Scranton, PA 18503, Scranton City, **Lackawanna County**. AMO Environmental Decisions, 875 North Easton Road, Suite 10, Doylestown, PA 18902, on behalf of the City of Scranton, 340 North Washington Avenue, Scranton, PA 18503, submitted a Notice of Intent to Remediate. Historic operations at the site have released PCE and TCE to groundwater and PCE, TCE, arsenic, vanadium, and several PAHs to the soil. Following remediation, the site will be used as a public park. The Notice of Intent to Remediate was published in the *Scranton Times-Tribune* on April 14, 2020.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-327-3636.*

*Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.*

**DAS Carrier, Inc. Project, Interstate 80 at MM 221 E**, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of DAS Carrier, Inc., 1210 Hillsmith Dr., Cincinnati, OH 45215, has submitted a Notice of Intent to Remediate concerning site soil contaminated with diesel fuel, motor oil and antifreeze. The applicant proposes to remediate the site to meet the Non-residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on April 16, 2020.

**A Sterling Freight Carrier Project, Interstate 80 at MM 202.5 W, New Columbia**, White Deer Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of A Sterling Freight Carrier, Inc., 13113 Quarter Horse Dr., East Vale, CA 92880, has submitted a Notice of Intent to Remediate concerning site soil contaminated with diesel fuel, motor oil and antifreeze. The applicant proposes to remediate the site to meet the Non-residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on April 13, 2020.

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

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**Application(s) Received Under the Solid Waste Management Act (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.**

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*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Permit Application No. 101634-A201. Marsico's Septic & Environmental Services LLC**, 628 Hunlock Harveyville Road, Shickshinny, PA 18655-4007. An application for permit reissuance to transfer the permit for the Chapin Sewage Disposal Transfer Facility located in New Columbus Borough, **Luzerne County** to Marsico's Septic & Environmental Services LLC. The application was received by the Regional Office on March 16, 2020 and deemed administratively complete on April 22, 2020.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T 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.

*Northwest Region: Christina S. Wilhelm, Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit Application No. 100361. Casella Waste Management of Pennsylvania, Inc.**, 19 Ness Lane, Kane, PA 16735, Sergeant Township, **McKean County**. A permit renewal application was received for the McKean County Landfill on February 21, 2020. McKean County Landfill is an existing municipal waste landfill seeking to renew their permit for another ten years of operation. The existing permit would expire on February 23, 2021.



The terms and conditions of the permit renewal would remain the same as the previous permit.

Comments concerning the application should be directed to Ms. Christina Wilhelm, Regional Solid Waste Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office, (814) 332-6648. TDD users may contact the Department through the Pennsylvania AT&T 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 has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid

otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915 Contact: Raymond Kempa, New Source Review Chief, 570-826-2507.*

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a Plan Approval to **Chrin Brothers, Inc.—Chrin Brothers Sanitary Landfill** (1225 Industrial Drive, Easton, PA 18042) for their facility located in Williams Township, **Northampton County**. The facility currently has a Title V Permit # 48-00037. This Plan Approval No. 48-00037A will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

**Plan Approval No 48-00037A** is for the construction of an expansion (32 acres) at the site. The existing flare system will provide sufficient combustion capacity and backup flare capacity to destroy all of the landfill gas generated over the life of the landfill including the proposed expansion. This expansion does not increase additional waste being introduced into the landfill (1,500 tons per day average, 2,000 tons per day maximum). Chrin Landfill is a major facility subject to Title V permitting requirements and is located in Williams Township, Northampton County. The flare has destruction efficiency in excess of 98% for non-methane volatile organic compounds. The landfill operation is also subject to NSPS Part 60, Subpart WWS and Subpart XXX, and MACT Part 63, Subpart AAAA. The Operating Permit will include testing, monitoring, recordkeeping, and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting



the comments, identification of the proposed permit No. 48-00037A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient.

Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**36-03213A: Scantron Corporation** (3975 Continental Drive, Columbia, PA 17512-9779) for the operation of a digital inkjet printing press, ten non-heatset offset lithographic printing presses and a cold degreaser in West Hempfield Township, **Lancaster County**. Potential emissions from the facility are estimated to be 20.7 tpy VOC, 0.2 tpy of a single HAP (diethanolamine) and 0.5 tpy of combined HAPs. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed operation. If the Department determines that the sources are operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an operating permit pursuant to the provisions of 25 Pa. Code Chapter 127.

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

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

**55-00014B: Bingaman & Son Lumber, Inc.** (1195 Creek Mountain Road, Kreamer, PA 17833) for the installation of a R&R Beth model 300/1-F-4x3,5-9 electrostatic precipitator (ESP) to replace the current pulse-jet type fabric collector on an existing biomass-fired boiler at their Kreamer Yard located in Middlecreek Township, **Snyder County**.

The Department of Environmental Protection's (Department) review of the information submitted by Bingaman & Son Lumber, Inc. indicates that the air cleaning device to be installed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the NSPS requirements of 40 CFR Part 60 Subpart Dc, and the NESHAPs requirements of

40 CFR Part 63 Subpart JJJJJJ. Based on this finding, the Department proposes to issue a plan approval for the proposed installation.

The emissions of filterable particulate matter (FPM) from the existing AFS 29.15 MMBtu/hr biomass-fired boiler will not exceed 0.07 lb/MMBtu of heat input after the installation of the proposed ESP, in accordance with the applicable regulatory requirements.

In addition to the FPM emission limitation, the plan approval contains monitoring, recordkeeping, and reporting requirements pertaining to a continuous FPM monitoring system which is equivalent to the continuous bag leak detection system utilized for the pulse jet fabric collector which is being removed. Additionally, the proposed plan approval contains requirements to conduct EPA reference method performance testing to verify the efficacy of the ESP, as well as work practice standards for the existing biomass-fired boiler, including periodic tune-ups.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 55-00014B, the requirements established in the plan approval will be incorporated into State Only Operating Permit 55-00014 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**65-00767C: Westmoreland Sanitary Landfill, LLC** (111 Conner Lane, Bell Vernon, PA 15012). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 65-00767C to allow the construction and initial temporary operation of a Leachate Evaporation System consisting of one (1) Pentair Hydrocarbon Recovery Unit; one (1) Cleaver Brooks, ProFire MYHG 25.2, 25.2 MMBtu/hr natural gas-fired burner; and one (1) 45,000 gallons per day (gpd) Heartland Water Technology, LM-HT Concentrator, Evaporator and Entrainment Separator at the Westmoreland Sanitary Landfill located in Rostraver Township, **Westmoreland County**.

Potential to emit from the project is estimated to be 2.0 tons of nitrogen oxides (NO<sub>x</sub>), 2.0 tons of carbon monoxide (CO), 8.0 tons of particulate matter less than 10 microns in diameter (PM<sub>10</sub>), 8.0 tons of particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), 0.2 ton of sulfur dioxide (SO<sub>2</sub>), 1.0 ton of volatile organic compounds (VOC), and 0.5 ton of total hazardous air pollutants (HAPs). Best available technology (BAT) for the proposed Leachate Evaporation System is a hydrocarbon recovery unit, Low-NO<sub>x</sub> burner, good combustion practices and proper maintenance and operation.

The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.13, 123.21, 123.31, and 123.41. This plan approval has been conditioned to ensure compliance with all applicable rules. This includes

emissions 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 revise or submit a Title V Operating Permit 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. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412.442.4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Melissa Jativa, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222; [mjativa@pa.gov](mailto:mjativa@pa.gov); or fax 412.442.4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00125A), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

**04-00707: Colona Transfer, LP** (P.O. Box 311, Portersville, PA 16051). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that they intend to issue a significant modification of natural minor State Only Operating Permit for the operation of a bulk materials transfer and shipping terminal located in the borough of Monaca, **Beaver County**. The facility contains air contamination sources consisting of material storage piles, barge, railcar, and truck loading/unloading operations, coal conveyor belts, and plant roads. Air pollution prevention equipment includes water sprays for loading/unloading operations and a water truck for plant roads.

Potential emissions from the facility are as follows: 32.40 tons per year of total suspended particulate matter and 14.69 tons per year of PM<sub>10</sub>. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed SOOP includes conditions relating to applicable emissions restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements.

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

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

comments, identification of the proposed permit (specify Operating Permit 04-00707) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

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

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

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

**42-174H: Casella Waste Management of PA—McKean County Landfill** (19 Ness Lane, Kane, PA 16735), for the proposed modification of 40 CFR 60 Subpart WWS and 40 CFR 63 Subpart AAAA requirements and the inclusion of fugitive dust control requirements. The facility is located in Sergeant Township, **McKean County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 42-174H is for the proposed modification of 40 CFR 60 Subpart WWS and 40 CFR 63 Subpart AAAA requirements and the inclusion of fugitive dust control requirements. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Site Level Requirements:
  - 40 CFR 63 Subpart AAAA—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWS, per 40 CFR 63.1935(a).
- Source 101 (Landfill):
  - The source shall comply with 25 Pa. Code §§ 123.1, 123.21, 123.31, and 123.41 for Fugitive Matter, Sulfur Compound, Odor, and Visible Emissions.
  - Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12 of Chapter 127 of the Rules and Regulations of the Department of Environmental Protection, the following requirements are hereby established for the flare:
    - The flare shall be designed for and operated with no visible emissions except for periods not to exceed a total of 5 minutes during any two consecutive hours and the emissions during these periods shall not exceed 10% opacity. The opacity of the emissions shall not be equal to or greater than 60% at any time.

- The flare shall be designed and operated to either reduce nonmethane organic compounds (NMOC) by 98 weight percent or reduce the outlet NMOC concentration to less than 20 ppmv, dry basis as hexane at 3% oxygen.

- Particulate Matter emissions from the flare shall not exceed 0.02 grain/dscf.

- 40 CFR 60.752(b)(1) is applicable

- 40 CFR 60.752(b)(2)—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWW.

- 40 CFR 60.752(c) & (d) are applicable

- 40 CFR 60.754 is applicable

- 40 CFR 60.756—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWW.

- Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12 of Chapter 127 of the Rules and Regulations of the Department of Environmental Protection, the following requirements are hereby established for the flare:

- The operating temperature of the flare shall be continuously measured and recorded. The recording charts shall be made available to the Department personnel upon request. These charts shall remain on file for a period of 5 years.

- The owner or operator shall keep on file records of all periods of operation in which the flame or flare pilot flame is absent. The records shall be made readily available upon Department request.

- 40 CFR 60.758(a) & (f) are applicable

- 40 CFR 60.758(b), (c), (d), (e)—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWW.

- The facility shall comply with New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart WWW and shall comply with all applicable requirements of this subpart. This includes, but is not limited to, the following:

- Submit reports in accordance with 40 CFR 60.757

- 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to:

- Director; Air, Toxics and Radiation Division; US

- EPA, Region III; 1650 Arch Street, Philadelphia, PA 19103

- 40 CFR 60.757(a), (b), & (c) are applicable

- 40 CFR 60.757(d), (e), (f), & (g)—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWW.

- Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12 of Chapter 127 of the

Rules and Regulations of the Department of Environmental Protection, the following requirements are hereby established for the flare:

- The flare shall be designed and operated in accordance with 40 CFR 60.18.

- The flare must be an enclosed ground type, which is shrouded with no visible flame shooting from the flare.

- The flare shall be equipped with a continuous pilot ignition source using an auxiliary fuel.

- The flare shall be operated with a flame present at all times. The flare shall be equipped with an automatic shut-off mechanism designed to immediately stop the flow of gases when a flameout occurs. During restart or start-up, there shall be sufficient flow of auxiliary fuel to the burners such that unburnt landfill gases are not emitted to the atmosphere.

- The flare minimum operating combustion temperature of 1,500°F shall be maintained at a residence time of at least 0.3 second. The minimum 3-hour average combustion temperature of the flare shall be 1,500°F or the 3-hour average combustion temperature maintained during the most recent performance test in which compliance with the 98% destruction efficiency or 20 ppmv requirement was demonstrated. If the flare is equipped with multiple thermocouples, the minimum operating combustion temperature shall be developed for each thermocouple during compliance stack testing.

- Under the best available technology provisions of §§ 127.1 and 127.12 of Chapter 127 of the Rules and Regulations of the Department of Environmental Protection, the following requirements are hereby established:

- The collection system shall be designed to minimize offsite migration of the subsurface gas. The gas collection system shall be designed:

- to collect gas from the maximum possible area of the landfill; and,

- to accommodate the maximum gas generation rate for the landfill.

- Should the landfill gas flow rate from the disposal area exceed the maximum design capacity of the control devices, the company shall submit a plan approval application for the installation of an additional control device deemed acceptable by the Department.

- The landfill gas (LFG) shall be controlled and monitored in accordance with 25 Pa. Code § 273.292.

- 25 Pa. Code § 273.217 requires landfill operators to implement fugitive air contaminant control measures and otherwise prevent and control air pollution in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4014), Article III (relating to air resources) and 25 Pa. Code § 273.218 (relating to nuisance minimization and control). Minimization and control measures shall include the following:

- Ensuring that operation of the facility will not cause or contribute to exceeding ambient air quality standards under 25 Pa. Code § 131.3 (relating to ambient air quality standards).

- Ensuring that no open burning occurs at the facility.

- Minimizing the generation of fugitive dust emissions from the facility.

- Annually, the permittee shall calculate the year-end gas generation rate in accordance with 40 CFR



60.755(a)(1)(ii) using known year-to-year solid waste acceptance rates. Also, the permittee shall estimate the next year-end gas generation rate using projected solid waste acceptance rates. The permittee shall compare both rates to the installed control devices maximum gas capacity. The permittee shall submit a report containing the calculated year-end and the estimated next year end gas generation rates by June 30 until such time as the plan approval for the next control device has been submitted. This report may be submitted as part of the Solid Waste Annual Operating Report; however, a copy needs to go to Air Quality. Once the calculated year-end or the estimated next year-end gas generation rate exceeds 80% of the existing control devices maximum gas capacity (>1,200 cfm) from the report due June 30, the permittee shall submit a new plan approval application, within 60-days of the report above, for installation of an additional control device that will control LFG above the permitted capacity (1,500 cfm) as stipulated under this plan approval.

- The facility shall have in place approved additional control device(s) prior to the landfill exceeding its currently permitted flare capacity of 1,500 cfm.

- The landfill gas (LFG) shall be collected in accordance with 25 Pa. Code § 273.292 so as to prevent offsite migration. When solid waste in an area, cell, or group of cells in the MSW landfill has been in place for 5 years or more if active or 2 years or more if closed or at final grade, then the landfill gas collection system shall be expanded into the area, cell, or group of cells according to the following schedule. If the landfill is not subject to the control requirements of 40 CFR 60 Subpart WWW [40 CFR 60.752(b)(2)], then the landfill gas collection system shall be expanded within one year of solid waste reaching the specified age (based on initial waste placement) or within one year of plan approval issuance, whichever is later. If the landfill is subject to the control requirements of 40 CFR 60 Subpart WWW, then the collection system shall be expanded in accordance with the requirements of 40 CFR 60 Subpart WWW.

- The landfill shall operate each interior well with a negative pressure, except in the case of a fire or increased well temperature, the use of a geomembrane or synthetic cover, or at a decommissioned well. The pressure at each well shall be measured monthly. If a positive pressure is measured at a well, actions shall be taken to restore negative pressure at that well. If negative pressure cannot be restored within 15 days of the initial positive pressure measurement, the gas collection system shall be expanded within 120 days of the initial positive pressure measurement, unless an alternative timeline is established and approved by the Department. Provided this corrective action timeline is followed for an exceedance, that exceedance is not a deviation of the permit condition. Records shall be kept on file for a period of 5 years and made available to Department personnel upon request.

- The landfill shall operate each interior well at a temperature less than 55C and an oxygen level less than 5 percent (or a nitrogen level less than 20 percent) except in the case of a decommissioned well. An alternate value may be established and approved by the Department for a parameter at a well if appropriate. On a monthly basis, the landfill shall monitor each well for temperature and oxygen (or nitrogen) except in the case of a decommissioned well. If a well exceeds one of these parameters, actions shall be taken to correct the exceedance. If the exceedance cannot be corrected within 15 days of the initial exceedance, the gas collection system shall be expanded within 120 days of the initial exceedance,

unless an alternative timeline is established and approved by the Department. Provided this corrective action timeline is followed for an exceedance, that exceedance is not a deviation of the permit condition. Records shall be kept on file for a period of 5 years and made available to Department personnel upon request.

- On a quarterly basis, the landfill shall conduct surface monitoring around the perimeter of the collection area and along a pattern that traverses the landfill at 30-meter intervals. An alternative traversing pattern may be established and approved by the Department. Areas with steep slopes or other dangerous areas may be excluded from monitoring. Records shall be kept on file for a period of 5 years and made available to Department personnel upon request. If a concentration above 500 parts per million (above background) is measured, action shall be taken at that location to correct the exceedance. If the exceedance cannot be corrected within 30 days, the gas collection system shall be expanded within 120 days of the initial exceedance. An alternative timeline for correcting the exceedance may be established and approved by the Department. Provided this corrective action timeline is followed for an exceedance, that exceedance is not a deviation of the permit condition. Any closed landfill with methane concentrations below 500 ppm (above background) in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more (above background) during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

- Operate the control or treatment system at all times when the collected gas is routed to the system.

- The permittee shall perform quarterly monitoring to determine there are no landfill gas leaks which result in concentrations of 500 ppmv or more measured as propane (or 1,375 ppmv or more measured as methane) at a distance of 0.5 inch from any exposed equipment. The landfill equipment subject to this requirement shall include the exposed portions of the gas wells, piping or any other connections or fittings along the landfill gas transfer paths of a landfill gas collection and disposal system. A log shall be kept at the facility indicating any leak that exceeds the above concentration and the corrective action taken for a period of five years and made readily available to Department personnel upon request.

- The facility shall either:

- Install, calibrate and maintain a gas flow rate measuring device that shall record the flow to the control devices at least every 15 minutes; or

- Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

- Petroleum contaminated soils may be used as daily landfill cover provided the VOC emissions from the contaminated soils does not exceed 2.7 tpy based on a consecutive 12-month period. The facility shall keep records of the petroleum contaminated soil received at the landfill. The following information shall be recorded:

- Tons of contaminated soil received.
- Contaminate type (PHC or BTEX)
- PHC is total petroleum hydrocarbons
- BTEX is benzene, toluene, ethyl benzene, and xylenes



- The maximum and average PHC and/or BTEX concentration (from Waste Management Form FC-1) expressed in mg/kg.

- Potential VOC emissions shall be calculated as follows:

- PHC (expressed as mg/kg)  $\times 10^{-6} \times$  tons of soil = tons of VOC

- BTEX (expressed as mg/kg)  $\times 10^{-6} \times$  tons of soil = tons of VOC

- Quarterly reports shall be submitted to the Department of the VOC emissions within 30-days of the end of each calendar quarter.

- This condition will be deleted after the Department approves the facility BMP for preventing particulate matter from becoming airborne [See Condition # 010(a)]. 25 Pa. Code § 273.217 requires landfill operators to implement fugitive dust control measures. This criterion specifies the reasonable actions that are necessary for the prevention of fugitive dust emissions from the operation of landfills in accordance with these requirements. The Fugitive Emission Control Criteria are as follows:

- Parking lots/areas and the landfill access roadways from the public highway to the landfill and other haul roads inside the landfill shall be paved, maintained, and cleaned by vacuum, sweeping or any other approved means. All parking lots/areas shall be cleaned at least weekly and the access roadways cleaned at least daily unless an alternative approval is granted.

- The access roadways if unpaved at the unloading areas (active cells) shall have a crown so that water runs off and does not pool. Water or other dust suppressants shall be applied to the unpaved road surface to reduce fugitive dusts. Water, if used, shall be applied at least twice a day, weather permitting. Dust suppressants, if used, shall be applied as needed, but at least once a month.

- Water or other dust suppressants shall be applied on the shoulder of access roadways and the shoulder of the public highway for a distance of 500 feet in both directions. Water, if used shall be applied at least twice a day, weather permitting. Dust suppressants, if used, shall be applied at least once a month. Application of dust suppressants on the public highway shall be done in accordance with the appropriate Pennsylvania Department of Transportation (Penn DOT) Bulletins.

- No waste oil shall be used as dust suppressant for the unpaved surface.

- Earth or other material deposited by trucking or other means on the paved roadways, including public highway, shall be promptly removed from the paved roadways.

- Upon leaving the landfill, the undercarriage, wheels and chassis of the vehicles which were used to transport wastes and earth shall be washed, as necessary, to prevent earthen carryout onto roadways.

- All trucks entering the landfill shall be covered.

- A speed limit of 15 miles per hour shall be observed on all paved access roadways and 10 miles per hour on all unpaved areas. Speed limit signs shall be posted consistent with the requirements of PennDOT (overall dimension 30" x 24", "SPEED LIMIT" in 4-inch letters and 10-inch numerals).

- This condition will be deleted after the Department approves the facility BMP for preventing particulate

matter from becoming airborne [See Condition # 010(a)]. A detailed record describing the time, location, type and amount of roadway surface treatment shall be maintained at the landfill site for at least five years. As a minimum, the record shall include the following:

- For paved roads and parking lot areas:

- Daily log of engine run time and odometer reading for the vacuum sweeper.

- Daily log of time and location of any maintenance.

- Identification, time and location of any maintenance, repairs, patching or repaving of roads.

- A log explaining the reasons any required vacuum sweeping was not performed.

- For unpaved roads and shoulders of paved roads:

- Log of time and location of treated areas.

- Daily log of meter reading of spray-bar and/or pump and odometer reading of trucks used to apply dust suppressants and the identification of such dust suppressants.

- Daily log of the dilution ratios of the dust suppressants and dilutants used if chemical suppressants are used.

- Purchase records of the chemical suppressants, if used.

- Quarterly reports of the above records shall be submitted to the Department. The reports shall be submitted within 30 days after the end of each calendar quarter.

- The facility shall submit a BMP to prevent particulate matter from becoming airborne to the Department for approval within 90 days after plan approval issuance. The BMP should incorporate the provisions in Condition # 010(a) and (b). BAT for MSW landfills is to take all reasonable actions to prevent particulate matter from becoming airborne. MSW landfill owners and operators should determine their site-specific BMPs, which generally will include one or more of the following:

- Paved and unpaved internal roadways should not be allowed to generate excessive dust emissions or the tracking of dirt/soils onto public roads (carryout). BMPs to prevent excessive emissions and carryout include, but are not limited to, sweeping and/or use of a tire washing system. Relevant factors to determine whether such activities are a BMP include the length of the paved road between unpaved portions of truck traffic and the public road, the type of soils at the landfill, weather, etc. Generally, whether sweeping or tire washing is necessary should be a function of actual, daily site conditions.

- Water or other chemical dust suppressants could be applied to the unpaved road surface to reduce fugitive dusts, if necessary, based on daily site conditions. Water, if used, shall not be applied if the result would be a potentially unsafe condition, such as ice formation. In no event shall waste oil be used as a dust suppressant.

- An appropriate speed limit will be established within 120 days of the issuance of the Plan Approval and posted on all unpaved roadways within the MSW landfill. The MSW landfill owner or operator will submit the proposed speed limit to DEP, in writing, for approval. If the proposed speed limit is approved, it will be incorporated into the MSW landfill's air quality's operating permit. The owner or operator of the landfill should post speed limit signs consistent with the requirements of Pennsylvania Department of Transportation (PennDOT)

(overall dimension 20 inches x 24 inches, "SPEED LIMIT" in 4-inch letters and 10-inch numerals).

- Parking lots/areas and the landfill access roadways from the public highway to the landfill and other haul roads inside the landfill shall be paved, maintained, and cleaned by vacuum sweeping or any other approved means. The vacuum sweeping should be performed when necessary.

- Upon leaving the landfill, the undercarriage, wheels and chassis of the vehicles which were used to transport wastes and earth should be washed to prevent earthen carryout onto roadways.

- The access roadways if unpaved at the unloading areas (active cells) should have a crown and/or pitch so that water runs off and does not pool. Water or other chemical dust suppressants should be applied to the unpaved road surface to reduce fugitive dusts. Water or chemical dust suppressants should also be applied as needed.

- Water or other chemical dust suppressants should be applied on the shoulder of access roadways and the shoulder of the public highway for a distance of 500 feet in both directions. Water, if used, should be applied at least twice per day. Chemical dust suppressants, if used, should be applied at least once per month. Application of dust suppressants on the public highway should be done in accordance with the appropriate PennDOT Bulletins.

- Earth or other materials should not be deposited by trucking or other means on the public roadways. MSW landfills shall take all reasonable steps necessary to meet this performance standard.

- If any earth or other material is deposited by trucking or other means on public roadways, it shall be removed promptly.

- Records describing those fugitive dust control activities that were undertaken should be maintained for on-site review by DEP personnel.

- A written manual documenting the BMPs utilized at the MSW landfill to control fugitive particulate matter emissions should be maintained on-site.

- The company shall keep sufficient records to demonstrate that the BMPs are being implemented.

- The BMP manual and records documenting implementation of the BMPs should be maintained at the office of the MSW landfill for 5 years and shall be made available to DEP upon request.

- 40 CFR 60.753—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWW.

- 40 CFR 60.755—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWW.

- 40 CFR 60.759—Not applicable until uncontrolled NMOC emissions are equal to or greater than 50 Mg per year as calculated according to 40 CFR 60.754(a) of the MSW Landfills New Source Performance Standards in 40 CFR Part 60, WWW.

- All conditions from the latest facility operating permit, currently with an issue date of December 1, 2017, remain in effect unless otherwise modified in this plan approval.

- All conditions contained in Section E: Group Name: 60 Subpart CF from the latest facility operating permit, currently with an issue date of December 1, 2017, remain in effect.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP Office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [42-174H] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region Air Quality Program Manager.

If a plan approval has not undergone the previously listed public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State Only Operating Permits or §§ 127.521 to 127.524 for Title V operating permits.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) intends to issue a Plan Approval for installation of air pollution sources at the following facility:

**IP20-000084: United States Mint**, 151 N. Independence Mall East, Philadelphia, PA 19106 for the installation of air emission control devices at a coinage production facility, in the City of Philadelphia, **Philadelphia County**. The air emission control devices that are part of the Plan Approval are two (2) catalytic oxidizers that are electrically heated with rated capacity of 21,000 SCF/hr and are designed to control emissions of CO that is contained in excess annealing gas from the annealing gas generators at the facility. The potential emission from the installation are as follows: (1) 3.94 tons per year (tpy) of Carbon Monoxide (CO), (2) 3.07 tpy of Nitrogen Oxides (NO<sub>x</sub>), (3) 0.23 tpy of Particulate Matter (PM), (4) 0.17

typ of Volatile Organic Compound (VOC), and (5) 0.02 tpy of Sulfur Oxides (SO<sub>x</sub>). The plan approval will contain operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

The plan approval will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed plan approval must submit the protest, comments or request for a 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 plan approval 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.

### OPERATING PERMITS

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

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**06-05063: Boyertown Foundry Company** (P.O. Box 443, 9th St. & Rothermel Dr., New Berlinville, PA 19545) to issue a Title V Operating Permit renewal for the New Berlinville Plant located in Boyertown Borough, **Berks County**. The actual emissions from the facility in 2019 year were 73 tons of CO, 2 tons of NO<sub>x</sub>, 28 tons of PM<sub>-10</sub>, 21 tons of PM<sub>-2.5</sub>, 11 tons of SO<sub>x</sub> and 20 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52, 129.63, 129.91, 129.96, 40 CFR 63 Subpart ZZZZZ and 40 CFR 64.

#### Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

**46-00180: Transicoil LLC** (9 Iron Bridge Dr., Col-legeville, PA 19426) for renewal of a State-Only Operating Permit for a plant that manufactures capacitor, resistor, coil, transformer, and other inductors in Perkiomen Town-ship, **Montgomery County**. This Operating Permit con-tains all applicable State and Federal regulations appli-cable to the facility including emission limitations, oper-ating restrictions, work practice, monitoring, and record-keeping requirements designed to keep the facility operat-ing within all applicable air quality requirements.

**46-00137: Oehlert Brothers, Inc.** (P.O. Box 699, Royersford, PA 19468) for renewal of a State Only, Natural Minor Operating Permit in Limerick Township, **Montgomery County**. The facility operates a bulk gaso-line plant with two underground gasoline storage tanks. The facility is subject to the requirements found in 40 CFR Part 63, Subparts BBBB and CCCCC. All applicable requirements have been included in the operat-ing permit for renewal. The permit includes monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements.

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

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

**54-00061: Kaytee Products, Inc.** (55 North Sillyman St., Cressona, PA 17929-1196). The Department intends to issue a State-Only Operating Permit for operation of sources at an animal food manufacturing facility in Cressona Borough, **Schuylkill County**. The sources in-clude two cleaners and one storage bin. Control devices include two cyclones and three bag filters. The proposed permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**21-03006: Nestle Purina Petcare Co.—Mechanics-burg Feed Plant** (6509 Brandy Lane, Mechanicsburg, PA 17050-2817) to issue a State Only Operating Permit for the pet food manufacturing facility located in Hampden Township, **Cumberland County**. The poten-tial emissions from the facility are estimated at 53.23 tpy PM<sub>-10</sub>, 15.63 tpy PM<sub>-2.5</sub>, 0.40 tpy SO<sub>x</sub>, 20.59 tpy NO<sub>x</sub>, 25.35 tpy CO, 4.64 tpy VOC, and 6.16 tpy total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, record-keeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.11—123.22 as well as requirements of 40 CFR 60 Subparts Dc-NSPS for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR 60 Subpart IIII-NSPS for Stationary Compression Ignition Internal Combustion Engines.

**36-05165: J.L. Clark, LLC** (303 N. Plum Street, Lancaster, PA 17602) to issue a State Only Operating Permit for the metal can manufacturing facility located in Lancaster City, **Lancaster County**. The potential emis-sions from the facility are estimated at 19.6 tpy of NO<sub>x</sub>, 16.5 tpy of CO, 1.5 tpy of PM, 20.2 tpy of VOC and 1.1 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitor-ing, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52 Surface coating processes and 25 Pa. Code § 129.67b, Control of VOC emissions from offset lithographic printing presses and letterpress printing presses.



**06-05016: Grafika Commercial Printing, Inc.** (710 Johnston Street, Sinking Spring, PA 19608) to issue a State Only Operating Permit for the printing facility located in the Borough of Sinking Spring, **Berks County**. Actual emissions from the facility in 2018 were 12 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.63 and 129.67b.

**67-03083: Utz Quality Foods, LLC** (900 High Street, Hanover, PA 17331) to issue a State Only Operating Permit for the snack food manufacturing facility located in Hanover Borough, **York County**. The actual emissions from the facility in 2019 are estimated at 20.0 tons NO<sub>x</sub>; 16.4 tons CO; 1.5 ton PM<sub>10</sub>; 1.5 ton PM<sub>2.5</sub>; 1.1 ton VOC; 0.1-ton SO<sub>x</sub>; 0.4-ton hexane; and 0.4 ton total HAPs. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Source IDs 902, 903 and 904) and 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Source ID 901).

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

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

**53-00009: Morgan Advanced Materials and Technology, Inc.** (1118 East 2nd Street, Coudersport, PA 16915) to issue a renewal State Only (Synthetic Minor) Operating Permit for their Coudersport facility located in Eulalia Township, **Potter County**. The facility is currently operating under State Only Operating Permit 53-00009. The facility's main sources include natural gas-fired space heaters rated 0.8 MMBtu/hr and less; four natural gas-fired space heaters rated at 5.0 MMBtu/hr; one natural gas-fired space heater rated at 3.0 MMBtu/hr; resin batch mixer; nine bake ovens controlled by afterburners; three graphitizers; resin impregnation/curing operation; carbon batch mixers controlled by impinge units, thermal oxidizer, and filter panels; four baking ovens controlled by thermal oxidizers; three diesel-fired emergency generators; three natural gas-fired generators; one parts washer; three spray booths venting internally; two oxidation kilns; three exo gas generators; a batch oven controlled by a thermal oxidizer; purbide E reactors, and a graphite coating operation. The facility has potential emissions of 20.71 tons in any 12 consecutive month period (tpy) of carbon monoxide, 29.72 tpy of nitrogen oxides, 91.91 tpy of sulfur oxides, 29.88 tpy of volatile organic compounds, 4.52 tpy of particulate matter less than 10 microns in size, 4.52 tpy of particulate matter less than 2.5 microns in size, and 24,598 tpy of greenhouse gases (i.e. carbon dioxide equivalent). Revisions include adding sources determined to be of minor significance through the Request for Determination process. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping, and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality

regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, 40 CFR Part 60 Subparts IIII and JJJJ, and 40 CFR Part 63 Subpart ZZZZ. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

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

**20-00040: Advanced Cast Products, Inc.** (18771 Mill St., Meadville, PA 16335-3644). The Department is providing notice that they intend to issue a new State Only Synthetic Minor Operating Permit for the iron foundry located in Vernon Township, **Crawford County**. The facility's primary emission sources include the casting processes, natural gas-fired process heaters, miscellaneous natural gas usage, degreasing units, and non-emergency generators. The potential emissions, after permit limitations, of the major pollutants from the facility are as follows: 28.56 TPY (tons per year) NO<sub>x</sub>, 82.88 TPY CO, 4.41 TPY VOC, 1.19 TPY total HAPs (hazardous air pollutants), 62.78 TPY PM<sub>10</sub>, 45.86 TPY PM<sub>2.5</sub>, and 5.03 TPY SO<sub>x</sub>. The facility is a synthetic minor and has taken a voluntary throughput limit of 30,000 TPY of metal processed in Sources 103 and 103A at the facility so as to not exceed 100 tons per year of CO emissions. The facility is subject to 40 CFR 63 Subpart ZZZZZ, NESHAP for Iron and Steel Foundries Area Sources. The engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00954: National Fuel Gas Supply Corp., Summit Compressor Station** (520 Robison Road West, Erie, PA 16509). The Department intends to issue the renewal of the State-Only Operating Permit of a natural gas compressor station located in Summit Township, **Erie County**. Permitted air contamination sources are two natural gas-fired compressor engines, a natural gas-fired emergency generator engine, a natural gas dehydration unit, a parts washer, various combustion sources, and miscellaneous sources of fugitive emissions. To be Synthetic Minor, the facility has a NO<sub>x</sub> elective restriction of 99.9 tons in any 12-month rolling period. In this renewal, tanks and vessels, pneumatic devices, venting and blowdowns, fugitive emission components, and pigging operations are added as permitted sources for emissions inventory purposes. A detailed source test submittal procedure based on Source Testing Section's latest instructions is added. A reporting requirement intended for compliance demonstration with the NO<sub>x</sub> elective restriction is revised to agree with a current recordkeeping requirement.

**37-00271: Allegheny Mineral Corporation Princeton Plant** (P.O. Box 1022, One Glade Park East, Kittanning, PA 16201). The Department intends to issue a renewal of the State Only Operating Permit for the facility located in Slippery Rock Township, **Lawrence County**. The facility is a Natural Minor. The facility processes limestone. The primary sources at the facility include a dry crushing and screening process and a wet



crushing and screening process. The facility is subject to 40 CFR 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and the applicable requirements have been included in the renewal permit. Potential Total Suspended Particulate emissions from the facility are estimated at approximately 48.4 TPY based on 1,000,000 tons of production. The potential PM<sub>10</sub> emissions are approximately 15.0 TPY. The potential PM<sub>2.5</sub> emissions are 1.3 TPY. 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.

**42-00196: KC Midstream Solutions, LLC** (424 S. 27th St., Suite 304, Pittsburgh, PA 15203). The Department intends to renew a State Only Operating Permit for the Swamp Angel Compressor Station located in Lafayette Township, **McKean County**. The facility is a Natural Minor. Actual Reported Emissions for the calendar year 2019 are as follows: 11.73 tons CO; 7.86 tons NO<sub>x</sub>; 0.0485 ton Particulate Matter; 0.0116 ton SO<sub>x</sub>; 2.753 tons VOC; and 0.7679 ton all combined HAPs. The primary sources at the facility include natural gas fueled heaters and reboilers with a combined rating of 1.5 million Btu/hr., a natural gas fueled 1,265 hp compressor engine, a natural gas fueled 840 hp compressor engine, and a TEG dehydration unit. The facility is subject to the following Federal standards: 40 CFR Part 60 Subpart KKK, Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants; 40 CFR Part 63 Subpart HH, National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities; and 40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. 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.

#### PLAN APPROVALS

**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B and Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Downs Racing LP** (1280 Highway 315, Wilkes-Barre, PA 18702-7002) for their facility located in Plains Twp., **Luzerne County**. This Plan Approval No. 40-00131B will be incorporated into a State Only Permit through an administrative amendment at a later date.

**Plan Approval No. 40-00131B** is for the installation of three boilers, seven emergency generators and one fire pump at their facility. The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. The company shall be subject to and comply with 25 Pa. Code § 123.22 for Sulfur Compound Emissions.

The company is subject to NSPS Subpart Dc requirements for the boilers. The generators are subject to 40 CFR 60 Subpart IIII requirements. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The Plan approval and Operating Permit will include testing, monitoring, recordkeeping, and reporting requirements designed to keep the sources operating within all applicable air quality requirements. For further details, contact Ray Kempa at (570) 826-2511 within 30 days after publication date.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00131B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

#### COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or

local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to a mining permit application should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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 contain the name, address and telephone number of the requestor; the application number; 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 was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

#### *Coal Applications Received*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	

Alkalinity greater than acidity<sup>1</sup>

<sup>1</sup> The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied 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; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

#### *Coal Applications Received*

*Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner).*

**17990112 and NPDES PA0238350. Forcey Coal, Inc.**, 475 Banion Road, Madera, PA 16661, permit renewal for continued passive treatment system on a bituminous surface mine located in Bigler Township, **Clearfield County** affecting 128.0 acres. Receiving stream(s): Banian Run and Unnamed Tributary to Banian Run to Clearfield Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 15, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 54773017R7. KK Coal, LLC** (P.O. Box 8, Cumbola, PA 17930), renewal of an existing anthracite surface mine operation in East Norwegian and Blythe Townships, **Schuylkill County** affecting 259.0 acres. Receiving stream: East Branch Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: April 23, 2020.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

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 Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30-days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, telephone number and the interest of the party filing the request and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

*California District Mining Office: 25 Technology Drive, California Technology Park, Coal Center, PA 15423, 724.769.1100, (Contact: Bonnie Herbert).*

**NPDES No. PA0214612 (Mining Permit No. 17921603), Greenwood Processing & Loading Complex, LLC**, 1340 Hoyt Road, Curwensville, PA 16833, a renewal to the NPDES and mining activity permit for coal preparation activities and a revision to the NPDES and mining activity permit to add a seep to the treatment system for Bells Landing Tipple in Greenwood Township, **Clearfield County**, affecting 18.4 surface acres. Receiving stream(s): West Branch Susquehanna River classified for the following use: CWF. West Branch Susquehanna River Watershed TMDL. The application was considered administratively complete: July 19, 2019. The application was received: June 18, 2019.

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.

*Outfall 001* discharges to: West Branch Susquehanna River

The proposed effluent limits for *Outfall 001* (Lat: 40° 54' 51" Long: 78° 37' 49") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

*Outfall 002* discharges to: West Branch Susquehanna River

The proposed effluent limits for *Outfall 002* (Lat: 40° 54' 49" Long: 78° 37' 44") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Oil & Grease	(mg/l)	-	15	30	30
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

*Outfall 003* discharges to: West Branch Susquehanna River

The proposed effluent limits for *Outfall 003* (Lat: 40° 54' 56" Long: 78° 37' 43") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

EPA waiver is not in effect.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner).*

**NPDES No. PA0115622 (Mining Permit No. 17860135), Strishock LLC**, P.O. Box 1006, DuBois, PA 15801 renewal of an NPDES permit for a surface coal mine in Brady, Sandy, and Union Townships, **Clearfield County**, affecting 367.6 acres. Receiving stream(s): Laborde Branch and Stony Run classified for the following use(s): CWF. The receiving streams are included in the Luthersburg Branch and Laborde Branch TMDL. Application received: December 2, 2019.

The following outfalls discharge to Laborde Branch:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	Sedimentation (Sed Pond B)
017	N	Treatment

The following outfall discharges to Stony Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
005	N	Sedimentation (Sed Pond E)



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

<i>Outfall(s): 017 (All Weather Conditions)</i> <i>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)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)			Monitor & Report
Flow (gpm)			Monitor & Report
Temperature (°C)			Monitor & Report
Specific Conductivity (µmhos/cm)			Monitor & 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: 002 and 005 (Dry Weather Conditions)</i> <i>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)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)			Monitor & Report
Flow (gpm)			Monitor & Report
Temperature (°C)			Monitor & Report
Specific Conductivity (µmhos/cm)			Monitor & 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: 002 and 005 (≤10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. 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)			Monitor & Report
Flow (gpm)			Monitor & Report
Temperature (°C)			Monitor & Report
Specific Conductivity (µmhos/cm)			Monitor & 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: 002 and 005 (>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.

This mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87 Subchapter F, effluent limits for those discharges are based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).*

**NPDES No. PA0278459 (GFCC No. 65-20-01), David L. Patterson, Jr.**, 12 Short Cut Road, Smithfield, PA 15478, new NPDES permit for a Government Financed Construction Contract (GFCC) reclamation project located in Salem Township, **Fayette County**, affecting 32.9 acres. Receiving stream(s): Unnamed tributary to Beaver Run, classified for the following use(s): HQ-CWF. The first downstream potable water supply intake from the point of discharge is the Beaver Run Reservoir. Application received: April 13, 2020.

The following outfalls drain to the UNT to Beaver Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	SWO
002	N	MDT

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/L)	1.5	3.0	3.7
Total Manganese (mg/L)	1.0	2.0	2.5
Total Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35	70	90
Sulfates (mg/L)			Monitor and Report
Total Dissolved Solids (mg/L)			Monitor and Report
Specific Conductivity (µmhos/cm)			Monitor and Report

Alkalinity must be greater than acidity at all times.  
pH must be between 6.0 and 9.0 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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

#### Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

**Permit No. E4601220-028, Southeastern Pennsylvania Transportation Authority (SEPTA),** 1234 Market Street, Philadelphia, PA 19107, Whitmarsh Township, Montgomery County, ACOE Philadelphia District.

To stabilize the embankment along the SEPTA (Southeastern Pennsylvania Transportation Authority) Norristown Regional Line between the Spring Mill and Miquon Stations (two different locations, Site 1 and Site 2) along the Schuylkill River (WWF, MF) and culvert rehabilitation (Site 1). The project proposes to stabilize the shoreline by installing an Earth Stabilization System and to rehabilitate the existing stormwater culvert located the southern end of Site 1, to include a corrugated metal arch extension approximately 15.67 feet in length. At Site 1, temporary floodplain impacts of 0.169-acre, temporary floodway impacts of 0.736 acre, and temporary

waterway impacts of 0.629 acre. At Site 2, temporary floodplain impacts of 0.262 acre and temporary floodway impacts of 0.414 acre.

Site 1 is located between SEPTA Catenary Structures 11-0 and 11-4 and Site 2 is located between Catenary Structures 11-10 and 11-14. (Norristown, PA USGS map; Lat: 40.064580; Long: -75.272803, in Whitmarsh Township, Montgomery County.

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

**E0603219-005. Stephen J. Stoltzfus Jr.,** 2025 Valley Road, Morgantown, PA 19543, in Caernarvon Township, Berks County, U.S. Army Corps of Engineers Baltimore District.

To install and maintain an extension to an existing stream enclosure permanently impacting 57 linear feet of UNT to Conestoga River (WWF, MF) and 1,280 square feet of PEM wetlands, all for the purpose of expanding the existing businesses parking and storage area. The project is located at 2025 Valley Road, Morgantown, PA (Latitude: 40° 9' 12" N; Longitude: 75° 52' 23") in Caernarvon Township, Berks County. No wetland Mitigation is proposed.

**E0603220-023. NorthPoint Development,** 4825 NW 41st Street, Suite 500, Riverside, MO 64150 in Bethel Township, Berks County, U.S. Army Corps of Engineers Baltimore District.

To place and maintain fill and excavate, permanently impacting 0.41 acre of emergent wetlands (40.4755840, -76.3000150) with a loss of 0.26 acre of emergent wetland for the purpose of constructing a 1,011,719 square-foot warehouse. The applicant is proposing compensation for these impacts by creating 0.26 acre of wetland on-site. The project is located at 22 Martha Drive, Bethel Township, Berks County.

*Northwest Region: District Oil and Gas Office, 230 Chestnut Street, Meadville, PA 16335, 814-332-6860.*

**E33-08-220-011, Open Flow Gas Supply Corporation,** 90 Beaver Drive, Suite 110 B, P.O. Drawer J, Dubois, PA 15801. Falls Creek Eagles/Game School Gas Pipeline, in Polk and Warsaw Townships, Jefferson County, ACOE Pittsburgh District, Hazen, PA Quadrangle N: 41°, 14', 59.14"; W: 78°, 55', 19.74".

The project consists of installation of a 2,760 ft. long, 2-inch gathering gas pipeline that will be installed via open trench for the entire length. The proposed project impacts in Jefferson County include a total of 14 linear feet of permanent impacts, and 14 linear feet of temporary impacts to a UNT of Beaver Meadow Run (EV). One floodway will be impacted having 0.04 acre of permanent impacts and 0.04 acre of temporary impacts.

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

**E4129220-023: Pennsylvania General Energy Co., LLC,** 120 Market Street, Warren, PA 16365. Shawnee Phase 2 Pipeline in Fairfield and Upper Fairfield Township, Lycoming County, ACOE Baltimore District.

To construct, operate and maintain approximately 3.5-miles (18,231 ft) of one (1) 24-inch diameter flex steel natural gas pipeline in Fairfield and Upper Fairfield Township, Lycoming County. The pipeline will be placed via open cut trenching within the proposed and existing ROW. The pipeline will be bored under State Route 864, channel 8 and wetland 36. The purpose of this project is

to provide a conveyance of low-pressure natural gas between the Shawnee ETP to Transco Pipeline.

The project will result in a total of 90 LF (895 SF) of permanent and 240 LF (4,476 SF) of temporary stream impacts, 7,656 SF (0.1758 acre) of permanent and 34,397

SF (0.7896 acre) of temporary floodway impacts and 275 SF (00063 acre) of permanent and 3,441 SF (0.0790 acre) of temporary wetland impacts all for the purpose of constructing a natural gas pipeline for Marcellus well development.

#### Stream Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Channel 18 UNT Little Mill Crk	Upper Fairfield Huntersville	Pipeline Trench	TSF; HQ-CWF	None			19	185	41.313143° 76.872062°
Channel 18 UNT Little Mill Crk	Upper Fairfield Huntersville	Workspace	TSF; HQ-CWF	None	40	660			41.313143° 76.872062°
Channel 18 UNT Little Mill Crk	Upper Fairfield Huntersville	Equipment Crossing	TSF; HQ-CWF	None	19	228			41.313143° 76.872062°
Channel 26 UNT Little Mill Crk	Upper Fairfield Huntersville	Pipeline Trench	TSF; HQ-CWF	None			16	160	41.304231° 76.865268°
Channel 26 UNT Little Mill Crk	Upper Fairfield Huntersville	Workspace	TSF; HQ-CWF	None	40	640			41.304231° 76.865268°
Channel 26 UNT Little Mill Crk	Upper Fairfield Huntersville	Equipment Crossing	TSF; HQ-CWF	None	16	192			41.304231° 76.865268°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Pipeline Trench	TSF; HQ-CWF	Wild			41	410	41.294712° 76.869127°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Workspace	TSF; HQ-CWF	Wild	42	1,680			41.294712° 76.869127°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Equipment Crossing	TSF; HQ-CWF	Wild	43	516			41.294712° 76.869127°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Pipeline Trench	TSF; HQ-CWF	Wild			14	140	41.294109° 76.868541°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Workspace	TSF; HQ-CWF	Wild	40	560			41.294109° 76.868541°
<i>TOTAL IMPACTS</i>					240	4,476	90	895	
<i>TOTAL STREAM IMPACTS</i>					181	3,588	71	710	
<i>TOTAL WAIVER 2 IMPACTS</i>					59	888	19	185	

#### Wetland Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cowardin Class</i>	<i>Listed Trout</i>	<i>Total Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Total Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Wetland 1	Upper Fairfield Huntersville	Workspace	PEM; EV	None	94	940			41.318292° 76.872361°
Wetland 2	Upper Fairfield Huntersville	Pipeline Trench	PEM; EV	None			5	45	41.318240° 76.872571°

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cowardin Class</i>	<i>Listed Trout</i>	<i>Total Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Total Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Wetland 2	Upper Fairfield Huntersville	Workspace	PEM; EV	None	120	960			41.318204° 76.872559°
Wetland 2	Upper Fairfield Huntersville	Equipment Crossing	PEM; EV	None	12	48			41.318259° 76.872600°
Wetland 30	Upper Fairfield Huntersville	Pipeline Trench	PEM; EV	Wild			11	110	41.294456° 76.868878°
Wetland 30	Upper Fairfield Huntersville	Equipment Crossing	PEM; EV	Wild	50	400			41.294456° 76.868878°
Wetland 36	Upper Fairfield Huntersville	Pipeline Trench	PEM; EV	Wild			10	80	41.294021° 76.868455°
Wetland 36	Upper Fairfield Huntersville	Equipment Crossing	PEM; EV	Wild	25	175			41.294021° 76.868455°
Wetland 61	Upper Fairfield Huntersville	Pipeline Trench	PFO; EV	Wild			10	40	41.293778° 76.868222°
Wetland 61	Upper Fairfield Huntersville	Pipeline Trench	PFO; EV	Wild	36	162			41.293778° 76.868222°
Wetland 27	Upper Fairfield Huntersville	Access Road	PEM; EV	Wild	34	68			41.295045° 76.867915°
Wetland 27	Upper Fairfield Huntersville	Workspace	PEM; EV	Wild	104	208			41.295045° 76.867915°
Wetland 28	Upper Fairfield Huntersville	Access Road	PEM; EV	Wild	68	340			41.294982° 76.868086°
Wetland 28	Upper Fairfield Huntersville	Workspace	PEM; EV	Wild	70	140			41.294982° 76.868086°
<b>TOTAL IMPACTS</b>					613	3,441	36	275	
					<i>PEM</i>	577	3,279	26	235
					<i>PSS</i>				
					<i>PFO</i>	36	162	10	40

**Floodway Impact Table:**

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Channel 18 UNT Little Mill Crk	Upper Fairfield Huntersville	Pipeline Trench			102	1,020	41.313143° 76.872062°
Channel 18 UNT Little Mill Crk	Upper Fairfield Huntersville	Workspace	115	4,600			41.313143° 76.872062°
Channel 18 UNT Little Mill Crk	Upper Fairfield Huntersville	Equipment Crossing	48	576			41.313143° 76.872062°



<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Channel 25 UNT Little Mill Crk	Upper Fairfield Huntersville	Pipeline Trench			12	36	41.308045° 76.867129°
Channel 25 UNT Little Mill Crk	Upper Fairfield Huntersville	Workspace	35	700			41.308045° 76.867129°
Channel 26 UNT Little Mill Crk	Upper Fairfield Huntersville	Pipeline Trench			101	1,010	41.304231° 76.865268°
Channel 26 UNT Little Mill Crk	Upper Fairfield Huntersville	Workspace	40	640			41.304231° 76.865268°
Channel 26 UNT Little Mill Crk	Upper Fairfield Huntersville	Equipment Crossing	16	192			41.304231° 76.865268°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Pipeline Trench			158	1,580	41.294712° 76.869127°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Workspace	42	1,806			41.294712° 76.869127°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Equipment Crossing	43	516			41.294712° 76.869127°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Pipeline Trench			182	1,820	41.294109° 76.868541°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Workspace	241	10,845			41.294109° 76.868541°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Access Road	307	6,140			41.294948° 76.868456°
Channel 8 Mill Creek	Upper Fairfield Huntersville	Workspace	135	270			41.294948° 76.868456°
Channel 36 UNT Mill Creek	Upper Fairfield Huntersville	Pipeline Trench			41	410	41.292720° 76.867199°
Channel 36 UNT Mill Creek	Upper Fairfield Huntersville	Workspace	53	1,378			41.292720° 76.867199°
Channel 37 UNT Mill Creek	Upper Fairfield Huntersville	Pipeline Trench			139	1,390	41.293157° 76.867639°
Channel 37 UNT Mill Creek	Upper Fairfield Huntersville	Workspace	210	5,460			41.293157° 76.867639°
Channel 53 UNT Mill Creek	Upper Fairfield Huntersville	Pipeline Trench			39	390	41.293717° 76.868165°
Channel 53 UNT Mill Creek	Upper Fairfield Huntersville	Workspace	49	1,274			41.293717° 76.868165°
<i>TOTAL IMPACTS</i>			1,334	34,397	774	7,656	

**E5929220-022: SWEPI LP**, 150 North Dairy Ashford Road, Bldg E 12th Floor, Houston, TX 77079-1115, Sullivan Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

- 1) a temporary road crossing using a timber mats and an 8 inch diameter natural gas pipeline impacting 5,100 square feet of a palustrine emergent (PEM) wetland (Roseville, PA Quadrangle 41° 46' 30" N, 76° 59' 24" W);
- 2) a temporary road crossing using 20 foot long, 48 inch diameter corrugated metal pipes, and an 8 inch diameter natural gas pipeline impacting 58 linear feet of an unnamed tributary to Corey Creek (CWF) (Roseville, PA Quadrangle 41° 46' 30" N, 76° 59' 19" W);
- 3) a temporary road crossing using 20 foot long, 48 inch diameter corrugated metal pipes, and an 8 inch diameter natural gas gathering line impacting 71 linear feet of Corey Creek (CWF) (Roseville, PA Quadrangle 41° 46' 25" N, 76° 58' 47" W);
- 4) a temporary road crossing using 20 foot long, 60 inch diameter corrugated metal pipes, timber mats, and an 8 inch diameter natural gas pipeline impacting 77 linear feet of Corey Creek (CWF) and 1,369 square feet of a palustrine emergent (PEM) wetland (Roseville, PA Quadrangle 41° 46' 1" N, 76° 58' 40" W);
- 5) a temporary road crossing using 20 foot long, 48 inch diameter corrugated metal pipes, and an 8 inch diameter natural gas pipeline impacting 65 linear feet of Corey Creek (CWF) and 4,268 square feet of a palustrine emergent/palustrine forested (PEM/PFO) wetland (Roseville, PA Quadrangle 41° 46' 14" N, 76° 58' 30" W);
- 6) a temporary road crossing using 20 foot long, 36 inch diameter corrugated metal pipes, timber mats, and an 8 inch diameter natural gas pipeline impacting 57 linear feet of an unnamed tributary to Corey Creek

(CWF), 270 square feet of a palustrine emergent (PEM) wetland, and 933 square feet of a palustrine scrub-shrub (PSS) wetland (Roseville, PA Quadrangle 41° 46' 07" N, 76° 58' 15" W);

7) a temporary road crossing using a 20 foot long, 12 inch diameter corrugated metal pipe, and an 8 inch diameter natural gas gathering line impacting 45 linear feet of an unnamed tributary to Corey Creek (CWF) (Roseville, PA Quadrangle 41° 46' 03" N, 76° 58' 01" W);

8) a temporary road crossing using a timber mat bridge and an 8 inch diameter natural gas pipeline impacting 1,327 square feet of a palustrine emergent (PEM) wetland (Roseville, PA Quadrangle 41° 45' 57" N, 76° 57' 50" W);

9) a temporary road crossing using a 20 foot long, 36 inch diameter corrugated metal pipe, and an 8 inch diameter natural gas gathering line impacting 44 linear feet of an unnamed tributary to Corey Creek (CWF) (Roseville, PA Quadrangle 41° 45' 55" N, 76° 57' 42" W);

10) a temporary road crossing using a timber mat bridge and an 8 inch diameter natural gas pipeline impacting 355 square feet of a palustrine emergent (PEM) (Roseville, PA Quadrangle 41° 45' 55" N, 76° 57' 27" W);

11) a temporary road crossing using a 20 foot long, 12 inch diameter corrugated metal pipe, and an 8 inch diameter natural gas pipeline impacting 133 linear feet of an unnamed tributary to Corey Creek (CWF) (Roseville, PA Quadrangle 41° 45' 55" N, 76° 57' 26" W);

The project will result in 550 linear feet of temporary stream impacts, 12,999 square feet (0.30 acre) of temporary wetland impacts, and 623 square feet (0.014 acre) of permanent wetland impacts all for the purpose of installing a natural gas pipeline in Sullivan Township, Tioga County.

## ACTIONS

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

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action 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).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to

Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### I. NPDES Renewal Permit Actions.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0081841 (Sew) Issued	Hershey Preserve 493 S. Mount Pleasant Road Lebanon, PA 17042-4870	Lebanon County South Annville Township	UNT to Gingrich Run (TSF) in Watershed(s) 7-D	Y
PA0246620 (IW) Issued	Rutherford Intermodal 5050 Paxton Street Harrisburg, PA 17111	Dauphin County Swatara Township	UNT to Spring Creek (CWF) in Watershed(s) 7-C and 7-D	Y
PA0266680 A-2 (SWI) Transfer	Amazon.com Services LLC-Phl 4 21 Roadway Drive Carlisle, PA 17015	Cumberland County Middlesex Township	UNT to Letort Sprig Run in Watershed(s) 7-B	Y
PA0051900 (Sew) Issued	Robeson Township STP 2689 Main Street Birdsboro, PA 19508-8317	Berks County Robeson Township	Schuylkill River (WWF, MF) in Watershed(s) 3-C	Y
PA0083305 (IW) Issued	TE Connectivity Corp. Route 516 and Shaffers Church Road Brodbecks Bldg. 06 Brodbecks, PA 17329	York County Codorus Township	UNT to South Branch Codorus Creek (WWF, MF) in Watershed(s) 7-H	Y
PA0081817 (Sew) Issued	East Juniata High School 32944 Route 35 N McAlisterville, PA 17049-8109	Juniata County Fayette Township	Cocolamus Creek (TSF) in Watershed(s) 12-B	Y
PA0083721 (Sew) Issued	Paradise Homes Comm. Lake Road York, PA 17403-4492	York County Paradise Township	UNT of Paradise Run (WWF) in Watershed(s) 7-F	Y
PA0070149 (Sew) Issued	Leesport Borough STP 10 E. Wall Street Leesport, PA 19533-9604	Berks County Leesport Borough	Schuylkill River (WWF, MF) in Watershed(s) 3-B	Y
PA0080560 (SW) Issued	Harrisburg Travel Center 24601 Center Ridge Road Westlake, OH 44145	Dauphin County West Hanover Township	UNT to Manada Creek (WWF, MF) Watershed(s) 7-D	Y
PA0246689 (Sew) Issued	Morris Residence 153 Hidden Valley Lane Bedford, PA 15522-5365	Bedford County Cumberland Valley Township	UNT to Oster Run (HQ-CWF, MF) in Watershed(s) 13-A	Y
PA0070050 (IW) Issued	Reading Alloys Inc. 220 Old W. Penn Ave Reading, PA 19551	Berks County South Heidelberg Township	Spring Creek (CWF) and Spring Creek (CWF, MF) in Watershed(s) 3-C	Y
PA0022250 (Sew) Issued	Biglerville Borough Authority 3251 Biglerville Road Biglerville, PA 17307	Adams County Biglerville Borough	UNT to Conewago Creek (WWF) in Watershed(s) 7-F	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0085235 (Sew) Issued	Emilys Restaurant 3790 Morgantown Road Mohnton, PA 19540-7920	Berks County Robeson Township	UNT to Allegheny Creek (CWF) in Watershed(s) 3-C	Y

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0093891 (Sewage)	Hampshire Estates STP 945 Little Deer Creek Valley Road P.O. Box 148 Russellton, PA 15076-1331	Allegheny County West Deer Township	Unnamed Tributary to Dawson Run (CWF) (18-A)	Yes
PA0095478 (Sewage)	Jefferson Estates Inc. P.O. Box 65 Perryopolis, PA 15473-0065	Fayette County Jefferson Township	Unnamed Tributary of Little Redstone Creek (WWF) (19-C)	Yes
PA0252590 (Sewage)	Rogersville STP P.O. Box 435 Rogersville, PA 153595	Greene County Center Township	South Fork Tenmile Creek (HQ-WWF) (19-B)	Yes

## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

**NPDES Permit No. PA0028568**, Sewage, SIC Code 4952, **Bangor Borough Authority Northampton County**, 197 Pennsylvania Avenue, Bangor, PA 18013.

This existing facility is located in Washington Township, **Northampton County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

**NPDES Permit No. PA0276308**, Stormwater, SIC Code 4225, **Amazon.com Services, LLC**, P.O. Box 80842, Attn: NA Environmental Department, Seattle, WA 98108-0842.

This existing facility is located in Bethlehem Township, **Northampton County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for an existing discharge of industrial stormwater.

**NPDES Permit No. PA0060046**, Sewage, SIC Code 4952, **Can Do Inc.**, One South Church Street, Hazleton, PA 18201.

This existing facility is located in Hazle Township, **Luzerne County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**NPDES Permit No. PA0205753 A-1**, Sewage, **East Bethlehem Township Municipal Authority Washington County**, P.O. Box 136, Fredericktown, PA 15333-0136, East Bethlehem Township, **Washington County**.

The following notice reflects changes to the notice published in the January 12, 2019 edition of the *Pennsylvania Bulletin*:

Elimination of Total Residual Chlorine limits

Addition of UV transmittance monitoring

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**NPDES Permit No. PA0287989**, Sewage, SIC Code 8800, **Gorden Smith**, 637 Fredonia Road, Greenville, PA 16125-8407.

This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0288179**, Sewage, SIC Code 8800, **James & Wilma Spaulding**, 9180 Fry Road, McKean, PA 16426-1539.

This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.



**NPDES Permit No. PA0288047**, Sewage, SIC Code 6513, **Mary Waggoner**, P.O. Box 332, Lyndora, PA 16045-0332.

This proposed facility is located in Clay Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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### III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law.

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*Southcentral Region: Clean Water Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

**WQM Permit No. WQG02362001**, Sewerage, SIC Code 4952, **Paradise Township Sewer Authority**, 2 Township Drive, P.O. Box 40, Paradise, PA 17562.

This proposed facility is located in Paradise Township, **Lancaster County**.

Description of Proposed Action/Activity:

This General Permit approves the construction and operation of 1 pump station.

**WQM Permit No. 0585404 T3**, Sewerage, SIC Code 6514, **Morris Residence**, 153 Hidden Valley Lane, Bedford, PA 15522-5365.

This proposed facility is located in Cumberland Valley Township, **Bedford County**.

Description of Proposed Action/Activity:

This transfer approves the transfer of sewage facilities consisting of:

- Norweco ATU
- 600 ft<sup>2</sup> sand filter
- 200-gallon chlorine contact tank

**WQM Permit No. 3820401**, Sewerage, SIC Code 4952, **North Londonderry Township Authority**, 655 E Ridge Road, Palmyra, PA 17078-9308.

This proposed facility is located in North Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity:

This permit approves the construction and operation of sewage facilities consisting of:

-A pump station with sewage grinder and 2 submersible pumps each rated at 475 gpm at 91 TDH and 5,400-linear feet of 8-inch PVC force main.

-Pump Station building, pump controls, wet well and standby generator.

-A 15-inch PVC interceptor, 8-inch gravity sewer and 10-inch gravity sewer with several manholes and stream crossings.

**WQM Permit No. 0185405 A4**, Sewerage, SIC Code 4952, **Biglerville Borough Authority**, 33 Musselman Avenue, Biglerville, PA 17307-9233.

This proposed facility is located in Biglerville Borough, **Adams County**.

Description of Proposed Action/Activity:

This amendment approves the modification of sewage facilities consisting of:

-Re-rate the design hydraulic capacity to 0.925 MGD and the design organic capacity to 750 lb/da-BODs for consistency with the permit issued on June 27, 2006.

**WQM Permit No. 0619407**, Sewerage, SIC Code 5499, **Heres Hereford LLC**, 5601 Mariner Street, Suite 100, Tampa, FL 33609.

This proposed facility is located in Hereford Township, **Berks County**.

Description of Proposed Action/Activity:

This permit approves the construction and operation of sewage facilities consisting of:

Two settling tanks (2,000 gallons each) including a grease trap; gravity conveyance lines to a lift station with 2 submersible pumps; an aerated 4,900 gallon EQ tank with 2 submersible pumps; chemical feeds with peristaltic pumps; 3 blowers; 2 aeration tanks of 4,900 gallons each with fine air diffusers and PVC media; dissolved Oxygen sensors, analyzer, and automated controls; and a clarifier with RAS to aeration tank and effluent overflow to a dosing tank; an effluent flow meter; 2 dosing pumps, automated valve and pressurized piping to a 3,000 sq. ft. absorption area composed of 10 trenches with PVC laterals and globe valves. The absorption area is divided into two zones of 5 trenches each, with dosing alternating between the two zones.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**WQM Permit No. 6573413 A-1**, Sewage, **North Huntingdon Township Municipal Authority Westmoreland County**, 11265 Center Highway, N Huntingdon, PA 15642.

This existing facility is in North Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Upgrade of Highland Terrace Pump Station.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 4319413**, Sewage, **Gorden Smith**, 637 Fredonia Road, Greenville, PA 16125.

This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 2520404**, Sewage, **James & Wilma Spaulding**, 9180 Fry Road, McKean, PA 16426-1539.

This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 1020401**, Sewage, **Mary Waggoner**, P.O. Box 332, Lyndora, PA 16045-0332.

This proposed facility is located in Clay Township, **Butler County**.

Description of Proposed Action/Activity: Small flow treatment facility to service existing apartment building.

**WQM Permit No. 1620402**, Sewage, **Philip C Kiser**, 202 South Street, Clarion, PA 16214.

This proposed facility is located in Clarion Township, **Clarion County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 1000404 A-1**, Sewage, **Western Butler County Authority**, 607 Market Street, Zelienople, PA 16063-1830.

This existing facility is located in Zelienople Borough, **Butler County**.

Description of Proposed Action/Activity: Replacement of the Herman Pump Station.

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**IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.**

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*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI132222	Lower Macungie Township 3400 Brookside Road Macungie, PA 18062	Lower Macungie Township, Lehigh	Spring Creek (HQ-CWF/MF), Tributary 3578 to Little Lehigh Creek (HQ-CWF/MF), Tributary 3572 to Cedar Creek (HQ-CWF/MF), Swabia Creek (HQ-CWF/MF), Tributaries 3580 & 3585 to Swabia Creek (HQ-CWF/MF), Little Lehigh Creek (HQ-CWF/MF), Leibert Creek (HQ-CWF/MF), and Toad Creek (HQ-CWF/MF)	N	Y

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI132227	Lower Saucon Township 3700 Old Philadelphia Pike Bethlehem, PA 18015-5426	Lower Saucon Township, Northampton	Lehigh River (WWF/MF), Saucon Creek (CWF/MF), Tributaries 3360 & 3361 to Saucon Creek (CWF/MF), Unnamed Tributary to Saucon Creek (CWF/MF), Unnamed Tributary to East Branch Saucon Creek (CWF/MF), Black River (CWF/MF), Tributary 3355 to Black River (CWF/MF), Unnamed Tributary to Black River (CWF/MF), Polk Valley Run (CWF/MF), Silver Creek (CWF/MF)	N	Y

#### V. NPDES Waiver Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Actions.

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the following MS4s instead of NPDES permit coverage.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>NPDES Waiver No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136350	Ellsworth Borough Washington County P.O. Box 545 Ellsworth, PA 15331-0545	Ellsworth Borough Washington	Pigeon Creek (WWF)

#### VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions.

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

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390152 Authorization/ Issuance	Jaindl Land Company 3150 Coffeetown Road Orefield, PA 18069	Lehigh	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)
PAD390139 Authorization/ Issuance	New Tripoli Bank 6748 Madison St. New Tripoli, PA 18066	Lehigh	North Whitehall Twp	UNT to the Mill Creek (CWF, MF) EV Wetlands
PAD450087 Authorization/ Issuance	Elmer F. Possinger and Sons, Inc. P.O. Box 520 Bartonsville, PA 18321	Monroe	Hamilton Township	UNT to McMichael Creek (HQ-CWF, MF) McMichael Creek (HQ-CWF, MF)
PAD480120 Authorization/ Issuance	Nic Zawarski and Sons Developers, Inc. c/o Taras W. Zawarski 1441 Linden Street Bethlehem, PA 18018	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140054	Nittany Valley Partners, LP 1304 Megan Dr State College, PA 16803	Centre	Patton Township	UNT Buffalo Run HQ-CWF
PAD140054 A-3 Minor Amendment	Nittany Valley Partners, LP 1304 Megan Dr State College, PA 16803	Centre	Patton Township	UNT Buffalo Run HQ-CWF

*Southwest Region: Dana Drake, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD260011	First Energy Corporation 311 South Seventh Street Connellsville, PA 15425	Fayette County	City of Connellsville	Youghiogheny River (HQ-CWF)
PAD630040	Washington County Commissioners Suite 701 100 West Beau Street Washington, PA 15301	Washington County	Cross Creek Township	Cross Creek (HQ-WWF)

### **VII. Approvals to Use NPDES and/or Other General Permits.**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### **List of NPDES and/or Other General Permit Types.**

PAG-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities
PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-06	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-07	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-08	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-08 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
PAG-09	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-09 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-09 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Contact: Aaron Redmond, Management Technician, 484.250.5821.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC510162	uCity Academic Owner, LLC 3675 Market Street Suite 200 Philadelphia, PA 19104	City of Philadelphia Philadelphia County	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900



## NOTICES

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<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC510163	PECO Energy Company (PECO) 2301 Market Street N3-3 Philadelphia, PA 19103	City of Philadelphia Philadelphia County	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC510169	1121 Pier Village, LLC 93-16 71st Drive Forest Hills, NY 11375-6709	City of Philadelphia Philadelphia County	Delaware River MF-WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC510170	W/W 2400 Weccacoe Owner VIII, LLC 505 Park Avenue 18th Floor New York, NY 10022	City of Philadelphia Philadelphia County	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC460429	Montgomery Realty Associates 6055 Sheaff Lane Fort Washington, PA 19034	Montgomery Township Montgomery County	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC460403	Premier Trailer Leasing 5201 Tennyson Parkway Suite 250 Plano, TX 75024	Upper Hanover Township Montgomery County	Stony Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC460424	AMEJ Partners LP T/A Acme Corrugated Box Company Inc. 2700 Turnpike Drive Hatboro, PA 19040-4219	Upper Moreland Township Montgomery County	Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC460475	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	Skippack Township Montgomery County	Unnamed Tributary to Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC460391	ELU Beachcomber LLC 201 S Maple Avenue Suite 100 Ambler, PA 19002	Whitpain Township Montgomery County	Stony Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC460451	Nehoc Holdings LLL c/o Myoderm 328 DeKalb Street Norristown, PA 19401	Horsham Township Montgomery County	Unnamed to Park Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC230143	Riddle Memorial Hospital c/o Main Line Health 1068 West Baltimore Pike Media, PA 19063	Middletown Township Delaware County	Chrome Run TSF-MF Tributary 00540 to Chrome Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC230131	Artis Senior Living 129 Middletown Road Media, PA 19063	Middletown Township Delaware County	Chrome Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC230128	The Estates of David D. Adams 40 Oakland Road West Chester, PA 19382	Chadds Ford Township Delaware County	Brinton Run WWF-MF Unnamed Tributary to West Branch Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC230141	Nicholas Bonaventure Builders, Inc. 312 Leni Road Media, PA 19063	Middletown Township Delaware County	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC230129	Andrea Halko-Roberts Heybum Road Chadds Ford, PA 19317	Chadds Ford Township Delaware County	Unnamed Tributary to Harvey Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC090348	Michael Minkovich 116 Orthodox Drive Richboro, PA 18954	Northampton Township Bucks County	Unnamed Tributary to Neshaminy Creek TSF-MF	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550

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

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC350082 Authorization/ Issuance	David Atcherley 100 Greenfield Drive Clarks Summit, PA 18411-9151	Lackawanna	South Abington Township	Summit Lake Creek (TSF, MF)	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC350087 Authorization/ Issuance	Forge Estates LTD 10 Tanya Drive Old Forge, PA 18518-1028	Lackawanna	Old Forge Borough	Saint John's Creek (CWF-MF)	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC480085 Authorization/ Issuance	Bruce R. & Ginger L. Petrie 2626 Redington Rd. Hellertown, PA 18055	Northampton	Lower Saucon Township	Bull Run (CWF, MF)	Northampton County Conservation District 14 Gracedale Ave Greystone Building Nazareth, PA 18064-9211 610-829-6276

*Southcentral Region: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4802.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC010142 Issued	Kinneman Holdings, LLC 130 Carlisle Street Hanover, PA 17331	Adams	Berwick Township	UNT Pine Run Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC220214 Issued	Jeffrey Backenstoës 7816 Fishing Creek Valley Road Harrisburg, PA 17112	Dauphin	West Hanover Township	UNT Manada Creek (CWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

## NOTICES

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<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC670323 Issued	RAK Church Road, LLC 6259 Reynolds Mill Road Seven Valleys, PA 17360	York	Manchester Township	Codorus Creek (WWF) Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670169 Issued	Dover Area School District 101 Edgeway Road Dover, PA 17315	York	Dover Township	UNT Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670394 Issued	Springfield Contractors, Inc. 290 Seaks Run Road Glen Rock, PA 17327	York	Paradise Township	UNT Beaver Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670175 Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	York	Manchester Township	UNT Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670362 Issued	Andrew S & Jane D Samuel 205 Alpat Drive Dillsburg, PA 17019	York	Carroll Township	Yellow Breeches Creek (CWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC080049	Athens Borough 2 South River St Athens, PA 18810	Athens Boro Bradford Cnty	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
PAC140096 Request for Correction— Published in Pa.B. Vol. 50, No. 11, March 14, 2020	Rallis Pond & Tent Pad P.O. Box 150 Boalsburg, PA 16827	Harris Twp Centre Cnty	Trib 23044 to Roaring Run	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
PAC140101	The Pennsylvania State University 139J Physical Plant Bldg University Park, PA 16802	Ferguson Twp Centre Cnty	Trib 23030 to Big Hollow, CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC190046	Innovative Building & Design 406 Shickshinny Hwy Benton, PA 17814	Mifflin Twp Columbia Cnty	Susquehanna River	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
PAC190047	Clay Denoia Ressie Kennedy 319 10th Street Berwick, PA 18603	Briar Creek Twp Columbia Cnty	Glenn Brook	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
PAC550042	Kevin Fry 4256 Smalsh Barrack Rd Winfield, PA 17889-8631	Jackson Twp Snyder Cnty	UNT to Penns Creek CWF-MF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110

*Cambria District: Bureau of Abandoned Mine Reclamation Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1800.*

*Patrick M. Webb, P.E., Mining Engineer Manager, 814-472-1830.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC680034	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800	Blair	Logan Township	Kittaning Run (CWF)	Cambria District Office 814-472-1800
PAC680035	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800	Clinton	Noyes Township Leidy Township	Huling Branch (TSF) Middle Branch Twomile Run (TSF)	Cambria District Office 814-472-1800

*General Permit Type—PAG-03*

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG036227	Dyno Nobel Inc. 1320 Galiffa Drive Donora, PA 15033	Donora Borough Washington County	Monongahela River (WWF)—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

## PUBLIC WATER SUPPLY PERMITS

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

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

Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape



from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

#### Permit No. 4019516MA, Public Water Supply.

Applicant	<b>PA American Water Company</b> (Huntsville Hillside Tank 2 Rehabilitation) 852 Wesley Park Drive Mechanicsburg, PA 17055
Township and County	Kingston Township <b>Luzerne County</b>
Responsible Official	Mr. Bruce Aiton Pennsylvania American Water Company 852 Wesley Park Drive Mechanicsburg, PA 17055
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Scott Thomas, PE PA American Water Company 2699 Stafford Avenue Scranton, PA 18505
Permit to Construct Issued	March 23, 2020

#### Permit No. 4019515MA, Public Water Supply.

Applicant	<b>PA American Water Company</b> (Crystal Lake Tank Rehabilitation) 852 Wesley Park Drive Mechanicsburg, PA 17055
Township and County	Mountain Top Township <b>Luzerne County</b>
Responsible Official	Mr. Bruce Aiton Pennsylvania American Water Company 852 Wesley Park Drive Mechanicsburg, PA 17055
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Scott Thomas, PE PA American Water Company 2699 Stafford Avenue Scranton, PA 18505
Permit to Construct Issued	March 3, 2020

#### Permit No. 2450034, Operation Permit, Public Water Supply.

Applicant	<b>Brodhead Creek Regional Authority</b> 410 Mill Creek Road East Stroudsburg, PA 18301
Municipality	Pocono Township
County	<b>Monroe</b>
Type of Facility	PWS—Interconnection
Consulting Engineer	Max E. Stoner, P.E. Glance Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011
Permit to Operate Issued	April 27, 2020

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

#### Permit No. 0618521, Public Water Supply.

Applicant	<b>Teen Challenge Training Center</b>
Municipality	Tulpehocken Township
County	<b>Berks</b>
Responsible Official	Jim West, Director of Operations P.O. Box 98 Rehrersburg, PA 19550
Type of Facility	The Teen Challenge Training Center (Teen Challenge) has submitted a PWS permit application for the approval to modify the existing water treatment system. Teen Challenge has proposed to install a new greens and filtration system for manganese removal, chlorine contact piping for 4-log treatment of viruses at Entry Point 101, a centralized softening system, new VFD controlled constant pressure pumps, and blow off hydrants.
Consulting Engineer	Paul Lutzkanin, P.E. Steckbeck Engineering & Surveying Inc. 279 North Zinns Mill Road Lebanon, PA 17042
Permit to Construct Issued	April 10, 2020

#### Permit No. 2818512, Public Water Supply.

Applicant	<b>Antrim Township</b>
Municipality	Antrim Township
County	<b>Franklin</b>
Responsible Official	Rodney Eberly, Chairman P.O. Box 130 Greencastle, PA 17225
Type of Facility	Upgrades to existing treatment facilities including chlorination, iron and manganese treatment, and activated carbon filtration.

Consulting Engineer	Joseph M. McDowell, P.E. Martin & Martin, Inc. 37 South Main Street, Suite A Chambersburg, PA 17201	County	<b>Cumberland</b>
Permit to Construct Issued	March 13, 2020	Responsible Official	Shawn Leslie Senior Maintenance Manager P.O. Box 8 Middletown, PA 17057
<b>Permit No. 3619502</b> ,	Public Water Supply.	Type of Facility	The addition of two new wells and permitting of the existing three wells, softening, mixed media filtration, reverse osmosis, disinfection, and storage facilities.
Applicant	<b>Sunny Crest Homes Inc.</b>	Consulting Engineer	Wendy Gray, P.E. Environmental Guidance & Solutions P.O. Box 261 Lafayette Hill, PA 19444
Municipality	Caernarvon Township	Permit to Construct Issued	April 17, 2020
County	<b>Lancaster</b>	<b>Permit No. 6720501 MA, Minor Amendment</b> ,	Public Water Supply.
Responsible Official	Mary Farber 2587 Valley View Road Morgantown, PA 19543	Applicant	<b>Suez Water Pennsylvania Inc.</b>
Type of Facility	New well (Well No. 2) and modification of the 4-log treatment of viruses demonstration.	Municipality	Newberry Township
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401	County	<b>York</b>
Permit to Construct Issued	March 5, 2020	Responsible Official	John D. Hollenbach, General Manager 4211 East Park Circle Harrisburg, PA 17111-0151
<b>Permit No. 3619503</b> ,	Public Water Supply.	Type of Facility	This permit approves modifications to the existing River Road booster pumping station and the previously unpermitted Goldsboro Manor booster pumping station.
Applicant	<b>Brookfield Development Corporation</b>	Consulting Engineer	Brendan West, P.E. Suez Water Pennsylvania Inc. 6310 Allentown Blvd Harrisburg, PA 17112
Municipality	East Lampeter Township	Permit to Construct Issued	March 25, 2020
County	<b>Lancaster</b>	<b>Permit No. 0520501 MA, Minor Amendment</b> ,	Public Water Supply.
Responsible Official	William C. Briegel Assistant Vice President 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Applicant	<b>Everett Area School District</b>
Type of Facility	New community water system including one groundwater well proposed for 65 gpm, an emergency interconnection with the City of Lancaster, sodium hypochlorite disinfection with 4-log treatment of viruses, reverse osmosis filtration for TDS removal, cation exchange for hardness removal, activated carbon filtration for dechlorination prior to the reverse osmosis system, 300,000-gallon clearwell, booster pump station, and distribution system to serve 370 residential units and 10 retail shops.	Municipality	West Providence Township
Consulting Engineer	Scott M. Rights, P.E. Steckbeck Engineering Associates 279 North Zinns Mill Road Lebanon, PA 17042	County	<b>Bedford</b>
Permit to Construct Issued	February 24, 2020	Responsible Official	Danny R. Webb Superintendent of Schools 427 East South Street Everett, PA 15537
<b>Permit No. 2119515</b> ,	Public Water Supply.	Type of Facility	This permit is to modify the piping so that iron/manganese and hardness removal occurs prior to the storage tanks. The existing disinfection, iron/manganese and hardness removal facilities will be replaced. Additionally, the storage tanks will be replumbed in parallel which will allow the tanks to be used for storage. A redundant booster pump will also be provided.
Applicant	<b>HMS Host</b>		
Municipality	West Pennsboro Township		

Consulting Engineer	James F. Potopa, P.E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602-4496	Permit to Construct Issued	February 27, 2020
Permit to Construct Issued	March 23, 2020	<b>Permit No. 6719521 MA, Minor Amendment,</b> Public Water Supply.	
Applicant	<b>Bonneauville Municipal Water Authority</b>	Applicant	<b>The York Water Company</b>
Municipality	Bonneauville Borough	Municipality	Jackson Township
County	<b>Adams</b>	County	<b>York</b>
Responsible Official	Wesley Chrismer Assistant Borough Manager 86 West Hanover Street Gettysburg, PA 17325	Responsible Official	Mark S. Snyder Engineering Manager 130 East Market Street P.O. Box 15089 York, PA 17405-7089
Type of Facility	Recoating of the interior surface of the existing 100,000-gallon Elm Avenue Storage Tank.	Type of Facility	Repainting of the Spring Grove standpipe.
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Company Inc. 1230 Peachtree Street NE Atlanta, GA 30309	Consulting Engineer	Mark S. Snyder, P.E. The York Water Company 130 East Market Street P.O. Box 15089 York, PA 17405-7089
Permit to Construct Issued	March 25, 2020	Permit to Construct Issued	March 5, 2020
<b>Permit No. 3620501 MA, Minor Amendment,</b> Public Water Supply.		<b>Permit No. 2119518 MA, Minor Amendment,</b> Public Water Supply.	
Applicant	<b>Little Britain MHP</b>	Applicant	<b>Pennsylvania-American Water Company</b>
Municipality	Little Britain Township	Municipality	Silver Spring Township
County	<b>Lancaster</b>	County	<b>Cumberland</b>
Responsible Official	Samuel McMichael 208 East Locust Road P.O. Box 298 Oxford, PA 19363	Responsible Official	Bruce Aiton Vice President—Engineering 852 Wesley Park Drive Mechanicsburg, PA 17055
Type of Facility	Installation of chlorine contact piping to provide 4-log treatment of viruses.	Type of Facility	Rehabilitation of the Silver Springs Washwater Tank 1.
Consulting Engineer	Brent W. Cowan, P.E. CSC Technology Inc. 170 Netherwood Drive Coatesville, PA 19320	Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania American Water 852 Industrial Park Drive Mechanicsburg, PA 17065
Permit to Construct Issued	February 24, 2020	Permit to Construct Issued	March 18, 2020
<b>Permit No. 3619531 MA, Minor Amendment,</b> Public Water Supply.		<b>Permit No. 0619521 MA, Minor Amendment,</b> Public Water Supply.	
Applicant	<b>Borough of Lititz</b>	Applicant	<b>Pennsylvania-American Water Company</b>
Municipality	Lititz Borough	Municipality	Spring Township
County	<b>Lancaster</b>	County	<b>Berks</b>
Responsible Official	Todd Kauffman Facilities Manager 7 South Street Lititz, PA 17543	Responsible Official	Bruce Aiton Vice President—Engineering 852 Wesley Park Drive Mechanicsburg, PA 17055
Type of Facility	Replacement of the Arrowhead Drive meter pit.	Type of Facility	Rehabilitation of the Grings Hill storage tank.
Consulting Engineer	John D. Brady, P.E. Entech Engineering Inc. 201 Penn Street Reading, PA 19601	Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania American Water 852 Industrial Park Drive Mechanicsburg, PA 17065
		Permit to Construct Issued	March 18, 2020

**Permit No. 0119506**, Public Water Supply.  
 Applicant **Woodlands Camp J B Peters Inc.**  
 Municipality Huntingdon Township  
 County **Adams**  
 Responsible Official Ethan D. Peters, Secretary  
 10540 Carlisle Pike  
 Gardners, PA 17324  
 Type of Facility GWR 4-log with the installatin of sodium hypochlorite disinfection and contact tanks.  
 Consulting Engineer Michael Gennone, P.E.  
 Glace Associates Inc  
 3705 Trindle Road  
 Camp Hill, PA 17011  
 Permit to Construct Issued April 1, 2020

**Permit No. 2819512**, Public Water Supply.  
 Applicant **Mercersburg Sportsman Association**  
 Municipality Peters Township  
 County **Franklin**  
 Responsible Official Randy E. Rose, President  
 12143 Dickeys Road  
 P.O. Box 33  
 Mercersburg, PA 17236  
 Type of Facility Installation of 4-log treatment of viruses.  
 Consulting Engineer Robert H. Schemmerling, P.E.  
 RHS Engineering, Inc.  
 41 South Antrim Way  
 Greencastle, PA 17225  
 Permit to Construct Issued April 7, 2020

**Permit No. 0119505 MA, Minor Amendment**, Public Water Supply.  
 Applicant **PA American Water Co**  
 Municipality Straban Township  
 County **Adams**  
 Responsible Official Bruce Aiton  
 Vice President—Engineering  
 852 Wesley Park Drive  
 Mechanicsburg, PA 17055  
 Type of Facility Rehabilitation of the Lake Heritage storage tank.  
 Consulting Engineer Scott M. Thomas, P.E.  
 Pennsylvania American Water  
 852 Industrial Park Drive  
 Mechanicsburg, PA 17065  
 Permit to Construct Issued March 18, 2020

**Permit No. 0619522 MA, Minor Amendment**, Public Water Supply.  
 Applicant **Joe Jurgielewicz & Son Ltd.**  
 Municipality Tilden Township  
 County **Berks**

Responsible Official Paul Levan, Manager of Maintenance and Sustainability  
 P.O. Box 257  
 189 Cheese Lane  
 Shartlesville, PA 19554  
 Type of Facility Relocation of sodium hypochlorite injection location.  
 Consulting Engineer Andrew C. Hood, P.E.  
 Keystone Engineering Group, Inc.  
 590 East Lancaster Avenue  
 189 Cheese Lane  
 Frazer, PA 19355  
 Permit to Construct Issued March 9, 2020

**Permit No. 0720501 MA, Minor Amendment**, Public Water Supply.  
 Applicant **Williamsburg Municipal Authority**  
 Municipality Woodbury Township  
 County **Blair**  
 Responsible Official Edgar C. Patterson, Chairman  
 305 East Second Street  
 Williamsburg, PA 16693  
 Type of Facility Installation of pitless adapters in Well Nos. 1 & 2.  
 Consulting Engineer John C. Clabaugh, P.E.  
 Stiffler, McGraw and Associates, Inc.  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648  
 Permit to Construct Issued March 18, 2020

**Permit No. 3620504**, Public Water Supply.  
 Applicant **Pepe's Pizza**  
 Municipality Clay Township  
 County **Lancaster**  
 Responsible Official Paolo Quaranta, Owner  
 1790 Clay Road  
 Ephrata, PA 17522  
 Type of Facility The existing system consists of, in order, one (1) groundwater source, a pressure tank, a softener, nitrate removal, a cartridge filter, and ultraviolet disinfection. It is proposed to replace the ultraviolet unit with sodium hypochlorite addition and contact tanks to provide 4-log treatment of viruses.  
 Consulting Engineer Charles A. Kehew II, P.E.  
 James R. Holley & Associates, Inc.  
 18 South George Street  
 York, PA 17401  
 Permit to Construct Issued April 14, 2020



**Permit No. 2220502 MA, Minor Amendment, Public Water Supply.**

Applicant **Borough of Gratz**  
Municipality Gratz Borough  
County **Dauphin**  
Responsible Official Larry R. Shade  
Water System Superintendent  
P.O. Box 444  
Gratz, PA 17030

Type of Facility The application was for a change in corrosion control chemical from SeaQuest to Aqua Mag Blended Phosphate.

Consulting Engineer N. Peter Fleszar, P.E.  
Glace Associates, Inc.  
3705 Trindle Road  
Camp Hill, PA 17011

Permit to Construct Issued April 3, 2020

**Permit No. 6720503 MA, Minor Amendment, Public Water Supply.**

Applicant **Borough of Hanover**  
Municipality Hanover Borough  
County **York**  
Responsible Official Nan Dunford, Borough Manager  
44 Frederick Street  
Hanover, PA 17331

Type of Facility Water main cleaning and lining.

Consulting Engineer Michael J. Mehaffey, P.E.  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 17106-7100

Permit to Construct Issued April 1, 2020

**Permit No. 6720504 MA, Minor Amendment, Public Water Supply.**

Applicant **The York Water Company**  
Municipality East Manchester Township  
County **York**  
Responsible Official Mark S. Snyder, Engineering Manager  
130 East Market Street  
P.O. Box 15089  
York, PA 17405-7089

Type of Facility This permit approves rehabilitation of the existing 2.0 million-gallon East Manchester standpipe welded steel finished water storage tank, and modifications to the existing chloramine booster system located at the standpipe.

Consulting Engineer Mark S. Snyder, P.E.  
The York Water Company  
130 East Market Street  
P.O. Box 15089  
York, PA 17405-7089

Permit to Construct Issued April 20, 2020

**Permit No. 0519508, Public Water Supply.**

Applicant **Evitts Creek Water Company**  
Municipality Cumberland Valley Township  
County **Bedford**  
Responsible Official John J. DiFonzo, City Engineer  
20 Bedford Street  
Suite 343  
Cumberland, MD 21502

Type of Facility Removal of chlorine gas feed equipment. System previously switched to sodium hypochlorite.

Consulting Engineer Jashua Kalp, P.E.  
The EADS Group, Inc.  
450 Aberdeen Drive  
Somerset, PA 15501

Permit to Construct Issued March 17, 2020

**Permit No. 3619520, Public Water Supply.**

Applicant **Pilgrim's Oak Golf Course LLP**  
Municipality Drumore Township  
County **Lancaster**  
Responsible Official Peter P. Trimble  
1107 Pilgrim's Pathway  
Peach Bottom, PA 17563

Type of Facility Replacemenet of existing nitrate treatment system and two existing UV disinfection units.

Consulting Engineer Charles A. Kehew II, P.E.  
James R. Holley & Associates, Inc.  
18 South George Street  
York, PA 17401

Permit to Construct Issued February 25, 2020

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

Applicant **New Holland Borough Authority**  
Municipality New Holland Borough  
County **Lancaster**  
Responsible Official J Richard. Fulcher, Manager  
436 East Main Street  
New Holland, PA 17557

Type of Facility The addition of a new source (Well No. 5) and treatment including: cation exchange for hardness removal, packed tower aeration for PCE and TCE removal, gaseous chlorine disinfection, zinc orthophosphate for general corrosion control, and 4-log treatment of viruses.

Consulting Engineer Peter Lusardi, P.E.  
GHD, Inc.  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued March 9, 2020

**Operation Permit No. 6718510** issued to: **Dillsburg Water Authority (PWS ID No. 7670071)**, Carroll Township, **York County** on March 5, 2020 for facilities approved under Construction Permit No. 6718510.

**Operation Permit No. 0618520 MA** issued to: **Western Berks Water Authority (PWS ID No. 3060066)**, Cumru Township, **Berks County** on March 9, 2020 for facilities approved under Construction Permit No. 0618520 MA.

**Operation Permit No. 3618523** issued to: **Elizabethtown Area Water Authority (PWS ID No. 7360124)**, Mount Joy Township, **Lancaster County** on March 10, 2020 for facilities approved under Construction Permit No. 3618523.

**Operation Permit No. 3619505 MA** issued to: **Borough of Lititz (PWS ID No. 7360126)**, Lititz Borough, **Lancaster County** on November 25, 2019 for facilities approved under Construction Permit No. 3619505 MA.

**Operation Permit No. 2119516** issued to: **Jaymee Lee's Quick Stop LLC (PWS ID No. 7210315)**, Lower Mifflin Township, **Cumberland County** on March 19, 2020 for facilities approved under Construction Permit No. 2119516.

**Comprehensive Operation Permit No. 7360315** issued to: **Mihalis Agadis (PWS ID No. 7360315)**, Elizabeth Township, **Lancaster County** on March 3, 2020 for the operation of facilities at The Brickerville House Property approved under Construction Permit No. 3619527.

**Transferred Comprehensive Operation Permit No. 7010046** issued to: **Round Top MHP/Campground (PWS ID No. 7010046)**, Cumberland Township, **Adams County** on March 12, 2020. Action is for a Change in Ownership for the operation of facilities previously issued to Round top RV, LLC.

**Operation Permit No. 3820502 MA** issued to: **Fredricksburg Sewer and Water Authority (PWS ID No. 7380035)**, Bethel Township, **Lebanon County** on April 17, 2020 for facilities approved under Construction Permit No. 3820502 MA.

**Operation Permit No. 7280886** issued to: **Krishna Ventures LLC (PWS ID No. 7280886)**, Antrim Township, **Franklin County** on April 10, 2020 for facilities at Comfort Inn Greencastle approved under Construction Permit No. 2819511 MA.

**Operation Permit No. 2820502 MA** issued to: **PA DCNR—Bureau of State Parks (PWS ID No. 7280810)**, Greene Township, **Franklin County** on February 26, 2020 for facilities at Caledonia Water Treatment Plant submitted under Application No. 2820502 MA.

**Operation Permit No. 3620506** issued to: **Kreider Horst LLC (PWS ID No. 7360781)**, Penn Township, **Lancaster County** on March 25, 2020 for facilities at Lancaster Inn & Suites approved under Construction Permit No. 3620506.

**Transferred Comprehensive Operation Permit No. 7360979** issued to: **Elizabethtown Lodge # 596 Loyal Order of Moose (PWS ID No. 7360979)**, West Donegal Township, **Lancaster County** on March 5, 2020. Action is for a Change in Ownership for the operation of facilities previously issued to VFW Fred Barley Post # 5667.

**Operation Permit No. 6720505 E** issued to: **Walmart MHC, LLC (PWS ID No. 7670005)**, Franklin Township, **York County** on March 6, 2020 for facilities at Walmart Manor Mobile Home Park approved under Construction Permit No. 6720505 E.

**Transferred Comprehensive Operation Permit No. 7360103** issued to: **Southland Hills Manor LLC (PWS ID No. 7360103)**, Providence Township, **Lancaster County** on March 3, 2020. Action is for a Change in Ownership for Southland Hills Mobile Home Park, Lancaster County for the operation of facilities previously issued to John Hoffer.

**Transferred Comprehensive Operation Permit No. 7280064** issued to: **Suez Water Pennsylvania (PWS ID No. 7280064)**, Letterkenny Township, **Franklin County** on March 19, 2020. Action is for a Change in Ownership for the operation of facilities previously issued to Kensington Water Company.

**Comprehensive Operation Permit No. 7220020** issued to: **Camp Hebron (PWS ID No. 7220020)**, Halifax Borough, **Dauphin County** on March 27, 2020 for the operation of facilities submitted under Application No. 7220020.

**Transferred Comprehensive Operation Permit No. 7010066** issued to: **CCD Rock Creek, LLC (PWS ID No. 7010066)**, Straban Township, **Adams County** on March 27, 2020. Action is for a Change in Ownership for Amblebrook Water System, Adams County for the operation of facilities previously issued to Greater Gettysburg Development Company, LLC.

**Operation Permit No. 3120502 MA** issued to: **Broad Top City Water Authority (PWS ID No. 4310023)**, Wood Township, **Huntingdon County** on April 8, 2020 for facilities submitted under Application No. 3120502 MA.

**Operation Permit No. 2120503 E** issued to: **View Mountain Park, LLC (PWS ID No. 7210060)**, Silver Spring Township, **Cumberland County** on April 17, 2020 for facilities approved under Construction Permit No. 2120503 E.

**Operation Permit No. 0619514 MA** issued to: **Kutztown Borough (PWS ID No. 3060041)**, Kutztown Borough, **Berks County** on April 10, 2020 for facilities approved under Construction Permit No. 0619514 MA.

**Operation Permit No. 0619513** issued to: **Speedway, LLC (PWS ID No. 3060962)**, Richmond Township, **Berks County** on April 10, 2020 for facilities at Speedway # 6753 approved under Construction Permit No. 0619513.

**Comprehensive Operation Permit No. 7010019** issued to: **Gettysburg Municipal Authority (PWS ID No. 7010019)**, Cumberland Township, **Adams County** on February 26, 2020 for the operation of facilities approved under Construction Permit No. 0119501 MA.

**Operation Permit No. 0619511 MA** issued to: **Birdsboro Municipal Authority (PWS ID No. 3060010)**, Birdsboro Borough, **Berks County** on March 9, 2020 for facilities approved under Construction Permit No. 0619511 MA.

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

**Permit No. 1420504MA, Construction, Public Water Supply.**

Applicant	<b>Howard Borough</b> 146 Black Street Howard, PA 16841
Borough or Township	Howard Borough
County	<b>Centre County</b>
Type of Facility	Public Water Supply—Construction
Consulting Engineer	Eric Lundy, P.E. Nittany Engineering 2836 Earlstown Road Suite 1 Centre Hall, PA 16828
Permit Issued	April 22, 2020

#### WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.**

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**WA13-69C, Water Allocation, Borough of Jim Thorpe, 101 East 10th Street, Jim Thorpe, PA 18229, Carbon County.** This permit grants the right to withdraw up to a maximum of 425,000 gallons per day (gpd) from Mauch Chunk Creek at the existing intake for the West Side System, in the Borough of Jim Thorpe, **Carbon County**.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Swatara Township	1499 Spring Garden Drive Middletown, PA 17057	Dauphin County

*Plan Description:* The request for planning exemption for the Wilsbach Distribution Facility Development (DEP Code No. A3-22922-203-3E; APS ID No. 1014340) has been disapproved. The proposed development—to be located at the corner of Oberlin Road (SR 0441) and Longview Drive in Lower Swatara Township—consists of an office building to be connected to public sewers and a separate warehouse with no sewage facilities. A force main is to be constructed along Oberlin Road to connect to public sewers at the intersection with Longview Drive. This request for planning exemption has been disapproved because it does not qualify as an exemption from sewage facilities planning for new land development.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995  
PREAMBLE 2**

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Bristol Croydon Properties**, 3111 State Road, Bristol Township, **Bucks County**. Christopher Zieger, Dynamic Earth, LLC, 826 Newtown Yardley Road, Suite 201, Newtown, PA 18940 on behalf of Ian Katz, Croydon State, LLC, 226 East 56th Street, New York, NY 10022 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Ardmore MGP Site**, 44 Greenfield Avenue, Lower Merion Township, **Montgomery County**. Bruce Middleman, Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of Peter Farrand, PECO Energy, 2301 Market Street, S3, Philadelphia, PA 19103 submitted a Remedial Investigation



Report/Cleanup Plan/Final Report concerning remediation of site groundwater contaminated with volatile and semivolatile organic compounds. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**R&S Auto Service**, 1201-1209 West Chester Pike, Haverford Township, **Delaware County**. Andrew Basehoar, TTI Environmental, 1253 North Church Street, Moorestown, NJ 08057 on behalf of Steven Dever, R&S Auto Service, 1201 West Chester Pike, Havertown, PA 19803 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Proposed Apartment Development**, Greenwood Avenue & Washington Lane, Abington Township, **Montgomery County**. Jeffery Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Jerry Slipakoff, Galman Group, LTD, 60 East Court State, Doylestown, PA 18901 submitted a Final Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Logan Pointe Redevelopment Area**, Southeast Corner of North 11th Street and West Loudon Street, City of Philadelphia, **Philadelphia County**. Jeffery A. Smith, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19104 on behalf of Liz Gabor, Logan West Associates, L.P., c/o The Goldenberg Group, 630 Sentry Parkway, Suite 300, Blue Bell, PA 19422 submitted a Baseline Investigation Work Plan concerning remediation of site soil contaminated with lead and arsenic. The report is intended to document remediation of the site under the Special Industrial Area provision.

**Miller/Hoyle Residence**, 8121 and 8123 Eastern Road, Springfield Township, **Montgomery County**. Jason Charles, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 submitted a 90-day Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-327-3636.*

*Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.*

**Chief SGL-36 Unit Well Pad**, 1825 Cahill Road, New Albany, Overton Township, **Bradford County**. Woodard & Curran, 300 Penn Center Blvd., Suite 800, Pittsburgh, PA 15235, on behalf of Chief Oil & Gas LLC, 1720 Sycamore Rd., Montoursville, PA 17754, has submitted a Final Report concerning remediation of site soil contaminated with brine. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**DAS Carrier, Inc. Project**, Interstate 80 at MM 221 E, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of DAS Carrier, Inc., 1210 Hillsmith Dr., Cincinnati, OH 45215, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil and antifreeze. The report is intended to document remediation of the site to meet the Statewide Health Standard for soil.

**A Sterling Freight Carrier Project**, Interstate 80 at MM 202.5 W, New Columbia, White Deer Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of A Sterling Freight Carrier, Inc., 13113 Quarter Horse Dr., East Vale, CA 92880, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil and antifreeze. The report is intended to document remediation of the site to meet the Statewide Health Standard for soil.

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

**Sundie Property Fuel Oil Spill**, 2366 River Hill Road, Washington Township, **Armstrong County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15806, on behalf of Daniel and Kimberly Sundie, 151 Mountain Laurel Drive, Butler, PA 16002, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Methyl tert-butyl ether, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

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Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to



be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Former Scot Truck Stop # 01975**, Interstate 84 and PA Route 191, Sterling Township, **Wayne County**. Parsons, 3606 Park 42 Drive, Box 13, Sharonville, OH 4524, submitted a final report concerning remediation of soil and groundwater contaminated by petroleum from underground storage tanks. The report documented remediation of the site to meet a combination of Site-Specific and Statewide Health Standards and was approved by DEP on April 23, 2020.

**M&D Realty Group Property (former Northern Electric Railway/Philadelphia Transformer)**, 1100 Lackawanna Trail, Dalton Borough, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of M&D Realty Group LLC, 1006 Sunset Avenue, Clarks Summit, PA 18411, submitted a combined Remedial Investigation Report and Cleanup Plan concerning remediation of soil and groundwater contaminated with PCBs, VOCs, and SVOCs from leaking transformers that were stored at the site. The report was intended to document remediation of the site to meet Site-Specific Standards but was disapproved by DEP on April 28, 2020.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**BAE Systems Land and Armaments, L.P.**, 1100 Bairs Road, York, PA 17408, West Manchester Township, **York County**. Hydro-Terra Group, 7420 Derry Street, Harrisburg, PA 17111, on behalf of BAE Systems Land and Armaments, L.P., 1100 Bairs Road, York, PA 17408, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The Report was disapproved by the Department on April 21, 2020.

**Weaver Precast, Inc.**, 14 Pleasant Valley Road, Ephrata, PA 17522, Ephrata Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of The Weaver Family Business, 824 East Main Street, Ephrata, PA 17522, submitted Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report was administratively incomplete and was disapproved by the Department on April 22, 2020.

**Bulk Chemicals, Inc.**, 809 and 831 Mohrsville Road, Mohrsville, PA 19541, Perry Township, **Berks County**. Aquaterra Technologies, 122 South Church Street, West Chester, PA 19382, on behalf of Bulk Chemicals, Inc.,

1074 Stinson Drive, Reading, PA 19605, submitted a Final Report concerning remediation of site soil contaminated with nitric acid, trivalent chromium, and hexavalent chromium. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on April 27, 2020.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-327-3636.*

*Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.*

**Cochran 705 Well Pad**, 2344 S. Union Road, Ogdensburg, Union Township, **Tioga County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Rockdale Marcellus, LLC, 3600 J Barry Court, Suite 120, Canonsburg, PA 15317, has submitted a Site Characterization and Final Report concerning remediation of site soil contaminated with calcium chloride. The report demonstrated attainment of the Residential Background and Statewide Health Standard for soils and was approved by the Department on April 20, 2020.

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

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**Permit(s) Approved Under the Solid Waste Management Act (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.**

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

**Permit No. 101494. Waste Management of Pa Inc.**, 1000 New Ford Mill Road, Morrisville PA 19067-3704. This major permit modification is issued under Solid Waste Permit No. 101494 for the approval to install two (2) Ultra Low Emission ("ULE") flares, as a primary control for landfill gas generated by and collected from the Tullytown Resource Recovery Facility (TRRF) Landfill. The new ULE flares that are to be located in the existing flare compound within the permit boundary of the TRRF Landfill. The TRRF Landfill is a closed municipal waste landfill operated and owned by Waste Management of Pennsylvania (WMP) Inc., and located in Tullytown Borough and Falls Township, **Bucks County**. The permit was issued by the Southeast Regional Office on March 18, 2020.

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

**Permit No. 100148. Waste Management Disposal Services of Pennsylvania, Inc.—GROWS Landfill**, 1000 New Ford Mill Road, Morrisville, PA 19067-3704. This major permit modification is issued under Solid Waste Permit No. 100148 for the approval to install three (3) Ultra Low Emission ("ULE") flares and two (2) emergency generator engines, that will be located in a landfill gas management compound immediately north of the GROWS Landfill, as a primary control for landfill gas generated by the GROWS Landfill, GROWS North Landfill, and Fairless Landfill ("Flare System"). The new ULE flares will provide a landfill gas control solution for the

GROWS Landfill. The GROWS Landfill is a closed municipal waste landfill located in Falls Township, **Bucks County**. The permit was issued by the Southeast Regional Office on April 7, 2020.

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

**Permit No. 101680. Waste Management Disposal Services of Pennsylvania, Inc.—GROWS North Landfill**, 1000 New Ford Mill Road, Morrisville PA 19067-3704. This major permit modification is issued under Solid Waste Permit No. 101680 for the approval to install three (3) Ultra Low Emission (“ULE”) flares and two (2) emergency generator engines, that will be located in a landfill gas management compound south of the GROWS North Landfill, as a primary control for landfill gas generated by the GROWS Landfill, GROWS North Landfill, and Fairless Landfill (“Flare System”). The new ULE flares will provide a landfill gas control solution for the GROWS North Landfill. The GROWS North Landfill is a closed municipal waste landfill located in Falls Township, **Bucks County**. The permit was issued by the Southeast Regional Office on April 7, 2020.

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

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**GP3-67-03171F: Kinsley Construction, Inc.** (P.O. Box 2886, York, PA 17405-2886) on April 22, 2020, for portable nonmetallic mineral processing equipment, including 2 crushers, 3 vibratory screens and 4 stackers, under GP3 at the Sandbank Quarry in Springettsbury Township, **York County**.

**GP11-67-03171F: Kinsley Construction, Inc.** (P.O. Box 2886, York, PA 17405-2886) on April 22, 2020, for ten non-road engines under GP11, to operate mineral processing equipment at the Sandbank Quarry in Springettsbury Township, **York County**.

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

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

**AG5A-41-00001A: Range Resources-Appalachia** (3000 Town Center Blvd., Canonsburg, PA 15317) on April

22, 2020, for the operation of one 670 bhp Caterpillar G3508LE, 4SLB, natural gas-fired compressor engine, equipped with a Quick-Lid DC63-8 catalytic oxidizer; three GPU's, each 2 MMBtu/hr, natural gas-fired; one 5.5 MMscfd TEG dehydration unit, equipped with a 0.5 MMBtu/hr natural gas-fired reboiler; three 400 bbl production water storage tanks; natural gas-driven pneumatic devices; venting/blowdowns; site fugitives, pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the Laurel Hill Pad G located in Cogan House Township, **Lycoming County**.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**GP5A-63-01036A (AG5A-63-00019A): EQT Production Company** (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) on April 7, 2020, received authorization under GP-5A for construction and/or operation of sources and controls associated with a natural gas well pad at its Ealy CLV5 facility located in East Finley Township, **Washington County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

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

**15-0009E: AGC Chemicals Americas, Inc.** (255 South Bailey Road, Downingtown, PA 19355) on April 23, 2020 to allow for an increase in emissions of di-propylene glycol n-butyl ether (DPnB) from 0.42 lb/hr to 0.63 lb/hr and to modify a test condition for a multi-stage fluid bed dryer at a Non-Title V Facility, State-Only, Synthetic Minor Permit in Caln Township, **Chester County**.

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

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

**35-00076A: Jennings-Calvey Funeral and Cremation Services, Inc.** (111 Colburn Avenue, Clarks Summit, PA 18411) for the installation and operation of a cremator unit at the facility located in Clarks Summit Borough, **Lackawanna County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.*

Issued RACT II Plan Approval No. IP16-000269. On April 24, 2020 AMS issued a Reasonably Available Control Technology (RACT II) Plan Approval for **Philadelphia Energy Solutions Refining and Marketing LLC—Refinery and Tank Farm**, located in Philadelphia, **Philadelphia County**. While the refinery processes have been out of operation since June 2019 and are not expected to re-start, AMS was required to proceed with the PES RACT II evaluation.

Also, in accordance with 25 Pa. Code §§ 129.91—129.100, AMS has made a preliminary determination to



approve a RACT II plan to be submitted as part of the PA State Implementation Plan (SIP) for PES's chemical plant.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT approval for the facility, which are intended to satisfy the requirements for the 2008 and 2015 National Ambient Air Quality Standards (NAAQS) for ozone. The proposed RACT plan, if approved by DEP, will be issued as a RACT Pan Approval and incorporated into the facility's Title V operating permit (V06-016) through modification or renewal. The relevant RACT II requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT II approval will be excluded from the SIP submittal.

The proposed RACT II requirements for this facility that are proposed to be submitted to the EPA as part of the SIP, are that the # 3 Boilerhouse, certain Process Heaters, Fluid Catalytic Cracking Units, Cooling Towers, and Marine Loading shall comply with the following:

I. Requirements for all sources under this group

#### **NO<sub>x</sub> RACT II**

*Boilers and Heaters rated between 90 MMBtu/hr and 660 MMBtu/hr; each burns refinery fuel gas*

- NO<sub>x</sub> emissions from each of the following units shall not exceed 0.25 lb/MMBtu heat input on a rolling 30 operating day average. Compliance shall be determined based on CEMS in accordance with 25 Pa. Code § 129.100(a)(1): # 3 Boilerhouse Boilers # 37, # 39, and # 40; Unit 137 F-2 Heater; Unit 210 H201 Heater; Unit 433 H-1 Heater; and Unit 1332 H-400 and H-401 Heaters.

- NO<sub>x</sub> emissions from Unit 137 F-1 Heater shall not exceed 0.23 lb/MMBtu heat input on a rolling 30 operating day average. Compliance shall be determined based on CEMS in accordance with 25 Pa. Code § 129.100(a)(1).

- The following units shall comply with the NO<sub>x</sub> emission limits by complying with a NO<sub>x</sub> Emissions Averaging Plan in accordance with 25 Pa. Code § 129.98: Unit 137 F-1 and F-2 Heaters; Unit 1332 H-400 and H-401 Heaters; and # 3 Boilerhouse Boilers # 37, # 39, and # 40.

*Process Heaters rated <50 MMBtu/hr that burn refinery fuel gas*

- Unit 860-2H8 Heater and Unit 1332 H-1, H-3, H-601, and H-602 Heaters shall each comply with a NO<sub>x</sub> emission limit of 0.098 lb/MMBtu.

- Unit 864-PH7 Heater shall comply with a NO<sub>x</sub> emission limit of 0.06 lb/MMBtu.

- AMS proposes the following modification for boilers and heaters with NO<sub>x</sub> emission limits that do not have Continuous Emission Monitors:

Compliance with emission limits for combustion sources listed as follows shall be determined based on source testing in accordance with 25 Pa. Code § 129.100(a)(4).

Note: The previous RACT Plan Approval issued to the facility determined compliance based on a quarterly NO<sub>x</sub> portable analyzer test.

*Fluid Catalytic Cracking Units (FCCUs)*

- The 868 FCCU NO<sub>x</sub> emissions shall be limited to 100 ppmv at 0% O<sub>2</sub> on a 7-day rolling average 130.2 tons per

rolling 365-day period. PES shall follow good combustion practices controlling the level of excess oxygen and CO promoter in the regenerator to minimize NO<sub>x</sub> and VOC emissions from the regenerator. Operators shall be trained according to industry standards.

- A NO<sub>x</sub> Continuous Emission Monitoring System (CEMS) shall be operated on the unit. The 1232 FCCU shall have Selective Catalytic Reduction (SCR). NO<sub>x</sub> emissions shall not exceed 30 ppmv at 0% O<sub>2</sub> on a 7-day rolling average and 208.28 tons per rolling 365-day period. The 1232 FCCU shall be operated with good combustion practices. A NO<sub>x</sub> Continuous Emission Monitoring System (CEMS) shall be operated on the unit.

- AMS proposes to add "Operators shall be trained according to industry standards" to two conditions that reference good combustion practices.

#### **VOC RACT II**

*Cooling Towers*

- PES shall utilize an equipment monitoring program in accordance with 40 CFR 63 subpart CC for VOC fugitive emissions from cooling towers.

*FCCUs*

- The 868 FCCU condition listed under NO<sub>x</sub> RACT II also serves as VOC RACT II.

- The 1232 FCCU shall vent to the CO Boiler when operating in partial-burn mode and shall follow good combustion practices. Operators shall be trained according to industry standards.

*Marine Loading*

- Girard Point Barge Loading of VOC materials with a Reid Vapor Pressure of 4 psi or greater shall vent to a Thermal Oxidizer with a VOC destruction efficiency of at least 98% or control to an outlet of 20 ppmv VOC or less. The Thermal Oxidizer shall have a continuous temperature monitor and recorder. VOC emissions from Girard Point Barge Loading of VOC materials with a Reid Vapor Pressure of less than 4 psi shall not exceed 13.9 tons per rolling 12-month period.

- Point Breeze Marine Barge Loading shall not load any VOC materials with a Reid Vapor Pressure of 4 psi or greater. VOC emissions from Point Breeze Marine Barge Loading shall not exceed 25.99 tons per rolling 12-month period.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**46-0027E: Janssen Research & Development LLC**, on April 20, 2020 for the installation and temporary operation of two natural gas- (primary fuel) and No. 2 fuel oil- (auxiliary fuel) fired boilers, each rated at 21 MMBtu/hr heat input. In Lower Gwynedd Township, **Montgomery County**.

**46-0008: Coopers Creek Chem Corp** (884 River Road, W Conshohocken, PA 19428-2699) is for the installation of an additional still (rated for 12,000 gallons) for the distillation of crude petroleum tar. The facility cur-

rently operates four (4) other stills, identified by the facility as S12, S15, S16, and S17 in Upper Merion Township, **Montgomery County**.

**23-0003AD: Monroe Energy LLC** (4101 Post Road, Trainer, PA 19061-5052) on April 13, 2020 for the installation a new, 2-bay, LPG Truck Loading Rack and associated piping components in Trainer Borough, **Delaware County**.

**46-0035I: GlaxoSmithKline LLC** (709 Swedeland Road, King of Prussia, PA 19406-2711) on April 28, 2020 for the installation of: Four natural gas/No. 2 oil fired boilers, One No. 2 oil fired emergency generator engine, and One No. 2 fuel oil 29,800-gallon AST in Upper Merion Township, **Montgomery County**.

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

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

**17-00071A: Continental Carbonic Products, Inc.** (40 Technology Drive, Clearfield, PA 17802) was issued an extension of the temporary authorization to operate under plan approval pending completion of the evaluation for compliance with all applicable regulations and plan approval requirement for an additional 180 days from April 28, 2020 to October 25, 2020. The sources are within their plant site located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**30-00170A: Laurel Mountain Midstream Operating, LLC** (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on April 23, 2020, to extend the period of temporary operation of one Caterpillar G3612 lean burn natural gas-fired compressor engine rated at 3,550 bhp at the existing Brown Compressor Station located in Greene Township, **Greene County**. The new expiration date is October 28, 2020.

**26-00610A: Slag Processing Facility, Iron Mountain US, LLC** (1 Pilarsky Way, Aliquippa, PA 15001-5421) plan approval issuance date effective April 24, 2020, to engage those activities necessary to procure and facilitate delivery and installation of process and ancillary equipment as proposed within this plan approval at their 600 Leisenring Vanderbilt Road, Dunbar Township and Vanderbilt Borough, **Fayette County**.

**11-00536A: CPV Fairview, LLC** (2862 William Penn Ave, Johnstown, PA 15909-3628) plan approval extension effective on April 28, 2020, with expiration on October 28, 2020, for continued temporary operation of air contamination sources and controls associated with the CPV Fairview Energy Center located at 2862 William Penn Avenue, Johnstown, PA 15909, in Jackson Township, **Cambria County**.

**11-00536B: CPV Fairview, LLC** (2862 William Penn Ave, Johnstown, PA 15909-3628) plan approval extension effective on April 28, 2020, with expiration on October 28, 2020, for continued temporary operation of air contamination sources and controls associated with the CPV Fairview Energy Center located at 2862 William Penn Avenue, Johnstown, PA 15909, in Jackson Township, **Cambria County**.

**30-00234A: Equitrans, LP** (2200 Energy Drive, Canonsburg, PA 15317) plan approval extension effective

on January 31, 2020, with expiration on July 28, 2020, for continued temporary operation of sources and controls at its Redhook Compressor Station, a natural gas transmission station located in Franklin Township, **Greene County**.

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

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*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**TVOP-65-00853: ArcelorMittal Monessen, LLC** (345 Donner Avenue, Monessen, PA 15062). In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on April 22, 2020, DEP issued a renewed Title V Operating Permit to ArcelorMittal Monessen, LLC for the continued operation of a furnace coke plant, known as the Monessen Plant, located in the City of Monessen, **Westmoreland County**. The renewed TVOP also incorporates the applicable requirements of RACT II into the permit.

The Monessen Plant is a by-product recovery, coal coking plant that produces furnace coke. Coke produced is used by ArcelorMittal in blast furnaces at other facilities. The main emission sources at Monessen Plant are two coke batteries (37 and 19 slot type ovens, respectively), each exhausting to an individual combustion stack, two excess coke oven gas (COG) flares, and two Boilers (143 MMBtu/hr each, COG and NG). The facility also generates charging, pushing, quenching, underfiring, door leak, top side, and soaking emissions from the coke batteries, as well as emissions from a coke by-product plant, COG desulfurization unit, 900-bp emergency diesel engine, and plant roads. Emissions are controlled by desulfurization of the coke oven gas prior to its combustion, as well as LDAR and EPA MACT mandated monitoring and repair procedures.

Sources at the facility are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 61, Subpart A—General Provisions, 40 CFR Part 61, Subpart L—National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants, 40 CFR Part 61, Subpart V—National Emission Standard for Equipment Leaks (Fugitive Emission Sources), 40 CFR Part 61, Subpart FF—National Emission Standard for Benzene Waste Operations, 40 CFR Part 63, Subpart A—General Provisions, 40 CFR Part 63, Subpart L—National Emission Standards for Coke Oven Batteries, 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and 25 Pa. Code Chapters 121—145 (Air Resources), including 25 Pa. Code §§ 129.96—129.100 RACT II. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 61, 63, 70, and 98 and 25 Pa. Code Article III, Chapters 121—145.

Furthermore, in accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has approved a RACT II Plan and an amendment to the State Implementation Plan (SIP) for the aforementioned facility.



The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997, 2008, and 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed amendments to the RACT II determination, have been incorporated into the renewed and revised Operating Permit (TVOP-65-00853) for the facility. The relevant RACT II requirements have been submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal.

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

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

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

**46-00026: Global Packaging, Inc.** (249 Brower Ave, Oaks, PA 19456). On March 12, 2020, in accordance with 25 Pa. Code § 127.450, the State-only Operating Permit was administratively amended to incorporate Plan Approval Number 46-0026J. This facility is located in Upper Providence Township, **Montgomery County**.

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

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

**40-00107: Hunlock Energy, LLC** (390 State Route 11, Hunlock Creek, PA 18621). The Department issued, on April 22, 2020, a State-Only (Synthetic Minor) Operating Permit for operation of sources at an electric generation station Hunlock Township, **Luzerne County**. The sources include one 470 MMBtu/hr simple-cycle combustion turbine. Control devices include water injection. 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.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**67-03080: Aberdeen Road Company** (P.O. Box 435, Emigsville, PA 17318) on April 21, 2020, for the specialty fabrics manufacturing facility in Manchester Township, **York County**. The State-Only Operating Permit was renewed.

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

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

**59-00027: UGI Storage Company** (1 Meridian Blvd, Suite 2C01, Wyomissing, PA 19610) on April 23, 2020,

was issued a renewal State Only Operating Permit for their Palmer Compressor Station located in Farmington Township, **Tioga County**. The facility's main sources include three natural gas-fired compressor engines and one diesel fired emergency generator. The renewal State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**65-00595: Excelsa Health** (532 W. Pittsburgh St., Greensburg, PA 15601-2282). On April 21, 2020, the Department issued a renewal natural minor State Only Operating Permit for operation of the Westmoreland Regional Hospital located in the City of Greensburg, **Westmoreland County**. Equipment at this facility includes one (1) 20.9 MMBtu/hr natural gas-fired boiler with diesel fuel backup, one (1) 23.932 MMBtu/hr natural gas-fired boiler with diesel fuel backup, three (3) diesel-fired emergency generator internal combustion engines with 150-gallon day tanks each, one (1) natural gas-fired emergency generator internal combustion engine, one (1) 0.7 MMBtu/hr natural gas-fired boiler, three (3) 0.2 MMBtu/hr natural gas-fired boilers, one (1) 6,000-gallon underground diesel storage tank, and one (1) 1,750-gallon above-ground diesel storage tank. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The renewal operating permit contains conditions incorporating applicable emissions restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements.

**04-00727: Lambeth, LLC dba Five Points Veterinary Clinic** (2061 Brodhead Road, Aliquippa, PA 15001-4962). Natural Minor Operating Permit on April 21, 2020, the Department of Environmental Protection authorized a renewed natural minor State-Only Operating Permit for the continued operation of the facility's two natural gas-fired air contamination sources consisting of one 75 lbs/hr Matthews IE43-PP Jr. Animal Crematory Incinerator rated at 0.70 MMBtu/hr primary chamber and 1.2 MMBtu/hr secondary chamber and one 150 lbs/hr Matthews IEB-20 Animal Crematory Incinerator rated at 0.60 MMBtu/hr primary chamber and 1.2 MMBtu/hr secondary chamber. The facility is located in Hopewell Township, **Beaver County**. The permit includes emission restrictions, operating requirements, monitoring requirements, work practice standards, and recordkeeping requirements for the site.

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

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

**20-00304: Ernst Biomass LLC** (8884 Mercer Pike, Meadville, PA 16335-9275). On April 21, 2020, the Department issued the renewal State Only Natural Minor Operating Permit for the pelletizing facility located in Union Township, **Crawford County**. The facility's primary emission sources include the rotary dryer with a 16 MMBtu/hr biomass-fueled burner, the pellet cooler, and packaging operations. The potential emissions of the primary pollutants from the facility are as follows: 15.40 TPY NO<sub>x</sub>, 42.05 TPY CO, 7.50 TPY VOC, 15.87 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, 1.75 TPY SO<sub>x</sub>, and 1.40 TPY formaldehyde; thus, the facility is a natural minor. The sources were originally authorized under plan approval 20-304A.

The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) issued on 04/22/2020 an initial Natural Minor Operating Permit for the following facility:

**OP19-000038: Philadelphia Water Department, Queen Lane Water Treatment Plant** (3110 Queen Lane, Philadelphia, PA 19129) for the operation of water treatment facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) boilers firing natural gas each rated 1.7 MMBtu/hr or less and one (1) 1,490 HP emergency generator firing diesel fuel.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**46-00026: Global Packaging, Inc.** (249 Brower Ave, Oaks, PA 19456). On March 12, 2020, in accordance with 25 Pa. Code § 127.450, the State-Only Operating Permit was administratively amended to incorporate Plan Approval Number 46-0026J. This facility is located in Upper Providence Township, **Montgomery County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**36-05136: Energy Developments Honeybrook LLC** (608 S. Washington Ave., Lansing, MI 48933-2304) on April 22, 2020, for the landfill gas treatment plant at the Lanchester Landfill in Caernarvon Township, **Lancaster County**. The Title V permit was administratively amended in order to incorporate the provisions of Plan Approval No. 36-05136E.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

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

*Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.*

**46-00288: Anderson Prints, LLC** (601 General Washington Avenue, Norristown, PA 19401) on March 24, 2020 for a rotary printing facility located in West Norriton Township, **Montgomery County**. The operating permit was revoked because of the permanent shutdown of significant sources at the facility.

**23-00084: Marcus Hook 50, LP** (100 Green Street, Marcus Hook, PA 19061-0426) on April 17, 2020 for

operation of a 50 MW Cogeneration unit located in Marcus Hook Borough, **Delaware County**. The operating permit was revoked because operation of the Cogeneration unit has ceased at this facility.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).**

### Coal Permits Issued

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100, (Contact: Bonnie Herbert).*

**03871303 and NPDES Permit No. PA0213667. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to renew the permit and related NPDES Permit for Darmac No. 2 Deep Mine located in Washington Township, **Indiana County** and Plumcreek and Shelocta Boroughs, **Armstrong County**. No additional discharges. The application was considered administratively complete on September 28, 2017. Application received: April 19, 2017. Permit issued: March 13, 2020.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Wigfield).*

**Permit 56120102 and NPDES No. PA0263419. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from forestland to pastureland/land occasionally cut for hay & residential in Jenner Township, **Somerset County**, affecting 114.7 acres. Receiving streams: unnamed tributaries to Coal Run and unnamed tributaries to Pickings Run, classified for the following uses: cold water fishes and high-quality cold-water fishes. The first downstream potable water supply intake from the point of discharge is Lincoln Municipal Authority—intake on North Branch of Quemahoning Creek. Application received: October 16, 2019. Permit issued: April 22, 2020.

**Permit 56823123 and NPDES No. PA0608548. Croner, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 203 acres. Receiving stream(s): unnamed tributary to Buffalo Creek and unnamed tributary to Swamp Creek classified for the following use(s): cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 30, 2019. Permit issued: April 22, 2020.



**Permit 56110108 and NPDES No. PA0263354. Robindale Energy Services, Inc.**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, permit renewal for the continued operation and restoration of a bituminous surface & auger mine in Shade Township, **Somerset County**, affecting 176.9 acres. Receiving stream(s): unnamed tributaries to/and Oven Run and unnamed tributaries to Stonycreek River classified for the following use(s): cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority intake on Stonycreek River approximately 1 mile downstream. Application received: January 17, 2020. Permit issued: April 22, 2020.

**Permit 56110108 and NPDES No. PA0263354. Robindale Energy Services, Inc.**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, transfer of an existing bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 176.9 acres. Receiving stream(s): unnamed tributaries to/and Oven Run and unnamed tributaries to Stonycreek River classified for the following use(s): cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority intake on Stonycreek River approximately 1 mile downstream. Application received: January 17, 2020. Permit issued: April 22, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 35090101R2 and NPDES Permit No. PA0225258. Maco Associates, Inc.** (400 Mill Street, Dunmore, PA 18612), renewal of an existing anthracite surface mine and coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Fell Township and Carbondale Borough, **Lackawanna County** affecting 1,693.0 acres, receiving stream: Wilson Creek. Application received: October 15, 2019. Renewal issued: April 21, 2020.

**Permit No. 35090101C2. Maco Associates, Inc.** (400 Mill Street, Dunmore, PA 18612), correction to update the post mining land use from forestland to unmanaged natural habitat of an existing anthracite surface mine and coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Fell Township and Carbondale Borough, **Lackawanna County** affecting 1,693.0 acres, receiving stream: Wilson Creek. Application received: October 15, 2019. Renewal issued: April 21, 2020.

**Permit No. 54070201R2. Whitey Wash Enterprises** (P.O. Box 47, Ashland, PA 17921), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Reilly Township, **Schuylkill County** affecting 56.2 acres. Receiving stream: Muddy Branch. Application received: March 12, 2018. Renewal issued: April 21, 2020.

**Permit No. PAM111101R2. Whitey Wash Enterprises** (P.O. Box 47, Ashland, PA 17921), renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54070201 in Reilly Township, **Schuylkill County**, receiving stream: Muddy Branch. Application received: March 12, 2018. Renewal issued: April 21, 2020.

#### *Noncoal Permits Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Wigfield).*

**Permit 56920301 and NPDES No. PA0599417, New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, permit renewal for commencement, operation and restoration of a large noncoal (industrial minerals) mine to delete 99 acres from the existing permit that will be re-permitted by Windber Stone, LLC in Ogle Township, **Somerset County**, affecting 222.5 acres. Receiving streams: unnamed tributaries to Clear Shade Creek, classified for the following use: exceptional value. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWW. Application received: July 16, 2019. Permit issued: April 22, 2020.

**Permit 34190802. Zimmerman's Excavation, LLC**, 7270 Licking Creek Road, Mifflintown, PA 17059, commencement, operation, and restoration of a small noncoal (industrial minerals) operation in Milford Township, **Juniata County**, affecting 5.0 acres, receiving stream: unnamed tributary to East Licking Creek. Application received: September 20, 2019. Permit issued: April 22, 2020.

**PAM419006-GP104. Zimmerman's Excavation, LLC**, 7270 Licking Creek Road, Mifflintown, PA 17059. Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Noncoal Permit No. 34190802 located in Milford Township, **Juniata County**. Receiving stream(s): unnamed tributary to East Licking Creek classified for the following use(s): cold water fishes and migratory fishes. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: September 20, 2019. Approved: April 22, 2020.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Issued*

*Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner).*

**Permit No. 08204103. Maurer & Scott Sales Inc.**, 122 Thomas Street, Coopersburg, PA 18036. Blasting for well pad located in Overton Township, **Bradford County** with an expiration date of April 6, 2021. Permit issued: April 7, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570.621.3118.*

**Permit No. 45204101. Silver Valley Consulting** (102 Lamp Post Lane, Stroudsburg, PA 18360), construction blasting for Moyer Shop in Hamilton Township, **Monroe County** with an expiration date of March 31, 2021. Permit issued: April 21, 2020.

#### **FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The Department has taken the following actions on previously received permit applications, requests for Envi-

ronmental Assessment approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Permit No. E23-553, Lansdowne Borough**, 12 East Baltimore Avenue, Lansdowne, PA 19050, Lansdowne Borough, **Delaware County**, ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with Reservoir Park. The proposed project consists of stream and riparian buffer restoration including stream realignment, stream-bank stabilization, and sanitary sewer pipe replacement. The construction of the streambank/riparian buffer restoration and sanitary sewer pipe replacement will result in 0.06 acre of permanent stream impact, 0.02 acre of temporary stream impact, 0.16 acre of permanent floodway impact, 0.08 acre of temporary floodway impact, and 0.01 acre of temporary wetland impact (Falls Creek, TSF).

The site is approximately at 120 West Greenwood Avenue (Lansdowne Lat. 39° 56' 27.2974"; Long. 75° 16' 45.8157") in Lansdowne Borough, Delaware County. Permit issued April 20, 2020.

**Permit No. EA09-014, Carversville Farm Foundation**, P.O. Box 204, Carversville, PA 18913-0204, Solebury Township, **Bucks County**, ACOE Philadelphia District.

To restore and maintain approximately 0.74 acre of stream channel and floodplain along an Unnamed Tributary to Paunacussing Creek (Perennial, HQ-CWF-MF) associated with the Carversville Farm Foundation Stream and Floodplain Restoration Project.

The site is located approximately 700 feet northwest of the intersection of Mechanicsville Road and Sheffield Drive (Buckingham, PA USGS Quadrangle, Latitude 40.369762N"; Longitude -75.051394W"). Permit issued April 21, 2020.

**Permit No. E5101220-021, Beach Street Developer, LLC**, 2337 Philmont Avenue, 2nd Floor, Huntington Valley, PA 19006, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To redevelop a previously filled vacant waterfront site and is proposing to construct and maintain 1,096 residential units, 17,279 square feet of retail space, and a 50-foot-wide area designated for the Delaware River Waterfront Corporation walking trail with a portion of the project located within the floodway and floodplain of the Delaware River (WWF-MF) and also waterward of the 1894 Bulkhead Line. This activity will result in 0.50 acre of permanent floodway impact and 8.46 acres of regulated activity waterward of the 1894 Bulkhead Line associated with grading and construction activities.

This project is located at Piers 79 through 86 North, formerly home of Cramp Shipyard, at 2001 Beach Street in the Olde Richmond section of Philadelphia (USGS Camden, NJ, Quadrangle—Latitude: 39.971237 N, Longitude: 75.117208 W). Permit issued April 23, 2020.

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

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**E4502219-004. Sanofi Pasteur**, 1 Discovery Drive, Swiftwater, PA 18307. Pocono Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Sanofi Pasteur: Perimeter Protection Project Phase 2:

1. A 12-inch sanitary force main crossing of a UNT to Swiftwater Creek (HQ-CWF, MF) and adjacent EV wetlands.
2. A 16-inch potable waterline crossing of a UNT to Swiftwater Creek (HQ-CWF, MF) and adjacent EV wetlands.
3. A 12-inch diameter natural gas pipeline crossing of a UNT to Swiftwater Creek (HQ-CWF, MF) and adjacent EV wetlands.
4. A 12-inch fire suppression waterline crossing of a UNT to Swiftwater Creek (HQ-CWF, MF) and adjacent EV wetlands.
5. A 3-foot by 3.5-foot electrical and telecommunication utility duct bank crossing of a UNT to Swiftwater Creek (HQ-CWF, MF) and adjacent EV wetlands.
6. A 7-foot high decorative fence crossing a UNT to Swiftwater Creek (HQ-CWF, MF).



The project is located 0.3 mile east of the intersection of State Route 611 and Discovery Drive, Mount Pocono, PA.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.*

**E5304219-003**—The Department through Joint Permit E5304219-003 Authorization 1291712 to **National Fuel Gas Supply Corporation** is giving its consent to access through two streams and a wetland and excavation to recoat a gas transmission line along Castle Hollow Road in Hebron Township, **Potter County** (Oswayo, PA Quadrangle N: 41° 52' 53.25"; W: -78° 4' 0.20"). This project involves the excavation and recoating of approx. 50 feet of a 24-inch natural gas pipeline. The project will require the crossing of the West Branch Whitney Creek (EV) with a clear-span timber bridge and the temporary disturbance of an unnamed tributary to the West Branch of Whitney Creek and the placement of timber matting across a PEM wetland for a temporary access road. The proposed temporary limit of disturbance width is approx. 50 feet throughout the project corridor. All disturbance will be within the existing pipeline right-of-way and is to be restored to its original contours. There are no permanent impacts associated with the project. The total temporary disturbance for this project will be 0.47 acre. Total temporary impact area of streams is 0.20 acre or 8,678 SF. The total temporary impact area of the wetland is 0.02 acre or 936 SF.

**E1804220-001: Brooke R. Williams & Jeffrey M. Williams**, 10 Deer Path Lane, Lock Haven, PA 17745. Williams Picnic Pavilion, Woodward Township, **Clinton County**, U.S. Army Corps of Engineers Baltimore District (Lock Haven Quadrangle; Latitude 41.147062°N; 77.459593°W).

The applicant will construct and maintain an 30' x 20' pavilion over an existing at grade concrete pad along the left-bank 100-year floodway of the W. Br. Susquehanna River. The project will disturb 600 ft<sup>2</sup> of floodway. No work will occur below the OHWM. This permit was issued under Section 105.13(e) "Small Projects."

**E1804220-002: Dean Conrad & Carolyn Conrad**, 48 South Parson's Drive, Mill Hall, PA 17751. Conrad Riverlot Pavilion, Woodward Township, **Clinton County**, U.S. Army Corps of Engineers Baltimore District (Lock Haven Quadrangle; Latitude 41.147422°N; 77.460174°W).

The applicant is authorized to construct and maintain a 20' x 30' pavilion and 240 sq. ft. of at-grade landscape pavers along the left-bank 100-year floodway of the W. Br. Susquehanna River. The project will disturb .020 ac. of floodway. No work will occur below the OHWM.

*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02052-1821, River Materials, Inc.**, 103 Yost Boulevard, Suite 200, Pittsburgh, PA 15221, City of McKeesport, **Allegheny County**; Pittsburgh ACOE District.

Has been given consent to:

1. Operate and maintain an existing docking facility along the right downstream bank of the Monongahela River (WWF-N) at River Mile 14.1, consisting of a 195' x 35' working barge and a 500' piling wall.

2. Operate and maintain a stormwater settling pond for industrial discharges in association with the maintenance of the docking facility.

3. Construct, operate and maintain a 94' x 87' construction conveyor located within the floodway.

4. Perform maintenance dredging in the Monongahela River to an area of 500' x 87' (1 acre) and depth of 10.5' at the docking facility.

For the purpose of returning full functionality of the existing docking facility. In order to mitigate for potential impacts to shallow water habitat (<5') for fish populations, a 160' x 26' area of rock piles will be constructed on-site. The project site is located 275 Center Street, McKeesport, PA 15132, McKeesport, PA USGS topographic quadrangle; N: 40°, 21', 26"; W: 79°, 50', 29"; Sub-basin 19A; USACE Pittsburgh District), in the City of McKeesport, Allegheny County.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

ESCGP-3 # ESG291820001-00

Applicant Name XTO Energy, Inc.

Contact Person Melissa Breitenbach

Address 190 Thornhill Road

City, State, Zip Warrendale, PA 15086

County Clinton

Township(s) Chapman

Receiving Stream(s) and Classification(s) UNTs to Dry Run (HQ-CWF);

Secondary: Dry Run (HQ-CWF)

ESCGP-3 # ESG290820007-00

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Bradford

Township(s) Wilmot

Receiving Stream(s) and Classification(s) Sugar Run  
(CWF, MF);  
Secondary: Sugar Run Creek (CWF, MF)

ESCGP-3 # ESG29081170059(1)  
Applicant Name Pennsylvania General Energy Co, LLC  
Contact Person Robert Kuntz  
Address 120 Market Street  
City, State, Zip Warren, PA 16365  
County Lycoming  
Township(s) Plunketts Creek & Upper Fairfield  
Receiving Stream(s) and Classification(s) Kaiser Hollow  
(EV), UNT to Kaiser Hollow (EV), UNT to Little Mill  
Creek (HQ-CWF), UNT to Little Painters Run (EV);  
Secondary: Loyalsock Creek (EV), Little Mill Creek  
(HQ-CWF), Little Painters Run (EV)

ESCGP-3 # ESG290819017-00  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Adam Weightman  
Address 30351 Route 6  
City, State, Zip Wysox, PA 18854  
County Bradford  
Township(s) Herrick, Standing Stone, Wyalusing, and  
Wysox

Receiving Stream(s) and Classification(s) UNT to Rum-  
merfield Creek (WWF, MF), Rummerfield Creek (WWF,  
MF), UNT to Brewer Creek (WWF, MF), Brewer Creek  
(WWF, MF), UNT to Billings Creek (WWF, MF), Bill-  
ings Creek (WWF, MF), King Creek (WWF, MF), Vought  
Creek (WWF, MF), UNT to Camp Creek (WWF, MF),  
UNT to Wyalusing Creek (WWF, MF), UNT to Susque-  
hanna River (WWF, MF);  
Secondary: Susquehanna River (WWF, MF)

ESCGP-3 # ESG295819048-00  
Applicant Name SWN Production Company, LLC  
Contact Person Nicki Atkinson  
Address 917 State Route 92 North  
City, State, Zip Tunkhannock, PA 18657  
County Susquehanna  
Township(s) New Milford  
Receiving Stream(s) and Classification(s) Smith Creek  
(HQ, CWF-MF) and unnamed tributaries thereto

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

ESCGP-3 # ESG073020001-00  
Applicant Name CNX Midstream Operating CO, LLC  
Contact Person Erika Whetstone  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Richhill Township  
Receiving Stream(s) and Classification(s) Barney's Run  
(TSF), South Fork Dunkard Creek (TSF), UNTs to  
Barney's Run (TSF), UNTs to South Fork Dunkard  
Creek (TSF)  
Secondary Receiving Water—Dunkard Fork (WWF)

*Northwest Region: Oil and Gas Management, 230  
Chestnut Street, Meadville, PA 16335-3481, 814-332-6860.  
Contact Mary Slye, Clerical Supervisor, 814-332-6325.*

ESCGP-3 # ESG160470004-01—Phase 3 South Pipeline  
Major Modification  
Applicant Name NFG Midstream Clermont LLC  
Address 6363 Main Street  
City, State, Zip Williamsville, NY 14221-5855  
County Elk and McKean Counties  
Township(s) City of St. Marys; Jones, Ridgeway and  
Sergeant Townships

Receiving Stream(s) and Classification(s) South Fork  
Straight Creek and UNT (HQ-CWF), UNT Maple Run  
(HQ-CWF), Crooked Creek and UNT Long Branch  
Crooked Creek (HQ-CWF), Powers Run and UNT  
(CWF), Middle Fork East Branch Clarion River and  
UNT (HQ-CWF), UNT Straight Creek (HQ-CWF) and  
UNT Elk Creek and UNT Clarion River (CWF)  
Secondary East Branch Clarion River (HQ-CWF), Elk  
Creek (CWF) and Clarion River (CWF).

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

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

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation 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.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Tower Vue Service**, Primary Facility ID # 02-07068, 2890 Custer Ave., Pittsburgh, PA 15227, Baldwin Borough, **Allegheny County**. Flynn Environmental Inc., 5640 Whipple Ave. NW, N. Canton, OH 44750, on behalf of Tower Vue Service, 2890 Custer Ave., Pittsburgh, PA 15227, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

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

**Cratty Sunoco**, Storage Tank Facility ID # 25-12453, 1508 West 26th Street, City of Erie, **Erie County**. Environmental Remediation and Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Tops Markets, LLC, P.O. Box 1027, Buffalo, NY 14240-1027, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, MTBE, naphthalene, cumene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, lead, 1,2-dibromoethane, 1,2-dichloroethane and semi-volatile organic compounds. The plan is intended to document the remedial actions for meeting the Site-Specific Standard.

**Kwik Fill M376**, Storage Tank Facility ID # 25-37588, City of Corry, **Erie County**. Letterle Associates, 191 Howard Street, Franklin, PA 16323, on behalf of United Refining Company of PA, P.O. Box 688, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, MTBE, naphthalene and cumene. The plan is intended to document the remedial actions for meeting the Statewide Health Standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or 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.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

**Allentown Terminal**, Storage Tank ID # 39-11088, 1134 North Quebec Street, Allentown City, **Lehigh County**, Groundwater Services International, 443 McCormick Road, Mechanicsburg, PA 17055, on behalf of Lucknow Highspire Terminals LLC, P.O. Box 2621, Harrisburg, PA 17105, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of a combination of Site-Specific and Background Standards and was approved by DEP on April 27, 2020.

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

**Gulf Terminal—Neville Island**, Primary Facility ID # 02-80588, 400 Grand Ave., Pittsburgh, PA 15225, Neville Township, **Allegheny County**. Arcadis U.S. Inc., 10 Friends Lane, Ste. 100, Newtown, PA 18940, on behalf of Christine Lametrie, Chevron EMC, 1500 Louisiana St., No. 38154, Houston, TX 77002, submitted a Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report was acceptable to meet the Statewide health and site-specific standards with modifications and was approved on April 20, 2020.

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

**Country Fair 59**, Storage Tank Facility ID # 25-90128, 4526 Pine Avenue, City of Erie, **Erie County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Country Fair, Inc., 2251 E. 30th Street, Erie, PA 16510, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, methyl tertiary butyl ether (MTBE), xylenes, 1,2,4-trimethylbenzene (TMB) and 1,3,5-TMB. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on April 21, 2020.

**Victory Heights Station**, Storage Tank Facility ID # 61-18853, 5821 State Route 322, Cranberry Township, **Venango County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Heath Oil, Inc., P.O. Box 1128, Oil City, PA 16301-0628 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, cumene, naphthalene, MTBE, 1,2,4 trimethylbenzene and 1,3,5 trimethylbenzene. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on April 24, 2020.

## SPECIAL NOTICES

### WASTE MANAGEMENT

**Hazardous Sites Cleanup Under the Act of October 18, 1988, Notice of Reopening the Administrative Record.**

**Kwiatkowski Landfill**, Hickory Township, **Lawrence County**. The Pennsylvania Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101—6020.1305, has decided to reopen the Administrative



Record for the Kwiatkowski Landfill (Site) to document response costs. The Site is located approximately one mile east of the City of New Castle in Hickory Township, Lawrence County, Pennsylvania, on the north side of County Line Road.

The site consists of an approximately 84-acre abandoned mixed waste landfill, currently owned by the estates of brothers, Rudolph and Chester Kwiatkowski. An industrial area is located at the main entrance to the site. The main disposal area is located 100 feet west of the industrial area and included three waste disposal impoundments which are known as Operable Unit 1.

In 1985, 1987 and 1993 the United States Environmental Protection Agency (USEPA) conducted environmental investigations at the Site that included sampling the wastes and sediments in Operable Unit 1. In 1995, 1996, and 2004, the Department also investigated and sampled surface wastes and surface water in Operable Unit 1 at the Site.

These investigations revealed elevated levels of chlorinated solvents, and aromatic compounds. Specifically, soils and sediments in Operable Unit 1 contained high concentrations trichloroethylene, xylene, 1,1,2,2-tetrachloroethane, 1,1,2-trichloroethane, 1,2-dichloroethene, 1,2-dichloropropane, benzene, bromodichloromethane, carbon tetrachloride, chloroform, methyl chloride, tetrachloroethene, toluene, vinyl chloride, 2,4-dinitrophenol, bis(2-chloroethyl)ether, hexachlorobenzene, m-nitro-aniline, N-nitroso-N-propylamine, and pentachloro-phenol. Several heavy metals, including lead and arsenic were also detected over the Statewide Health Standards for Residential Direct Contact pursuant to the Pennsylvania Land Recycling and Environmental Remediation Standards Act (Act 2).

These elements and chemical compounds are "hazardous substances" pursuant to Section 103 of the HSCA, 35 P.S. § 6020.103. The presence of these hazardous substances in Site surface water, sediment, and waste and soil constituted a "release" and "threatened release" of hazardous substances at the Site pursuant to Section 103 of the HSCA, 35 P.S. § 6020.103.

In 2013 and 2014, the Department performed an Interim Response within Operable Unit 1 pursuant to Section 501 of the HSCA 35 P.S. § 6020.501 to protect the public and environmental receptors from direct contact with site-related hazardous substances and eliminate the ongoing release and threat of release of hazardous substances into the environment. The Interim Response included the stabilization and excavation of waste, off-site disposal of waste material, clean soil backfill, site grading, and re-vegetation of the disturbed areas.

Pursuant to Section 506(g) of HSCA, 35 P.S. § 6020.506(g), the Department proposes to reopen the Administrative Record for Kwiatkowski Landfill to document response costs incurred during the 2013–2014 Interim Response Action. Documents proposed to be added to the Administrative Record include: Interim Response Public Hearing Transcript, Statement of Decision for the Interim Response, Interim Response Completion Report, Notices to Potentially Responsible Parties, Response Cost Documentation and file documentation of potentially responsible parties.

This notice is being provided pursuant to Section 506(h) of HSCA. The administrative record, which contains the information that forms the basis and documents the response actions and costs for the Site, is available for public review and comment. The administrative record is

located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8:00 a.m. to 4:00 p.m. Telephone or email a request to review the administrative record at 814-332-6648 or ckosinski@pa.gov.

The administrative record will be open for comment from May 9, 2020 until July 7, 2020. Persons may submit written comments into the record during this time only. Comments should be sent to Mr. Colin Kosinski, Project Manager, at the Department's Northwest Regional Office via email at ckosinski@pa.gov.

## WATER MANAGEMENT

### Final State Water Quality Certification Required by Section 401 of the Clean Water Act for the TP-4555 2019 Bare Pipeline.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E., Program Manager 412.442.4149.*

**WQ65052-001, Equitrans, L.P.**, 2200 Energy Drive, Canonsburg, PA 15317. TP-4555 2019 Bare Pipe Replacement Project (Project), in Unity and Derry Townships, **Westmoreland County**, in the Army Corps of Engineers (ACOE) Pittsburgh District. Section 1 of the proposed Project starts at Applicant's existing TP-4555 pipeline in Unity Township (Pittsburgh East, PA Quadrangle N: 40°, 17', 58.40"; W: 79°, 25', 1.60") and ends at Applicant's existing TP-4555 pipeline in Unity Township (Pittsburgh East, PA Quadrangle N: 40°, 17', 56.56"; W: 79°, 24', 8.72"). Section 2 of the proposed Project starts at Applicant's existing TP-4555 pipeline in Derry Township (Pittsburgh East, PA Quadrangle N: 40°, 18', 28.25"; W: 79°, 20', 55.50") and ends at Applicant's existing TP-4555 pipeline in Derry Township (Pittsburgh East, PA Quadrangle N: 40°, 19', 25.54"; W: 79°, 17', 45.47"). The Applicant will report the project to Federal Energy Regulatory Commission (FERC) in its annual blanket activities report as authorized under blanket construction certificate FERC Docket No. CP19-218-000 dated July 1, 2019.

On April 26, 2019, Applicant requested a State Water Quality Certification from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act. The Project, as proposed, includes approximately 3.92 miles long, 20-inch-diameter pipeline for the purpose of replacing two sections of existing 1950s vintage bare steel natural gas transmission pipeline. The Project proposes to abandon the replacement sections of pipeline in-place, totaling approximately 3.85 miles. The Project, as proposed, will require approximately 43.4 acres of earth disturbance, and impacts to 1,664 linear feet of UNTs to Fourmile Run (WWF), UNTs to McGee Run (CWF), UNTs to Miller Run (HQ-CWF), UNTs to Saxman Run (WWF), 3.66 acres of floodway, and temporary impacts to 0.29 acre of palustrine emergent wetland. Mitigation will include restoring the disturbed area back to its original condition and elevation, stabilizing the disturbed area and restoring the forested riparian area of two UNTs to Saxman Run.



PADEP published notice of its proposed State Water Quality Certification in the *Pennsylvania Bulletin* on July 27, 2019 (Pa.B. Vol. 49, No. 30) and received no comments from the public.

PADEP certifies that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The PADEP further certifies that the construction, operation and maintenance of the project complies with Pennsylvania water quality standards and that the construction, operation and maintenance of the project does not violate applicable Pennsylvania water quality standards provided that the construction, operation and maintenance of the Project complies with the following PADEP water quality permitting programs, criteria and conditions established pursuant to Pennsylvania law:

1. *Discharge Permit*—The Applicant intends to dispose of waste water generated by hydrostatic testing at an approved waste water treatment facility. If this changes, the Applicant shall obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit(s) for the discharge of water from the hydrostatic testing of the pipeline associated with the Project pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), 25 Pa. Code Chapter 92a (relating to NPDES permitting, monitoring and compliance) and all other applicable regulations.

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with an Erosion and Sediment Control Permit(s) for earth disturbance associated with the Project issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), 25 Pa. Code Chapter 102, and all other applicable implementing regulations.

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Water Obstruction and Encroachment Permit(s) for the construction, operation and maintenance of all stream and wetland crossings associated with the Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), 25 Pa. Code Chapter 105, 25 Pa. Code Chapter 106, and all other applicable regulations.

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall properly operate and maintain at all times all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP or delegated County Conservation District to determine compliance with this SWQC, including all required permits, authorizations and approvals required by this State Wa-

ter Quality Certification. The Applicant shall provide a copy of this SWQC to an authorized representative conducting an inspection of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project or any portion(s) thereof, the Applicant shall provide a copy of this SWQC and copies of any permits, authorizations or approvals obtained to comply with the SWQC upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the appropriate PADEP Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owners containing a specific date for transfer of responsibility, coverage, and liability under the SWQC and any permits, authorizations and approvals obtained to comply with the SWQC. The new owner shall submit to DEP a new application form for the SWQC and any permits, authorizations and approvals required to comply with the SWQC signed by the new owner.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Dana Drake, P.E., Program Manager, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—PADEP may modify, suspend or revoke this SWQC if (i) PADEP becomes aware of new facts about the Project that warrant such action; or (ii) PADEP determines that the Applicant has not complied with the terms and conditions of this SWQC. PADEP may require additional measures to achieve compliance with any applicable law or regulation.

10. *Other Laws*—Nothing in this SWQC shall be construed to preclude the institution of any legal action or to relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable law or regulation.

11. *Severability*—The provisions of this SWQC are severable and should any provision of this SWQC be declared invalid or unenforceable, the remainder of the SWQC shall not be affected thereby.

12. Permittee shall effectively monitor the riparian restoration area for at least five years. Reports shall be submitted to the Department every six months for the first two years after construction and annually for three years thereafter. The monitoring reports shall contain information describing the success of the site at the time of inspection and a written plan and schedule to correct any deficiencies identified during the monitoring phase. Permittee shall implement such plans and schedule. All reports should be sent to the Department of Environmental Protection, Waterways and Wetlands Program, Water quality Supervisor, 500 Waterfront Drive, Pittsburgh, PA 15222-4745.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 as provided by law. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. Important legal rights are at stake, so you should show this document to a lawyer promptly.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 as provided by law. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. Important legal rights are at stake, so you should show this document to a lawyer promptly.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>DEP Office</i>
ESG0012919001	Equitrans, L.P. 2200 Energy Drive Canonsburg, PA 15317	Westmoreland	Southwest Regional Office

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 as provided by law. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. Important legal rights are at stake, so you should show this document to a lawyer promptly.

[Pa.B. Doc. No. 20-636. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Agricultural Advisory Board Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Agricultural Advisory Board (Board) meeting scheduled for Thursday, May 21, 2020, will be held as a virtual meeting and will begin at 9 a.m. Individuals who wish to join the meeting may do so remotely. Information will be provided on the Board's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Jay Braund at jbraund@pa.gov or (717) 772-5636.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation

## WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E., Program Manager 412.442.4149.*

**GP056500219-034, GP086500219-007, and GP116505219-006.** The proposed pipeline project starts at Applicant's existing TP-4555 pipeline in Unity Township (Pittsburgh East, PA Quadrangle N: 40°, 17', 58.40"; W: 79°, 25', 1.60") and ends at Applicant's existing TP-4555 pipeline in Unity Township (Pittsburgh East, PA Quadrangle N: 40°, 17', 56.56"; W: 79°, 24', 8.72"). Section 2 of the proposed Project starts at Applicant's existing TP-4555 pipeline in Derry Township (Pittsburgh East, PA Quadrangle N: 40°, 18', 28.25"; W: 79°, 20', 55.50") and ends at Applicant's existing TP-4555 pipeline in Derry Township (Pittsburgh East, PA Quadrangle N: 40°, 19', 25.54"; W: 79°, 17', 45.47").

The proposed impacts to 1,664 linear feet of UNTs to Fourmile Run (WWF), UNTs to McGee Run (CWF), UNTs to Miller Run (HQ-CWF), UNTs to Saxman Run (WWF), 3.66 acres of floodway, and temporary impacts to 0.29 acre of palustrine emergent wetland.

## EROSION AND SEDIMENT CONTROL

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E., Program Manager 412.442.4149.*

The following Erosion and Sediment Control permits have been issued:

tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Agricultural Advisory Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the May 21, 2020, meeting can be directed to Jay Braund at [jbraund@pa.gov](mailto:jbraund@pa.gov) or (717) 772-5636.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5636 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-637. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### *Final Technical Guidance: Substantive Revision*

**DEP ID:** 385-2208-003. **Title:** Alternate Onlot Sewage Pretreatment Technology Verification Policy (TVP). **Description:** The act of July 20, 2017 (P.L. 321, No. 26) (Act 26) amended the Pennsylvania Sewage Facilities Act (35 P.S. §§ 750.1—750.20a) to allow alternate onlot systems to satisfy sewage planning requirements in the establishment of new lots. Act 26 also requires the Department to evaluate the latest scientific, technical and field-testing information concerning alternate systems and to evaluate the existing alternate systems based on that information. Act 26 became effective on September 18, 2017. This TGD establishes the scientific, technical and field-testing standards for alternate onlot systems. Compared with the draft TGD, substantive revisions have been made to the final TGD; many of these changes were made in response to consultation with the Department's Sewage Advisory Committee and public comments received on the draft TGD.

**Contact:** Questions regarding this TGD should be directed to Brian K. Schlauder at [bschlauder@pa.gov](mailto:bschlauder@pa.gov) or (717) 772-5620.

**Effective Date:** May 9, 2020

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-638. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Food Recovery Infrastructure Grant; Update to Application Deadline

The Department of Environmental Protection (Department) announces an update to the application deadline for the Food Recovery Infrastructure Grant Program (Program). Current circumstances within the charitable food system, related to the novel coronavirus (COVID-19) response, demonstrate the need for additional flexibility and changes to this grant program. The current grant application period closes Friday, May 8, 2020.

This grant is an opportunity to apply for up to \$200,000 in grant funding offered through the new Program. Funding is available for nonprofit organizations in this Commonwealth for grant assistance for the proper management and operation of food waste reduction under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. §§ 4000.101—4000.1904).

Food recovery infrastructure grants will be awarded to nonprofit organizations for the procurement of equipment (refrigerators, freezers, refrigerant vehicles, hand fork lifts, and the like) to reduce food waste disposal from food retailers, wholesalers, farms, processors and cooperatives by repurposing and redistributing apparently safe and wholesome foods to nonprofits in this Commonwealth that provide food to segments of the public. The nonprofit must describe their current food recovery operation and explain how the food infrastructure equipment will enhance their current program. The organization must also provide a description of their proposed program and provide what food retailers, wholesalers, farms, processors and cooperatives will be partners for the project. Additionally, the organization must provide a description of how the program will be operated by staff or volunteers, or both.

Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of moneys in the Recycling Fund. The maximum grant to a nonprofit organization cannot exceed \$200,000 per calendar year for the procurement of food infrastructure equipment attributable exclusively to the grant project.

Grant applications must be submitted through the Department of Community and Economic Development's Electronic Single Application web site, eGrants, at [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us). Potential applicants must e-mail [ra-eprecyclepa@pa.gov](mailto:ra-eprecyclepa@pa.gov) in order to gain access to the eGrants web site. Applications must be received by Friday, May 8, 2020, to be eligible for funding.

Questions concerning this notice should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472, at [mvottero@pa.gov](mailto:mvottero@pa.gov) or (717) 772-5719.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-639. Filed for public inspection May 8, 2020, 9:00 a.m.]



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Solid Waste Advisory Committee Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Solid Waste Advisory Committee (Committee) meeting scheduled for Wednesday, June 3, 2020, will be held as a virtual meeting and will begin at 10 a.m. Individuals who wish to join the meeting may do so remotely. Information will be provided on the Committee's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Laura Henry at lahenry@pa.gov or (717) 772-5713.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Waste Advisory Committees," then "Solid Waste Advisory Committee (SWAC)").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the June 3, 2020, meeting can be directed to Laura Henry at lahenry@pa.gov or (717) 772-5713.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Linda Bailey at (717) 787-7381 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-640. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### State Board for Certification of Sewage Enforcement Officers Rescheduled Meeting

The State Board for Certification of Sewage Enforcement Officers (Board) meeting scheduled for Wednesday, May 27, 2020, has been rescheduled to Wednesday, July 15, 2020. In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the July 15, 2020, meeting will be held as a virtual meeting and will begin at 10 a.m. Individuals who wish to join the meeting may do so remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water

Advisory Committees," then "State Board for Certification of Sewage Enforcement Officers").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Persons with questions concerning the July 15, 2020, meeting can e-mail RA-seotrng@pa.gov or call (717) 772-2186.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-2186 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-641. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### State Board for Certification of Sewage Enforcement Officers; Update to Certification Examination Schedule

The State Board for Certification of Sewage Enforcement Officers (Board) has updated the Certification Examination Schedule for the remainder of 2020. The May 15, 2020, examination has been rescheduled to Friday, June 26, 2020.

To qualify to sit for the certification examination, all Sewage Enforcement Officer (SEO) candidates must complete the Pre-Certification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct, by close of business on the dates indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The examination schedule for the remainder of 2020 is as follows:

Examination Date:	Friday, June 26, 2020 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	Friday, June 5, 2020
Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025
Examination Date:	Monday, August 10, 2020 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	Friday, July 24, 2020
Location:	Department of Environmental Protection Rachel Carson State Office Building 4th Floor Training Room 400 Market Street Harrisburg, PA 17105



Examination Date:	Friday, October 30, 2020 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	Friday, October 9, 2020
Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025

Additional examination dates will be posted as scheduled. Individuals are encouraged to visit the Board's webpage to confirm date, time and location prior to each examination.

The SEO written examination contains 100 multiple-choice questions covering planning requirements, administration and enforcement of the permit program and technical criteria for soils and disposal systems with a 3 1/2-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-2186.

Applicants will receive an admittance notification e-mail from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-2186 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss their request. This request must be submitted with the application form.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-642. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d), (e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Saint Mary's Villa Nursing Home, Inc.  
516 Saint Mary's Villa Road  
Elmhurst Township, PA 18444  
FAC ID # 711502

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(e):

The Manor at Penn Village  
51 Route 204  
Selinsgrove, PA 17870  
FAC ID # 040302

Mifflin Center  
500 East Philadelphia Avenue  
Shillington, PA 19607  
FAC ID # 081002

Parkhouse Rehabilitation and Nursing Center  
1600 Black Rock Road  
Royersford, PA 19468  
FAC ID # 133402

Peter Becker Community  
800 Maple Avenue  
Harleysville, PA 19438  
FAC ID # 160602

Pleasant Acres Rehabilitation and Nursing Center  
118 Pleasant Acres Road  
York, PA 17402  
FAC ID # 250102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j):

Allied Services Skilled Nursing Center  
303 Smallacombe Drive  
P.O. Box 2033  
Scranton, PA 18501  
FAC ID # 011902

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(j):

The Grove at New Castle  
715 Harbor Street  
New Castle, PA 16101  
FAC ID # 100502

Hamilton Arms Center  
336 South West End Avenue  
Lancaster, PA 17603  
FAC ID # 080202

Lakeside at Willow Valley  
300 Willow Valley Drive  
Lancaster, PA 17583  
FAC ID # 233602

ManorCare Health Services—Kingston Court  
2400 Kingston Court  
York, PA 17402  
FAC ID # 026302

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.3 (relating to definitions):

Beaver Healthcare and Rehabilitation Center  
616 Golf Course Road  
Aliquippa, PA 15001  
FAC ID # 070702

Beaver Valley Healthcare and Rehabilitation Center  
257 Georgetown Road  
Beaver Falls, PA 15010  
FAC ID # 050402

Belair Healthcare and Rehabilitation Center  
100 Little Road  
Lower Burrell, PA 15068  
FAC ID # 021002

Eldercrest Healthcare and Rehabilitation Center  
2600 West Run Road  
Munhall, PA 15120  
FAC ID # 050302

Epworth Healthcare and Rehabilitation Center  
951 Washington Avenue  
Tyrone, PA 16686  
FAC ID # 050802

Forest Park Healthcare and Rehabilitation Center  
700 Walnut Bottom Road  
Carlisle, PA 17013  
FAC ID # 060802

Haida Healthcare and Rehabilitation Center  
397 Third Avenue Extension  
Hastings, PA 16646  
FAC ID #340102

Havencrest Healthcare and Rehabilitation Center  
1277 Country Club  
Monongahela, PA 15063  
FAC ID # 341202

Hillview Healthcare and Rehabilitation Center  
700 South Cayuga Avenue  
Altoona, PA 16602  
FAC ID # 341902

Meyersdale Healthcare and Rehabilitation Center  
201 Hospital Drive  
Meyersdale, PA 15552  
FAC ID # 136802

Mountain Laurel Health and Rehabilitation Center  
700 Leonard Street  
Clearfield, PA 16830  
FAC ID # 032702

Mulberry Healthcare and Rehabilitation Center  
411 1/2 West Mahoning Street  
Punxsutawney, PA 15767  
FAC ID # 021802

Providence Care Center  
900 Third Avenue  
Beaver Falls, PA 15001  
FAC ID # 425002

Richland Healthcare and Rehabilitation Center  
349 Vo Tech Drive  
Johnstown, PA 15904  
FAC ID # 440702

Scenery Hill Healthcare and Rehabilitation Center  
680 Lions Health Camp Road  
Indiana, PA 15701  
FAC ID # 192202

Scottdale Healthcare and Rehabilitation Center  
900 Porter Avenue  
Scottdale, PA 15683  
FAC ID # 232802

Uniontown Healthcare and Rehabilitation Center  
129 Franklin Avenue  
Uniontown, PA 15401  
FAC ID # 062802

Waynesburg Healthcare and Rehabilitation Center  
300 Center Drive  
Waynesburg, PA 15370  
FAC ID # 074602

Woodhaven Care Center  
2400 McGinley Road  
Monroeville, PA 15146  
FAC ID # 233102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed 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 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 AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 20-643. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Pennsylvania Acquired Brain Injury Program

The Pennsylvania Acquired Brain Injury Program (Program), administered within the Bureau of Family Health, through the Title V Maternal and Child Health Block Grant, is a new program created to fund short term intensive brain injury rehabilitation for residents of this Commonwealth 18 to 21 years of age who have sustained an acquired brain injury (ABI) which does not include traumatic brain injury.

To provide these services, the Program will contract with specialized brain injury rehabilitation providers who offer physical, occupational, speech and cognitive therapies along with assistive community integration and psychological services in an outpatient setting. The provider must obtain an accreditation from the Commission on Accreditation of Rehabilitation Facilities.

Effective immediately, the Department of Health will be soliciting specialized brain injury rehabilitation providers interested in providing rehabilitation services through the Program. Interested parties should contact the Program at (717) 772-2763 or the Brain Injury Helpline at (866) 412-4755.

For additional information or for persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Nicole L. Adams, Program Manager, Community Systems Development and Outreach, Department of Health, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120 at (717) 772-2763, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 20-644. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)) establishing the Department of Transportation (Department), the Director of the Bureau of Project Delivery, as delegated by the Secretary of Transportation, makes the following written finding:

Alternative 7 is the preferred alternative for the I-83 North York widening, SR 0083, Section 070, York County project. The preferred alternative includes approximately 5 miles of interstate reconstruction and widening from four lanes to six lanes in central York County, extending around the City of York. The corridor passes through four municipalities: Spring Garden Township; Springettsbury Township; North York Borough; and Manchester Township. The project includes the reconstruction, addition of auxiliary lanes and other improvements to three interchanges: Exit 19 (Market Street), Exit 21 (United States Route 30) and Exit 22 (North George Street); existing and proposed mainline bridge replacements; and the relocation of Mill Creek near Ebert's Lane and Sherman Street.

The Environmental Assessment (EA) and EA Comment Responses have been evaluated by the Federal Highway Administration (FHWA) and were determined to discuss adequately and accurately the need, environmental issues, and impacts of the proposed project and mitigation measures that will be taken to minimize harm as stipulated in the EA. Based on the EA, the FHWA has issued a Finding of No Significant Impact for the project. Furthermore, the Bureau of Project Delivery has concluded that all State environmental evaluation requirements, as published in section 2002 of The Administrative Code of 1929, have been satisfied.

The proposed project is anticipated to impact approximately 0.5 acre of the Advent Lutheran Church property, a contributing resource to the National Register eligible East York Historic District; approximately 0.0069 acre (total) of the four contributing resources of the National Register eligible Elmwood Historic District; approximately 0.0091 acre of the National Register eligible Elmwood Mansion property; approximately 0.1 acre from the National Register eligible Sycamore Hill property; approximately 0.3 acre from the National Register eligible Rutter Farm; up to 0.5 acre will be required for an aerial easement from the National Register eligible New York Wire and Cloth Company property and approximately 0.3 acre of permanent right-of-way will be required from the 4.7 acre Fayfield Park. All 4(f)/Section 2002 uses are de minimis. On the basis of the documentation, it can be concluded that the harm to the resources have been minimized, all feasible and prudent alternatives have been explored to avoid impact upon the resources, and that the intent of section 2002(a)(15), paragraph 15 of the Administrative Code of 1929 has been fulfilled as it relates to this project.

In the absence of a feasible and prudent alternative, which eliminates any impact to the resources, it is recommended that the Department proceed with further development of this project.

Mitigation measures will be taken to minimize harm as stipulated in the EA. No significant adverse environmental effect is likely to result from the proposed action.

BRIAN G. THOMPSON, PE,  
*Director*  
*Bureau of Project Delivery*

[Pa.B. Doc. No. 20-645. Filed for public inspection May 8, 2020, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Findings

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)) establishing the Department of Transportation (Department), the Director of the Bureau of Project Delivery, as delegated by the Secretary of Transportation, makes the following written findings:

The Department is planning the following listed projects. Environmental and Section 4(f) Documentation have been developed for the following identified projects to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System at <http://www.dotdom2.state.pa.us/ceea/ceeamain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed identified projects, and all reasonable steps have been taken to minimize the effects.

- **SR 0000, Section LBR—Athens Township, Bradford County.**

*Project Description:* The project is the replacement of the bridge that carries Thomas Avenue Bridge (T-105) over Cayuta Creek.

*Environmental Documents:* CE 1b Evaluation approved on December 30, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on December 23, 2019.

*Proposed Use of Section 4(f)/2002 Resource:* The existing structure was determined to be eligible for listing on the National Register of Historic Places (NRHP), and it will be relocated to Tioga County's Marsh Creek Greenway Project.

- **SR 0154, Section 63S—Forks Township, Sullivan County.**

*Project Description:* The project is to repair a portion of roadway embankment along SR 0154 and Loyalsock Creek.

*Environmental Documents:* ED 1b Evaluation approved on November 25, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on November 22, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.25-acre of right-of-way (ROW) will be required from the 780-acre Worlds End State Park, which qualifies as a Section 4(f)/2002 resource.



• **SR 3017, Section SIP—Upper Chichester Township, Delaware County.**

*Project Description:* The project is the reconstruction of the intersection of Bethel Road (SR 3017) and Mill Road (SR 3014) to a roundabout.

*Environmental Documents:* CE 1b Evaluation approved on December 18, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on November 27, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.276-acre of ROW will be required from the 5.4-acre Mill Road Woods, which qualifies as a Section 4(f)/2002 resource.

• **SR 0083, Section 079—Harrisburg City, Swatara Township and Paxtang Borough, Dauphin County.**

*Project Description:* The project is the widening and full reconstruction of a 2-mile section of Interstate 83 (SR 0083).

*Environmental Documents:* CE 2 Evaluation approved on October 2, 2019, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on May 2, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved May 2, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The Capital Area Greenbelt, which qualifies as Section 4(f)/2002 resource, will be detoured during construction. The East Shore Diner was determined to be eligible for listing on the NRHP. The East Shore Diner will need to be relocated and all 0.74-acre will be required for the project.

• **SR 1021, Section AME—Logan Township, Blair County.**

*Project Description:* The Altoona Mobile Emergency Department is relocating their Station 480 to a new location adjacent to Shand Avenue and Park Avenue (SR 1021). The station will be accessed from Shand Avenue, but have a gated access to Park Avenue, which is a limited access roadway.

*Environmental Documents:* ED 1b Evaluation approved on October 4, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on September 23, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.28-acre of ROW will be required from the 5.5-acre park managed by Logan Township, which qualifies as a Section 4(f)/2002 resource.

• **SR 7203, Section C15—Jefferson and Cumberland Townships, Greene County.**

*Project Description:* The project is the replacement of the Greene County Bridge No. 15 that carries Mohr Road (T-634) over Muddy Creek.

*Environmental Documents:* CE 2 Evaluation approved on December 31, 2019, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on October 18, 2019.

*Proposed Use of Section 4(f)/2002 Resource:* The existing Parker Pony Truss Bridge was determined to be eligible for listing on the NRHP.

• **SR 0070, Section E10—Rostraver and South Huntingdon Townships, Westmoreland County.**

*Project Description:* The project is the reconstruction of 2.1-miles of Interstate 70, the reconfiguration of the interchange with SR 0051, two bridge replacements and bridge preservation of the structure over the Youghiogheny River.

*Environmental Documents:* CE 2 Evaluation approved on November 13, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on May 3, 2019.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.23-acre of drainage easement will be required from the 150-mile Great Allegheny Passage Trail, which qualifies as a Section 4(f)/2002 resource.

• **SR 3014, Section 152—Ferguson Township and State College Borough, Centre County.**

*Project Description:* The project includes drainage improvements and the widening of Atherton Street (SR 3014) from Aaron Drive to Park Avenue. The Americans with Disabilities Act (ADA) curb ramps will also be updated to current standards.

*Environmental Documents:* CE BRPA Reevaluation approved on December 30, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 10, 2019.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.05-acre of ROW will be required from the 109-acre College Heights Historic District, which is listed on the NRHP. Approximately 0.027 acre of ROW and 0.044-acre of sidewalk easements will be required from the 82-acre Farmer's High School Historic District, which is listed on the NRHP. Approximately 0.012-acre of ROW, 0.013-acre of sidewalk easement and 0.012-acre of slope easement will be required from the College Heights Historic District Expansion, which is presumed to be eligible for listing on the NRHP.

• **SR 3002, Section 718—Granville Township and Lewistown Borough, Mifflin County.**

*Project Description:* The project is the resurfacing of 1.8-miles of SR 3002 and SR 3006 and includes updates to ADA curb ramps.

*Environmental Documents:* CE BRPA Evaluation approved on November 21, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on November 19, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The William F. Kitting House was determined to be eligible for listing on the NRHP, and approximately 25-square feet of sidewalk easement will be required from the historic property.

• **SR 1001, Section A04—Ulysses Township, Potter County.**

*Project Description:* The project is the replacement of the bridge that carries Sweden Hill Road (SR 1001) over an unnamed tributary to Pine Creek.

*Environmental Documents:* CE BRPA Reevaluation approved on October 15, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 10, 2019.



*Proposed Use of Section 4(f)/2002 Resources:* The former Brookland General Store was determined to be eligible for listing on the NRHP, and approximately 0.03-acre of ROW will be required from the historic general store property.

• **SR 1044, Section 003—Everett Borough, Bedford County.**

*Project Description:* The project is intersection improvements at Main Street (SR 1044) and North River Lane, including widening and ADA curb ramps.

*Environmental Documents:* CE BRPA Evaluation approved on December 6, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on December 3, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The Everett Historical District is listed on the NRHP, and approximately 0.004-acre of ROW will be required from the historic district.

• **SR 0222, Section 01S—Upper Macungie and Maxatawny Townships, Lehigh County.**

*Project Description:* The project includes safety improvements and increased mobility at three intersections. A hybrid roundabout will be installed at the existing intersection of SR 0222 and SR 0863. One mile of SR 0222 will be widened to accommodate two through-lanes and a two-way center turn lane. Two bridges will also be replaced.

*Environmental Documents:* CE 1b Reevaluation approved on July 15, 2019, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on March 18, 2016.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 2.05-acres of ROW and 0.77-acre of drainage easement will be required from the 138.75-acre Grim/Seidel Farm, 0.30-acre of ROW from the 2.22-acre Edwin Gross House and 0.34-acre of the Samuel Grim Historic District. All three properties were each determined to be eligible for listing on the NRHP.

• **SR 0981, Section Q20—Mount Pleasant Township, Westmoreland County.**

*Project Description:* The project includes the reconstruction of the intersections at SR 0981 and SR 0819, SR 0981 and SR 2007, and SR 0981 and SR 2021 as proposed roundabouts. Two bridges will be widened and reconstructed, one new bridge will be constructed and one bridge will be rehabilitated. The roadway will be reconstructed on a new alignment north of the Turnpike. The section south of the Turnpike will be reconstructed on its existing alignment.

*Environmental Documents:* CE 2 Evaluation approved on November 19, 2019, and a Final Individual Section 4(f) Evaluation approved on November 13, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 4.96-acres of ROW will be required from the Rumbaugh Farm, approximately 0.03-acre of ROW from the Ebersole-Sherrick Farm, approximately 0.03-acre of ROW from the Middle Presbyterian Church, approximately 1.26-acre of ROW from the Fisher-Trout Farm and approximately 6.15-acres of ROW from the Reynolds-Shultz Farm. All properties are eligible for listing on the NRHP.

• **SR 4019, Section 002—Little Mahanoy Township, Northumberland County.**

*Project Description:* The project is the replacement of the bridge that carries SR 4019 over an unnamed tributary to Little Mahanoy Creek.

*Environmental Documents:* ED BRPA Evaluation approved on February 12, 2020, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on January 22, 2020.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.0556-acre of ROW will be required from the 8,940-acre State Game Land Number 84, which qualifies as a Section 4(f)/2002 resource.

• **SR 6011, Section 251—Scranton City, Lackawanna County.**

*Project Description:* The project is the replacement of the bridge that carries Green Ridge Street (SR 6011) over the Lackawanna River.

*Environmental Documents:* CE 1b Evaluation approved on February 27, 2020, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on August 26, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.09-acre of ROW will be required from the 2.4-acre Scranton City parcel. The parcel contains a trail that is managed by the Lackawanna Heritage Valley Authority, and the trail qualifies as a Section 4(f)/2002 resource.

• **SR 0706, Section 501—Rush Township, Susquehanna County.**

*Project Description:* The project consists of roadway improvements, three structure replacements and the realignment of the SR 0267 intersection along SR 0706.

*Environmental Documents:* CE 1b Reevaluation approved on January 21, 2020, and two Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties forms approved on December 11, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The Nathan J. Sherwood Farm was determined to be eligible for listing on the NRHP and approximately 0.113-acre ROW will be required from the 193.8-acre historic farm. The Independent Order of Odd Fellows Hall was determined to be eligible for listing on the NRHP, and approximately 0.007-acre of ROW will be required from the historic property.

• **SR 0896, Section SIP—New London Township, London Britain Township and Franklin Township, Chester County.**

*Project Description:* The project involves roadway improvements along a 5-mile section of New London Road (SR 0896).

*Environmental Documents:* CE 1b Evaluation approved on February 13, 2020, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved November 27, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The McKean Farm was determined to be eligible for listing on the NRHP, and approximately 0.13-acre of ROW will be required from the historic farm.

• **SR 1005, Section 009—Latimore Township, Adams County.**

*Project Description:* The project is the rehabilitation of the existing structure, known as the Pondtown Mill Bridge that carries Latimore Valley Road (SR 1005) over the Bermudian Creek.

*Environmental Documents:* CE BRPA Evaluation approved on January 27, 2020, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 6, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The 1200 Latimore Valley Road Farm was determined to be eligible for listing on the NRHP, and approximately 0.003-acre of ROW will be required from the historic farm.

• **SR 0030, Section 103—Greene Township, Franklin County.**

*Project Description:* The project is the replacement of the bridge that carries SR 0030 over Rocky Mountain Creek.

*Environmental Documents:* CE 2 Evaluation approved on January 22, 2020, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land approved on August 19, 2019.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.16-acre of ROW will be required from the 1,125-acre Caledonia State Park, which qualifies as a Section 4(f)/2002 resource.

• **SR 0022, Section 069—East Hanover Township, Lebanon County.**

*Project Description:* The project is the rehabilitation of the existing structure carrying Allentown Boulevard (SR 0022) over Indiantown Run.

*Environmental Documents:* CE BRPA Evaluation approved on February 14, 2020, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on June 6, 2019.

*Proposed Use of Section 4(f)/2002 Resource:* The Ulrich Farm was determined to be eligible for listing on the NRHP, and approximately 0.09-acre of ROW will be required from the 126.6-acre historic farm.

• **SR 7301, Section 000—City of Pittsburgh, Allegheny County.**

*Project Description:* The project is the rehabilitation of the 6th Street Bridge over the Allegheny River.

*Environmental Documents:* CE 2 Evaluation approved on February 12, 2020, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on January 17, 2020.

*Proposed Use of Section 4(f)/2002 Resource:* The 6th Street Bridge, also known as the Roberto Clemente Bridge, is listed on the NRHP.

• **SR 7410, Section 01B—Kutztown Borough, Berks County.**

*Project Description:* The project is the replacement of the existing Peach Street/Heffner's Bridge (Berks County Bridge # 10B) over Sacony Creek.

*Environmental Documents:* CE 2 Evaluation approved on March 6, 2020, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on December 15, 2019, and a

Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on December 15, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The Kutztown Historic District was determined to be eligible for listing on the NRHP and approximately 0.11-acre of ROW will be required from the historic district. The Peach Street/Heffner's Bridge is a contributing resource to the Kutztown Historic District.

• **SR 0329, Section 01B—Whitehall Township and Northampton Borough, Lehigh County.**

*Project Description:* The project is the replacement of Cementon Bridge that carries SR 0329 over the Lehigh River and the new structure will be on a new alignment.

*Environmental Documents:* CE 2 Evaluation approved on March 10, 2020, two Determination of Section 49f) De Minimis Use Section 2002 No Adverse Use Historic Properties forms approved on November 10, 2019, three Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges State Forest Land and State Game Land forms approved on November 10, 2019, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on February 21, 2020.

*Proposed Use of Section 4(f)/2002 Resources:* The Lehigh Canal, Walnutport to Allentown, is listed on the NRHP, and approximately 0.137-acre of ROW will be required from the Lehigh Canal. The Whitehall Cement Manufacturing Company Plant and Quarry was determined to be eligible for listing on the NRHP, and approximately 0.066-acre will be required from the cement plant and quarry. Approximately 0.012-acre of permanent easement will be required from the Canal Street Park, which qualifies as a Section 4(f)/2002 resource. The Lehigh River is considered a navigable waterway by the United States Coastguard, a water trail by the Fish and Boat Commission and a recreational water according to *Keystone Canoeing*. Approximately 0.017-acre will be required from the Lehigh River, which qualifies as a Section 4(f)/2002 resource. The D & L Trail qualifies as a Section 4(f)/2002 resource. Due to the proposed bridge on the downstream alignment, the existing D & L Heritage Trail will require a relocation. The existing Cementon Bridge was determined to be eligible for listing on the NRHP.

• **SR 0997, Section 034—Quincy Township, Franklin County.**

*Project Description:* The project is replacement of the bridge that carries SR 0997 over the West Branch Antietam Creek.

*Environmental Documents:* ED BRPA Evaluation approved on March 11, 2020, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on September 12, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* The George Smith Farm was determined to be eligible for listing on the NRHP, and approximately 0.086-acre of ROW will be required from the 161.6-acre historic farm.

BRIAN G. THOMPSON, PE,  
Director  
Bureau of Project Delivery

[Pa.B. Doc. No. 20-646. Filed for public inspection May 8, 2020, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Environmental Quality Board (Board) meeting scheduled for Tuesday, May 19, 2020, will be held as a virtual meeting and will begin at 9 a.m. Individuals who wish to join the meeting may do so remotely.

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

Participation," then "Environmental Quality Board," then "2020 Meetings").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the May 19, 2020, meeting can be directed to Laura Edinger at [ledinger@pa.gov](mailto:ledinger@pa.gov) or (717) 783-8727.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Laura Edinger at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Chairperson*

[Pa.B. Doc. No. 20-647. Filed for public inspection May 8, 2020, 9:00 a.m.]

## GOVERNOR'S OFFICE

### Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication semi-annually an agenda of regulations under development or consideration.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The information provided is current as of April 23, 2020. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Aging</i></b>			
Older Adult Daily Living Centers 6 Pa. Code Chapter 11	Summer 2020, as Proposed	The purpose of 6 Pa. Code Chapter 11 is to protect the health, safety, and well-being of persons with functional impairments for the licensure and operation of Older Adult Daily Living Centers (OADLC). These regulations—the statutory authority for which is found in Act 118 of 1990 and in 62 P.S. Chapter 2 § 1511—were adopted on July 2, 1993 and effective October 12, 1993. The Pennsylvania Department of Aging is responsible for the enforcement of these regulations. OADLC services provide a structured program of services to clients who require the service along with valuable respite to caregivers. The proposed rulemaking would update the existing regulatory language to address changes in other statutes, regulations, codes, ordinances, and other professional standards and practices, along with addressing the increasing frailty of clients served in OADLC.	Barb Valaw (717) 787-4522



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Pennsylvania Community Adult Respite Services Program Act 166 of 2014	Summer 2020, as Proposed.	Act 166 of 2014 (P.L. 2615, Oct. 22, 2014, No. 166) created a new program called the Pennsylvania Community Adult Respite Services Program (CARP), authorizing the Department of Aging to license and inspect community adult respite services programs that serve participants with minor functional impairments. The purpose of the proposed rulemaking is to provide guidance to persons wishing to provide community adult respite services to eligible persons for part of a 24-hour day, filling a niche between senior centers and older adult daily living centers, as required by Act 166 of 2014.	Barb Valaw (717) 787-4522
<b><i>Department of Agriculture</i></b>			
Pennsylvania Preferred Program Regulations 7 Pa. Code Chapter 107 (# 2-186)	July 1 2020, as Proposed	This regulation will establish standards required under the Pennsylvania Preferred Act (3 Pa.C.S. §§ 4601—4611).	Laura England (717) 783-8462
Agricultural Conservation Easement Purchase Program 7 Pa. Code Chapter 138e (# 2-192)	June 2020, as Proposed. The underlying statute has been amended, which will entail a delay and rewrite of the proposed regulation.	The regulation will revise the regulation to address the five amendments of the Agricultural Area Security Law that occurred since 2004, when the regulation was last revised. The revision will accomplish a “housekeeping” update to reflect the Department’s experience in administering the Agricultural Conservation Easement purchase program.	Doug Wolfgang (717) 783-3167
Milk Sanitation 7 Pa. Code Chapter 59a (# 2-194)	May 2020, as Proposed	The regulation will: 1) accomplish a “housekeeping” update to the technical Milk Sanitation regulations; 2) allow for the lawful production and sale of raw milk butter; and 3) lower the maximum permissible somatic cell count for milk.	Sheri Morris (717) 787-4315
<b><i>Department of Banking and Securities (DOBS)</i></b>			
Modernization of Banking regulations under the Banking Code of 1965— Title 10, Parts I—VI	Spring 2020, as Proposed	The Banking Code of 1965 underwent substantial modernization in 2014. There is a need to amend the regulations to reflect this modernization and other recent legislative changes on the state level as well as to conform with federal legislative and regulatory changes.	Stefanie Hamilton (717) 787-1471
Promulgation of agency rules of administrative practice and procedure, to be added to Title 10, Part I	Spring 2020, as Proposed	The Department currently uses the General Rules of Administrative Practice and Procedure (“GRAAP”), which contemplate that an agency may promulgate its own rules. 1 Pa. Code § 31.1(c). The agency desires to enact rules more suited to its statutory requirements.	Stefanie Hamilton (717) 787-1471
Final omitted rulemaking for changes to regulations under the Banking Code of 1965— Title 10	Spring 2020, with omission of notice of proposed rulemaking under 45 P.S. § 1204	The Department will be pursuing a final omitted rulemaking to delete portions of Title 10 that have been preempted or rendered moot by either state or federal law.	Stefanie Hamilton (717) 787-1471
<b><i>Department of Community and Economic Development (DCED)</i></b>			
No regulations being developed or considered at this time.			



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Conservation and Natural Resources (DCNR)</i></b>			
Snowmobile and All-Terrain Vehicle Grants 17 Pa. Code Chapter 53 (# 7B-9)	Winter/Spring 2020	The regulation would implement a grant program using funds from the snowmobile and ATV management restricted accounts.	Alex MacDonald (717) 772-4586  Lisa Maiorana, Esq. (717) 783-0139
<b><i>Department of Corrections (DOC)</i></b>			
Inmate Correspondence 37 Pa. Code § 93.2	Fall 2020, as Proposed	Inmate correspondence regulations are being revised to reflect new DOC procedures for processing mail.	Tracey Tubbs (717) 728-7763
Inmate Visiting Privileges 37 Pa. Code § 93.3	Fall 2020, as Proposed	Inmate visiting privileges regulations are being revised to reflect DOC changes to its visiting policy.	Tracey Tubbs (717) 728-7763
Purchase for Inmates by Family and Friends 37 Pa. Code § 93.4	Fall 2020, as Proposed	Purchase for inmates by family and friends regulations are being revised for clarification and to more accurately comport with current standards.	Tracey Tubbs (717) 728-7763
<b><i>Department of Drug and Alcohol Programs (DDAP)</i></b>			
Recovery House Regulations 28 Pa. Code Chapter 709, Subchapter L (new)	Fall 2020, as Final-Omitted	Act 59 of 2017 directs DDAP to establish regulations for recovery houses that receive public funds or referrals. Recovery houses provide support to individuals receiving outpatient treatment for substance use disorder who may benefit from supportive housing, a substance-free environment, and peer camaraderie. Preparation of the final-omitted regulatory package is under way.	Jordan Lewis (717) 736-7466
<b><i>Department of Education (PDE)</i></b>			
Regulations of the State Board of Private Academic Schools 22 Pa. Code Chapters 51, 53, 55, 57, 59, 61 and 63	Fall 2020, as Proposed	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board is in the process of updating the regulations, which were promulgated in 1988. The regulations are promulgated under the authority of the Private Academic Schools Act (24 P.S. §§ 6701 et. seq.).	Matthew Stem (717) 787-2127
Professional Standards and Practices Commission 22 Pa. Code Chapter 235	Fall 2020, as Final	This chapter sets forth the standards for professional practice and conduct applicable to educators. The regulation updates this chapter to conform to the 2014 amendments to the Educator Discipline Act (24 P.S. §§ 2070.1a et. seq.) and to expound the obligations educators owe to students, colleagues and the profession, with an emphasis on appropriate student-teacher boundaries, electronic communications with students and role model responsibilities. The regulation is promulgated under the authority of sections 5(a)(10) and 5(a)(14) of the Educator Discipline Act (24 P.S. § 2070.5(a)(10) and § 2070.5(a)(14)).	Shane Crosby (717) 787-6576
Department of Education	Fall 2020, as Proposed	These regulations will address the possession and use of medical marijuana by students and employees on the grounds of a preschool, primary school and a secondary school. These regulations are promulgated under authority of the Medical Marijuana Act (2016 Pa. Laws 16).	Sherri Smith (717) 772-4557

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Department of Education	Summer 2020, as Proposed	This regulation will establish the permanent fees for institutions of higher education to participate in the state authorization reciprocity agreement. These regulations are promulgated under authority granted by the Act 35 of 2016 (24 P.S. § 1-124(b)).	Lynette Kuhn (717) 783-8228
Regulations of the State Board of Private Licensed Schools 22 Pa. Code Chapter 73	Summer 2020, as Proposed	These regulations define the requirements for obtaining and maintaining licensure as a Private Licensed School and set outcomes benchmarks. The regulations are promulgated under the authority of the Private Licensed Schools Act (24 P.S. §§ 6501 et. seq.).	Lynette Kuhn (717) 783-8228
Regulations of Special Education Services and Programs 22 Pa. Code Chapter 14	Spring 2020, as Final-Omitted	This regulation supports Pennsylvania's people with an intellectual disability by updating the language in 22 Pa. Code relating to education by replacing the terms "mentally retarded" and "mental retardation" with the terms "intellectual disability" or "intellectual disabilities." The regulation is promulgated under the authority of Sections 502, 1372, 26-2603-B, of the Public School Code of 1949, as amended, 24 P.S. Sections 5-502, 13-1372, 26-2603-B. Sections 875-101 through 875-503 of the Early Intervention Services System Act, as amended, 11 P.S. Sections 875-101 through 875-503.	Karen Molchanow (717) 787-3787
Regulations of Charter School and Cyber Charter School Services and Programs for Children with Disabilities 22 Pa. Code Chapter 711	Spring 2020, as Final-Omitted	This regulation supports Pennsylvania's people with an intellectual disability by updating the language in 22 Pa. Code relating to education by replacing the terms "mentally retarded" and "mental retardation" with the terms "intellectual disability" or "intellectual disabilities." The regulation is promulgated under the authority of Sections 1701-A through 1732-A, 1749-A(b)(8), 1751-A, of the Public School Code of 1949, as amended, 24 P.S. §§ 17-1701-A through 17-1732-A, 17-1749-A(b)(8), 17-1751-A, and §§ 875-101 through 875-503 of the Early Intervention Services System Act, as amended, 11 P.S. §§ 875-101 through 875-503.	Sherri Smith (717) 772-4557
State Board of Education 22 Pa. Code Chapter 49	Summer 2020, as Proposed	These regulations establish requirements for certification of professional personnel employed in the public schools of the Commonwealth. The regulations are open for a required major review. In Spring 2019, the Board began initial stakeholder outreach on the draft amendments proposed by the Secretary of Education by conducting statewide public hearings and inviting written comments. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P.S. § 2603-B.	Karen Molchanow (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Education 22 Pa. Code Chapter 4	Fall 2020, as Proposed	These regulations establish the academic standards for Science and Technology, and for Environment and Ecology and serve as the basis for curriculum development and instruction in schools in the Commonwealth. In September 2019, the State Board of Education directed the Pennsylvania Department of Education to begin the process of updating the science standards to align with current research and best practices, including a review of the Next Generation Science Standards. The regulations are promulgated under the authority of Public School Code of 1949, 24 P.S. § 26-2604-B(b)(vii).	Karen Molchanow (717) 787-3787
State Board of Education 22 Pa. Code Chapter 4	Summer 2020, as Final Omitted	The Board will make technical updates to Chapter 4 to align relevant sections of the regulation with changes to high school graduation requirements enacted by Act 158 of 2018.	Karen Molchanow (717) 787-3787
State Board of Education 22 Pa. Code Chapter 11	Summer 2020, as Final-Omitted	The Board will make technical updates to Chapter 11 to align relevant sections of the regulation with the changes to the compulsory school age that were enacted by Act 16 of 2019.	Karen Molchanow (717) 787-3787
Department of Education	Spring 2020, as Proposed	The Department will promulgate new regulations to ensure transparency and accountability in implementation of the Charter School Law related to the establishment of a charter school entity, the governance and operation of a charter school entity, and the closure of a charter school entity. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P.S. §§ 17-1732-A(c) and 17-1751-A.	Adam Schott (717) 525-5755
<b><i>Environmental Hearing Board (EHB)</i></b>			
Practice and Procedure 25 Pa. Code Chapter 1021 (# 106-13)	EHB voted on proposed rulemaking 106-13 on December 4, 2019. EHB expects to submit proposed rulemaking to OGC for review in January 2020. Final rulemaking is expected 4th quarter of 2020.	This proposed rulemaking is expected to make minor revisions to the Board's rules in the following categories: motions for admission pro hac vice; responses to petitions to appeal nunc pro tunc; the inclusion of a table of contents in briefs exceeding 30 pages; and other minor corrections to the rules.	Maryanne Wesdock, Senior Assistant Counsel (412) 565-5245
<b><i>Department of Environmental Protection (DEP)</i></b>			
Water Supply Replacement for Coal Surface Mining 25 Pa. Code Chapters 87—90 (# 7-545)	Quarter 3, 2020, EQB Consideration, as Final	This rulemaking revises Chapters 87—90, to clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies. (Surface Mining Conservation and Reclamation Act)	Sharon Hill (717) 787-6842 shill@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Noncoal Mining Clarifications and Corrections 25 Pa. Code Chapter 77 (# 7-554)	Quarter 3, 2020, EQB Consideration, as Proposed	This rulemaking proposes to clarify and correct existing regulatory requirements for noncoal mining. The rulemaking also proposes to update the blasting section to be consistent with the recently revised Chapter 211 and to reflect current technology. (Noncoal Surface Mining Conservation and Reclamation Act, Clean Streams Law)	Bill Allen (717) 783-9580 wallen@pa.gov
Coal Refuse Disposal Revisions 25 Pa. Code Chapter 90 (# 7-565)	Quarter 3, 2020, EQB Consideration, as Proposed	This rulemaking proposes to implement Act 74 of 2019. Proposed regulatory amendments will include clarification of the triggering events that would require an operator to install a system to prevent precipitation from contacting the coal refuse; differences between the State and Federal regulations relating to temporary cessation; and establish a connection between the disposal area and the source of the refuse. (Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act)	Greg Greenfield (717) 787-3174 grgreenfie@pa.gov
Unconventional Well Permit Application Fees 25 Pa. Code Chapter 78a (# 7-542)	Quarter 2, 2020, IRRC Consideration	This rulemaking amends 25 Pa. Code §§ 78a.1 (relating to definitions) and 78a.19 (relating to permit application fee schedule). These amendments are necessary to increase fees to support the administration of 58 Pa.C.S. Chapter 32 (related to development) (2012 Oil and Gas Act) by the DEP's Office of Oil and Gas Management. The rulemaking increases the current well permit application fees from \$5,000 for nonvertical unconventional wells and \$4,200 for vertical unconventional wells, to \$12,500 for all unconventional well permit applications to administer the 2012 Oil and Gas Act. (2012 Oil and Gas Act)	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov
Environmental Protection Performance Standards for Conventional Oil and Gas Operators 25 Pa. Code Chapter 78 (# 7-539)	Quarter 4, 2020, EQB Consideration, as Proposed	This rulemaking proposes to amend the Oil and Gas regulations applicable to conventional operators (Chapter 78) to update the environmental protection performance standards related to oil and gas activities. (2012 Oil and Gas Act, Clean Streams Law, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014)	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of the Land Recycling Program 25 Pa. Code Chapter 250 (# 7-552)	Quarter 1, 2020, Publication, as Proposed	The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the medium specific concentrations (MSCs) established under the Statewide health standard based on the most recent published scientific information. MSCs are concentrations of contaminants in soil and groundwater that are protective of human health and the environment under various exposure scenarios. This rule also proposes to add MSCs for three new contaminants, including Perfluorooctanoic Acid (PFOA), Perfluorooctance Sulfonate (PFOS), and Perfluorobutane Sulfonate (PFBS). These contaminants are within the Per- and Poly-fluoroalkyl Acid (PFAS) family of compounds for which the U.S. Environmental Protection Agency (EPA) has published toxicological data. These regulations identify the formulas DEP must use to calculate MSCs and the sources of the toxicological information. This rulemaking also proposes to clarify administrative elements of Chapter 250. DEP is required by § 250.11 to propose appropriate MSC changes based on current scientific information no more than 36 months after the effective date of the most recently promulgated MSCs. (Land Recycling and Environmental Remediation Standards Act)	Troy Conrad (717) 783-9480 tconrad@pa.gov
Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices 25 Pa. Code Chapters 227 and 228 (# 7-555)	Quarter 3, 2020, EQB Consideration, As Proposed	This rulemaking proposes to update Chapter 227 to stay current with advances that have occurred in the uses of non-medical X-ray equipment. The revisions will ensure consistency with other government agencies that similarly regulate these devices. (Radiation Protection Act)	John Chipppo (717) 787-2480 jchippo@pa.gov
Triennial Review of Water Quality Standards and Updates to Toxics Management Strategy—Statement of Policy 25 Pa. Code Chapters 93 and 16 (# 7-534)	Quarter 3, 2020, Publication, as Final	This rulemaking revises the Commonwealth's water quality criteria and standards in Chapter 93 and updates the Chapter 16 Statement of Policy to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act. (40 CFR Section 131.20)	Tom Barron (717) 787-9637 tbarron@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Water Quality Standards—Class A Stream Redesignations 25 Pa. Code Chapter 93 (# 7-548)	Quarter 3, 2020, EQB Consideration, as Final	The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC). In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC's fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)	Tom Barron (717) 787-9637 tbarron@pa.gov
Water Quality Standard for Manganese 25 Pa. Code Chapters 93 and 96 (# 7-553)	Quarter 2, 2020, Publication, as Proposed	This rulemaking proposes to address a provision regarding the water quality standards for manganese included in Act 40 of 2017. This rulemaking proposes to amend 25 Pa. Code Chapter 93 (relating to water quality standards) and 25 Pa. Code Chapter 96 (relating to water quality standards implementation). The amendments propose to delete manganese from Table 3 at § 93.7 (relating to specific water quality criteria) and add manganese to Table 5 at § 93.8c (relating to human health and aquatic life criteria for toxic substances). Additionally, the amendments propose two alternatives for a point of compliance with the manganese water quality standard: the point of all existing or planned surface potable water supply withdrawals; or all surface waters (i.e., near the point of discharge). (Administrative Code of 1929, Pennsylvania Clean Streams Law, Federal Clean Water Act)	Michael Lookenbill (717) 787-2959 mlookenbil@pa.gov
Water Quality Standards—Dunbar Creek et al. Stream Redesignations 25 Pa. Code Chapter 93 (# 7-557)	Quarter 4, 2020 EQB Consideration, as Proposed	The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to petitions submitted by citizens and data collected by the Department. In this rulemaking, redesignations rely on § 93.4b(a) and (b) to qualify one water for High Quality (HQ) and seven waters for Exceptional Value (EV) as well as correct the erroneous HQ designation of UNT Oley Creek to remove HQ. One water will be redesignated from Trout Stocking to Cold Water Fishes. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)	Michael Lookenbill (717) 783-2959 mlookenbil@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Water Quality Management and NPDES Permit Application Fees and Annual Fees 25 Pa. Code Chapters 91 and 92a (# 7-533)	Quarter 3, 2020, EQB Consideration, as Final	This rulemaking proposes to amend fees related to water quality management permitting (Chapter 91) and proposes to amend the fee schedule for NPDES permit applications (Chapter 92a). Chapter 91 establishes, among other things, a water quality management (WQM) permitting program for the construction of sewage and industrial waste treatment facilities and for land application of sewage and industrial wastes. DEP began its Chapter 92a annual invoicing and fee collection program in December 2010. Chapter 92a updated the fee schedule for NPDES permit applications for persons to discharge pollutants from point sources into surface waters. In addition, Chapter 92a introduced an annual fee for certain facilities authorized to discharge pollutants by individual NPDES permits. A fee analysis that DEP presented to the EQB in 2014 highlighted that, despite the fee increase in 2010, revenue continues to fall short of expenses, impeding the work of Programs to carry out necessary tasks for protecting water resources in the Commonwealth. (Pennsylvania Clean Streams Law)	Sean Furjanic (717) 787-2137 sefurjanic@pa.gov
Dam Safety and Waterway Management 25 Pa. Code Chapter 105 (# 7-556)	Quarter 2, 2020, EQB Consideration, as Proposed	This proposed rulemaking would amend Chapter 105; clarifying existing requirements; deleting or updating obsolete and antiquated requirements; incorporating new or revised sections and definitions; and correcting typographical errors. (Federal Clean Water Act, Pennsylvania Clean Streams Law, Dam Safety and Encroachment Act)	Sid Freyermuth (717) 772-5977 sfreyermuth@pa.gov
Air Quality Fee Schedule Amendments 25 Pa. Code Chapters 127 and 139 (# 7-536)	Quarter 2, 2020, EQB Consideration, as Final	This rulemaking proposes to revise existing requirements and fee schedules codified in Chapter 127, Subchapter I to ensure that fees collected are sufficient to cover the costs of administering the air program as required under Section 6.3(a) of the Air Pollution Control Act (35 P.S. § 4006.3(a)). Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a revision to the SIP or the Title V Program Approval, as appropriate. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Control of VOC Emissions from Oil and Natural Gas Sources 25 Pa. Code Chapter 129 (# 7-544)	Quarter 2, 2020, Publication, as Proposed	This rulemaking proposes to establish emission limitations and other requirements codified in 25 Pa. Code Chapter 129 consistent with reasonably available control technology (RACT). The proposed rulemaking would establish RACT requirements for volatile organic compounds and other pollutants from existing oil and natural gas production facilities, compressor stations, processing plants, and transmission stations. Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Control of VOCs from Gasoline Dispensing Facilities (Stage I and Stage II) 25 Pa. Code Chapters 121 and 129 (# 7-525)	Quarter 2, 2020, EQB Consideration, as Proposed	This rulemaking proposes to remove the requirement to install new Stage II vapor recovery systems and establish procedures for the decommissioning of existing Stage II vapor recovery systems. Stage II systems that are not decommissioned will be required to comply with existing Stage II regulatory maintenance requirements. Industry standards for Stage I and Stage II vapor leak monitoring and relating measures will be added for small gasoline storage tanks. Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Revision of Sulfur Limits in No. 2 and Lighter Commercial Fuel Oil 25 Pa. Code § 123.22 (# 7-546)	Quarter 2, 2020, IRRC Consideration	This rulemaking amends 25 Pa. Code § 123.22 to reduce the maximum allowable sulfur content in No. 2 and lighter commercial fuel oil, sold for and used in combustion units, from the current limit of 500 parts per million (ppm) of sulfur to 15 ppm. The rulemaking requires that No. 2 and lighter commercial fuel oil offered for sale, delivered for use, exchanged in trade or used in Pennsylvania meet the new sulfur limit. Emissions of sulfur dioxide contribute to the formation of regional haze, which degrades visibility in urban and rural areas and contributes to fine particulate matter. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov
Requirements for the Control of Hydrofluorocarbons (HFCs) in New or Retrofit Equipment and New Consumer Products 25 Pa. Code Chapters 121, 129 and 130 (# 7-562)	Quarter 4, 2020, EQB Consideration, as Proposed	This proposed rulemaking would provide significant reductions in HFC emissions, a potent greenhouse gas, by preventing the future use of HFCs in sources such as air conditioning and refrigeration. Reductions in HFC emissions will help address climate change and decrease the adverse impacts of climate change on human health, the environment, and the economy. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov
VOC RACT Requirements for Certain CTG Source Categories and Additional RACT Requirements for Major Sources of NO <sub>x</sub> and VOCs for the 2015 Ozone NAAQS 25 Pa. Code Chapters 121 and 129 (# 7-561)	Quarter 3, 2020, EQB Consideration, as Proposed	This proposed rulemaking would be part of the Commonwealth's demonstration to fulfill the RACT requirements for the 2015 8-hour ozone NAAQS. The proposed rulemaking would establish presumptive VOC RACT requirements and RACT emission limitations for these CTG source categories: shipbuilding and ship repair surface coating; synthetic organic chemical manufacturing industry air oxidation, distillation, and reactor processes; and large petroleum dry cleaners. The proposed rulemaking would further establish additional presumptive NO <sub>x</sub> and VOC RACT requirements and RACT emission limitations for certain major stationary sources of NO <sub>x</sub> and VOC emissions. (Air Pollution Control Act)	Susan Hoyle (717) 772-2329 shoyle@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
CO <sub>2</sub> Budget Trading Program 25 Pa. Code Chapter 145 (# 7-559)	Quarter 3, 2020 EQB Consideration, as Proposed	This rulemaking proposes to amend 25 Pa. Code Chapter 145 (relating to interstate pollution transport reduction) by adding Subchapter E (relating to CO <sub>2</sub> budget trading program). This proposed rulemaking would establish a cap on carbon dioxide (CO <sub>2</sub> ) emissions from fossil fuel-fired electric generating units, with a nameplate capacity equal to or greater than 25 megawatts (MWe), in Pennsylvania. This rulemaking would allow Pennsylvania to participate in the Regional Greenhouse Gas Initiative by establishing the Pennsylvania component of the CO <sub>2</sub> Budget Trading Program which is designed to reduce anthropogenic emissions of CO <sub>2</sub> , a greenhouse gas, in a manner that is protective of public health, welfare and the environment and is economically efficient. (Air Pollution Control Act)	Hayley Book (717) 787-6107 hbook@pa.gov
Hazardous Waste Generator Improvements 25 Pa. Code Chapters 260a—265a (# 7-543)	Quarter 2, 2020, IRRC Consideration	This rulemaking adopts final corrections to certain provisions in 25 Pa. Code Chapters 261a—265a (relating to hazardous waste management) consistent with recent changes to the federal regulations that are incorporated by reference into these chapters. (Solid Waste Management Act, Hazardous Sites Cleanup Act)	Tom Mellott (717) 783-3390 mtmellott@pa.gov
Municipal Waste Processing Permit-By-Rule; Rural Transfer Facility 25 Pa. Code Chapter 271 (# 7-564)	Quarter 3, 2020 EQB Consideration, as Proposed	This proposed rulemaking amends 25 Pa. Code Chapter 271.103 to add a new municipal waste processing permit-by-rule (PBR) for rural transfer facilities. It establishes requirements for operation of a rural transfer facility, including siting, storage, recordkeeping and other requirements. This proposed rulemaking was developed to create waste management and recycling opportunities for more citizens and in communities that are currently underserved or without collection infrastructure. (Solid Waste Management Act; Municipal Waste Planning, Recycling and Waste Reduction Act)	Laura Henry (717) 772-5713 lahenry@pa.gov
<b><i>Department of General Services (DGS)</i></b>			
State Metrology Laboratory Fee Schedule 70 Pa. Code Chapter 110 (# 8-27)	Fall 2020, as Final Form	These regulations will increase the fees charged by the State Metrology Laboratory and update the description fields to accurately reflect the Metrology Lab's measurement parameters and ranges. Proposed rulemaking delivered to IRRC on June 18, 2019 and subsequently published in <i>Pa. Bulletin</i> on June 29, 2019; agency reviewing Legislative and IRRC comments received and working on Final Form regulatory package.	Ken Hess (717) 787-4352 Mary Fox (717) 787-6789
<b><i>Department of Health (DOH)</i></b>			
Health Facilities and Hospitals 28 Pa. Code Chapters 51 and 101—158	November 2020, as Proposed	The Secretary of Health created a task force of hospital industry representatives to review the current hospital regulations and provide recommendations to improve the quality of care in hospitals across the state. The hospital regulations will be updated to reflect those recommendations.	Sarah Kurish (717) 783-2500 Susan Coble (717) 783-1078 Ann Chronister (717) 787-8015 Lawrence Clark (717) 547-3047

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Long Term Care Facilities 28 Pa. Code Chapters 201—211	November 2020, as Proposed	Pennsylvania's long-term care facility licensure regulations were last updated in 1999. Since that time, the clinical complexity of nursing home residents has changed substantially. The Nursing Home Quality Improvement Task Force was commissioned by the Secretary of Health to make recommendations for revisions to the regulations. The long-term care facility regulations will be updated to reflect those recommendations.	Kevin Hoffman (717) 783-2500 Susan Coble (717) 783-1078 Ann Chronister (717) 787-8015 Lawrence Clark (717) 547-3047
Communicable and Noncommunicable Diseases 28 Pa. Code Chapter 27	October 2020, as Proposed	To revise the listing and details associated with the reportable disease regulations (Chapter 27) to include additional and emerging diseases, new laboratory tests, and changes to exclusion policies for individuals with evidence of disease. Changes will allow for alignment with national standards and improve disease surveillance, investigation and response efforts.	Yvette M. Kostelac (717) 783-2500 Lawrence Clark (717) 547-3047 Raphael Barishansky (717) 783-8804 Sharon Watkins (717) 787-3350
The Controlled Substance, Drug, Device and Cosmetic Act P.L. 233, No. 64	June 2020, as Proposed	Act 96 of 2018 amends the Controlled Substance, Drug, Device and Cosmetic Act to provide for the required use of electronic prescribing for scheduled II—V controlled substances, including provisions for exemptions and penalties. Per Act 96 the Department of Health will promulgate regulations necessary to implement the requirements of the Act.	Keith Fickel (717) 783-2500 Lawrence Clark (717) 547-3047 Meghna Patel (717) 787-6436
Screening and Follow-up for Diseases of the Newborn 28 Pa. Code Chapter 28	July 2020, as Proposed	To revise and update the newborn screening regulations (Chapter 28) to include additional diseases, changes to policies and reporting requirements. Critical congenital heart defects in accordance with the Newborn Child Pulse Oximetry Screening Act and hearing screening in accordance with the Infant Hearing, Education, Assessment, Reporting, and Referral Act will be added to the regulations.	Keith Fickel (717) 783-2500 Stacey Gustin (717) 783-8143
Medical Marijuana Program 28 Pa. Code Chapters 1141a—1230a	August 2020, as Proposed	To promulgate as proposed permanent regulations to update existing temporary regulations to the Medical Marijuana program.	Carol Mowery (717) 783-2500 Mark Kovalcin (717) 783-2500 John Collins (717) 547-3047
Communicable and Noncommunicable Diseases, specific to HIV CD4 Counts and Viral Load Results 28 Pa. Code Chapter 27	August 2020, as Final	Revise the details of the reportable disease regulations (Chapter 27) to include reporting of all HIV CD4 counts and viral load results by providers and laboratories to provide improved surveillance, detection and treatment of HIV disease and is line with national standards.	Yvette Kostelac (717) 783-2500 Raphael Barishansky (717) 772-5025 Godwin Obiri (717) 547-3499
Tanning Regulations	July 2020, as Proposed	The Indoor Tanning Act provides for regulations to be promulgated by the Department as required for implementation of the Act. The Department is proposing regulations to further clarify the requirements for the operation of tanning facilities and to provide for safety of the consumers of tanning products.	Keith Fickel (717) 783-2500 Lawrence Clark (717) 547-3047 Linda Chamberlain (717) 736-7350

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Opioid Treatment Agreements—Act 112, 2019	Published 7 Pa. Bulletin 1352	This Act amends Title 35 (Health and Safety) by providing for opioid treatment agreements. Requires a prescriber to do certain actions before issuing an individual the first prescription in a single course of treatment for chronic pain with a controlled substance containing an opioid, regardless of whether the dosage is modified during that course of treatment.	Keith Fickel (717) 783-2500 Meghna Patel (717) 787-6436
<b><i>Department of Human Services (DHS)</i></b>			
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5231	Proposed— Fall 2020	This regulation will amend psychiatric rehabilitation services for individuals 14 years of age and older with serious mental health conditions to support the transition to adulthood, implement an initiative to improve coordination between the child and adult mental health care systems, and amend outdated language throughout.	Lindsey Mauldin (717) 783-4726
Subsidized Child Care Eligibility 55 Pa. Code Chapters 3041 and 3042	Proposed— Fall 2020	This regulation will rescind Chapter 3041 and replace it with Chapter 3042 to add requirements imposed by the 2014 Reauthorization of the Child Care Development Block Grant and amend other requirements regarding redetermination, continuation of subsidy during job loss, reporting and verification, financial eligibility, and prioritized groups.	Lindsey Mauldin (717) 783-4726
Child Day Care Centers, Group Child-Care Day-Care Homes, Family Child Day Care Homes 55 Pa. Code Chapters 3270, 3280 and 3290 (# 14-542)	Final— Summer 2020	This regulation will add new requirements imposed by the 2014 Reauthorization of the Child Care Development Block Grant and other requirements, including employment, background checks, training, water safety training, and equipment.	Lindsey Mauldin (717) 783-4726
Definitions and Requirements 55 Pa. Code Chapters 123 and 133	Proposed— Fall 2020	This regulation will allow applicants for and recipients of Temporary Assistance to Needy Families (TANF) to fulfill requirements without a face-to-face interview.	Lindsey Mauldin (717) 783-4726
Medical Assistance Manual 55 Pa. Code Chapter 1101.51	Proposed— Spring 2021	This regulation will be amended to rescind the outdated “shared space” language at § 1101.51(b)(3) to allow for a more integrated approach to the provision of health care by multi-disciplinary and co-location arrangements.	Lindsey Mauldin (717) 783-4726
Medical Assistance Manual 55 Pa. Code Chapter 1121	Proposed— Spring 2021	This proposed regulation includes technical amendments to Title 55 of the <i>Pennsylvania Code</i> , Chapters 1101, 1121, 1141, 1142 and 1144. In addition to the technical amendments, the payment methodology for covered outpatient drugs has been amended in Chapter 1121 to comply with the Covered Outpatient Drugs final rule issued by CMS on 2/1/16 (81 FR 5170).	Lindsey Mauldin (717) 783-4726
Medical Assistance Manual 55 Pa. Code §§ 1101.65 and 1150.51	Proposed— Spring 2021	This regulation will be amended to rescind language at 55 Pa. Code § 1101.65(3) and § 1150.51(a) that prohibits payments to practitioners’ corporations or partnerships composed of unlike practitioners. The rescission of the prohibitive language will allow payment to be made to a group of unlike providers.	Lindsey Mauldin (717) 783-4726

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical Marijuana in Facilities 55 Pa. Code Chapters 3270, 3280, 3290, 3800, 5310, 6400 and 6600	Proposed— Fall 2020	This regulation will amend Chapters 3270, 3280, 3290, 3800, 5310, 6400 and 6600 as directed by Section 2105 of Act 16 of 2016, the Medical Marijuana Act, regarding possession and use of medical marijuana in child care centers or other social services centers.	Lindsey Mauldin (717) 783-4726
Administration of County Children and Youth Social Service Programs 55 Pa. Code Chapter 3130	Proposed— Spring 2021	This regulation will replace Chapter 3130 to align with current practice models and support implementation of improvements consistent with the Child and Family Services Review findings and amendments to state and federal laws.	Lindsey Mauldin (717) 783-4726
Adult Protective Services 55 Pa. Code Chapter 15	Proposed— Fall 2020	This regulation will govern the investigation of allegations of abuse, neglect, exploitation or abandonment of adults between the ages of 18 and 59 years, and the provision of protective services as indicated by the results of those investigations. The authority for the regulation and resulting services is provided by Act 70 of 2010, the Adult Protective Services Act.	Lindsey Mauldin (717) 783-4726
Assisted Living Regulations 55 Pa. Code Chapter 2800	Proposed— Fall 2020	The current regulation provides standards to protect the health, safety and well-being of assisted living residents, identifying the minimum requirements to obtain a license and operate at a level of compliance necessary. The proposed revisions are needed to address industry changes in the assisted living program since the initial regulations were adopted on July 16, 2011. Current regulations limit the ability of the industry to grow and to support the development of the provider network statewide that can assist other health and safety needs of aging consumers.	Lindsey Mauldin (717) 783-4726
Child Residential and Day Treatment Facilities	Proposed— Spring 2021	The purpose of this chapter is to protect the health, safety and well-being of children receiving care in a child residential facility through the formulation, application and enforcement of minimum licensing requirements.	Lindsey Mauldin (717) 783-4726
<b><i>Pennsylvania Insurance Department (PID)</i></b>			
Health Insurance Reserves (NAIC Model Regulation)	Fall 2020, as Final	Amendments to Chapter 84a based upon NAIC Model amendments regarding actuarial reserving requirements.	Bridget E. Burke Regulatory Coordinator (717) 787-2567
Mental Health Parity Analysis Documentation	Spring 2020, as Proposed	Creation of new Chapter 168, setting forth requirements for Mental Health Parity Analysis Documentation.	Bridget E. Burke Regulatory Coordinator (717) 787-2567
<b><i>Department of Labor and Industry (L&amp;I)</i></b>			
Flammable and Combustible Liquids Title 34, Part I, Chapters 14 and 14a Bureau of Occupational and Industrial Safety	Spring 2021, as Proposed	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel.	Matthew Kegg (717) 783-6304
Unemployment Compensation Title 34, Chapter 101 Board of Review	Fall 2020, as Proposed	Update regulation to reflect statutory and operational changes. Also, update regulations based on needs for Benefits Modernization System.	Brian Parr (717) 787-5122



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Unemployment Compensation Title 34, Chapter 65 Employee Provisions	Spring 2020, as Proposed	Update regulations based on needs for Benefits Modernization System and other operational changes.	Susan Dickinson (717) 787-4403
Services for the Blind and Visually Impaired Currently Title 55, Part IV, Adult Services Manual, Subpart D Non-residential Agencies/Facilities/Services Chapter 2430 to be moved to Title 34	Winter 2020, as Proposed	Deletion of current regulations and creation of new regulations for the Business Enterprise Program to reflect operational changes, based on the transfer of the program from the Department of Welfare to L&I, Act 15 of 1999.	Stanley Swaintek (570) 826-2361
Minimum Wage Title 34, Part 12, Chapter 231 Bureau of Labor Law Compliance	Summer 2020, as Final	Revise regulations to update the executive, administrative and professional exemptions from the Minimum Wage Act of 1968. IRRC approved Final-Form regulation on January 31, 2020. Regulation cannot be published because the General Assembly has started the concurrent resolution process.	Bryan Smolock (717) 787-0606
Sign Language Interpreter and Transliterators State Registration Act, Act 57 of 2004	Winter 2020, revised Proposed	Update the regulations to ensure the protection of deaf consumers' rights and to increase the number of qualified interpreters in PA.	Melissa Hawkins (717) 783-4912
Apprenticeship EEO Regulations Title 34, Chapter 81 Equal Opportunity in Apprenticeship Programs	Summer 2020, as Proposed	Update the PA apprenticeship regulations to align with new federal EEO regulations.	Eric Ramsay (717) 787-6997
Uniform Construction Code Regulations Title 34, Part I, Chapter 405 Bureau of Occupational and Industrial Safety	Spring 2022, as Proposed	Update regulations related to lifting devices based on Act 68 of 2018 and adopt certification standards for third party inspection agencies.	Matthew Kegg (717) 787-6304
Bureau of Workers' Compensation Title 34, Chapter 123 Subchapter B. Impairment Ratings	Fall 2020, as Proposed	Update regulations to reflect new statutory provisions and changes to the IRE process enacted by Act 111 of 2018.	Marianne Saylor (717) 783-5421
Employment of Minors Title 34, Part 1, Chapter 11 Bureau of Labor Law Compliance	Spring 2020, as Proposed	Update regulations related to employment of minors to reflect 2012 updates to the Child Labor Act.	Bryan Smolock (717) 787-0606
Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board, Title 34, Part VII, Chapter 111, Workers' Compensation Appeal Board	Summer 2020, as Proposed	Modernize regulations to reflect judicial best practices in scheduling of oral argument after the parties file briefs.	Steven Loux (717) 783-7838

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Military and Veterans Affairs (DMVA)</i></b>			
Veterans' Homes Regulations 43 Pa. Code Chapter 7	Winter 2020, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S § 903(10)). These regulations are out-of-date. They were last updated in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Elizabeth Pettis (717) 861-8503
Bureau of Veterans' Affairs 43 Pa. Code Chapter 5	Summer 2021, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations related to the former Bureau of Veterans' Affairs that is now the Bureau of Programs, Initiatives, Reintegration and Outreach. The statutory authority for these regulations Sections 1704(7) and 7701 of the Military and Veterans Code (51 Pa.C.S.). These regulations are out-of-date. They were last updated in 1991.	Elizabeth Pettis (717) 861-8503
Fort Indiantown Gap 43 Pa. Code (new Chapter)	Spring 2022, as Proposed	Fort Indiantown Gap is owned by the Commonwealth of Pennsylvania and operated by the Department of Military and Veterans Affairs. The post is home to tens of thousands of Soldiers and civilians every year for training and other activities. Department wishes to promulgate regulatory authority and installation regulations that enhance the safety of military and civilian personnel and protect the military and Commonwealth property. The statutory authority for these regulations Chapter 7 § 708 of the Military and Veterans Code (51 Pa.C.S.).	Elizabeth Pettis (717) 861-8503
<b><i>Municipal Police Officers' Education and Training Commission (MPOETC)</i></b>			
Administration of the Municipal Police Officers' Education and Training Program 37 Pa. Code Chapter 203 (# 17-80)	Summer 2020, as Proposed  This regulatory packet was revised and re-submitted to the OAG through the OGC in January 2020 for review and processing.	Title 53 Pa.C.S. § 2164(14) conveys powers and duties to the Municipal Police Officers' Education and Training Commission to make such rules and regulations and to perform such other duties as may be reasonably necessary or appropriate to implement the education and training program for police officers. Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's municipal police officers, are necessary to modernize these regulations, as they have not undergone a major revision since 1996. The amendments that will be proposed are the product of an extensive review project that included key stakeholders of the regulated community.	Sergeant Leslie Barr (717) 705-0843
<b><i>Pennsylvania Commission on Crime and Delinquency (PCCD)</i></b>			
Sheriffs' and Deputy Sheriffs' Education and Training Program 37 Pa. Code Chapter 421	Fall 2020, as Proposed	The Deputy Sheriffs' Education and Training Board (Board), an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 421 (relating to Deputy Sheriffs' Education and Training Board) due to statutory changes in Act 114 of 2014 (Act of Jul. 9, 2014, P.L. 1006, No. 114).	Derin Myers (717) 265-8466 Debra Sandifer (717) 265-8517

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Pennsylvania Emergency Management Agency (PEMA)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania Infrastructure Investment Authority (PENNVEST)</i></b>			
Pennsylvania Infrastructure Investment Authority (PENNVEST) Assistance, 25 Pa. Code Section 963.14 (# 101-08)	Spring 2020, as Proposed	Revisions under consideration include: (1) Amend 25 Pa. Code § 963.14 to allow PENNVEST to award grants or principal forgiveness if a statute designates a separate funding source and indicates the award of funds should be based solely on eligibility and not affordability.	Shawn W. Weis (717) 783-6776
Pennsylvania Infrastructure Investment Authority (PENNVEST) Assistance and Clean Water State Revolving Fund 25 Pa. Code Sections 963.1—963.20, including inter alia: 963.12(a) 963.13(c) 963.13(e) 963.14 963.15(a) 963.15(c) 963.16 963.18(c) 963.20 (# 101-1008; # 101-09)	Spring 2020, as Proposed  The PENNVEST Board voted to approve the proposed rulemaking on January 29, 2020.	Revisions under consideration include, inter alia: Amendments to 25 Pa. Code §§ 963.1—963.20 to be consistent with statutory revisions imposed by P.L. 51, No. 16, enacted June 19, 2013, the Federal Water Resources Reform and Development Act of 2014, and guidance revisions implemented by the Department of Environmental Protection, to reflect updates to business practices, and to incorporate any provisions necessary to accommodate for the deletion of 25 Pa. Code § 965 in its entirety, including, but not limited to the following: (1) Amend 25 Pa. Code § 963.12(a)(1) by revising the section to provide for the eligibility of certain interior plumbing costs. (2) Delete 25 Pa. Code § 963.12(a)(3) and § 963.12(c)(3) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the purchase of land that qualify as eligible costs under § 963.11(a)(4). (3) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor. (4) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment of principal and interest on the 60th month. (5) Delete 25 Pa. Code § 963.13(e) requiring PENNVEST to set aside 10% of the available finance assistance for advance funding assistance due to a lack of demand. (6) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization. (7) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date. (8) Amend 25 Pa. Code § 963.15(c)(6) by revising the sentence to define “bond interest rate” to mean the rate of interest paid by the Commonwealth in its issuance of general obligation bonds immediately preceding the application cut-off date for the next regularly scheduled PENNVEST Board meeting.	Shawn W. Weis (717) 783-6776

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		(9) Amend 25 Pa. Code § 963.16 to provide the parameters of a loan or bond guarantee program to be provided by PENNVEST. (10) Amend 25 Pa. Code § 963.18(c)(2)(iii) to increase the threshold for PENNVEST's prior written approval of change orders from \$25,000, or 2 percent of the amount of the project's construction cost, whichever is less, to \$50,000. (11) Delete 25 Pa. Code § 963.20 eliminating the requirement for a second opinion project review for projects in excess of \$10M.	
<b><i>Pennsylvania State Police (PSP)</i></b>			
Training and Minimum Standards Under the Wiretapping and Electronic Surveillance Control Act 37 Pa. Code Chapter 51	Fall 2020, as Proposed	Title 18 Pa.C.S. § 5724 requires the Commissioner of the Pennsylvania State Police (PSP) and the Attorney General to establish a training course for certification related to conducting wiretapping and electronic surveillance. Revisions to Chapter 51 as it relates to officer certification/re-certification and authorization to engage in the conduct of communications interception will be proposed to adjust the training to current technology and operational needs.	Sergeant Leslie Barr (717) 705-0843
Application for purchase (partially-manufactured frame or receiver for pistol or rifle) Under Procedures and Specifications for Firearm Record Forms under the Uniform Firearms Act 37 Pa. Code Chapter 33	Summer 2020, as Proposed	Title 18 Pa.C.S. § 6111.1 requires the Pennsylvania State Police to administer the provisions of the Uniform Firearms Act. The Office of Attorney General, Official Opinion 2019-3, 49 Pa.B. 7659, establishes a partially-manufactured frame or receiver for a pistol or rifle as a firearm as defined within the Uniform Firearms Act. The purpose of the proposed rulemaking is to ensure clear guidance is given to licensees/sheriffs in processing the sale/transfer of a partially-manufactured frame or receiver for a pistol or rifle.	Sergeant Leslie Barr (717) 705-0843
<b><i>Department of Revenue (DOR)</i></b>			
Amendments to Local Option Small Games of Chance (SGOC) 61 Pa. Code Chapter 901a	October 2020, as Proposed	The Department is proposing to replace Chapter 901 with a new Chapter 901a as a result of the amendments to the SGOC law. The proposed rulemaking will reorganize and clarify the SGOC regulations as well as incorporate necessary changes to implement Acts 2 and 184 of 2012 and Acts 90 and 92 of 2013.	John Brenner (717) 705-3906
Amendments to Realty Transfer Tax (RTT) Regulations 61 Pa. Code Chapter 91	September 2020, as Proposed	Amendments to the RTT regulations are being proposed to improve the clarity and effectiveness of the regulations. Additionally, the proposed amendments will be consistent with Department policy and language in the RTT statute.	John Brenner (717) 705-3906



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
iLottery [Games] 61 Pa. Code Chapter 876 (# 15-460)	Proposed rulemaking published at 49 Pa.B. 2242 (May 4, 2019); March 2020, as Final.	Act 42 of 2017 authorized the Department to promulgate “temporary” regulations for iLottery games, effective for two years upon publication in the <i>Pennsylvania Bulletin</i> . The temporary regulations for iLottery Games were published at 48 Pa.B. 1829 (March 31, 2018) and codified in the June 2018 Supplement to the <i>Pennsylvania Code</i> . The temporary regulations expire on March 31, 2020. The Department is promulgating permanent regulations.	Casey Fenstermaker (717) 346-1860
<b>Department of State (DOS)</b>			
<b>State Board of Accountancy</b>			
Competence to Supervise Attest Services 49 Pa. Code § 11.23a (# 16A-5516)	Spring 2020, as Proposed	The proposed rulemaking would provide a CPE “safe harbor” for licensees supervising attest services; require licensees supervising, signing or authorizing another to sign an accountant’s report for attest services to comply with the competency requirements; and fix a typographical error.	Sara Fox (717) 783-3399
<b>State Architects Licensure Board</b>			
Electronic Seals and Signing 49 Pa. Code Chapter 9 (# 16A-4111)	Spring 2020, as Proposed	The proposed regulations would update existing regulations on seals and set forth standard requirements for electronic seals and electronic signing of design documents. The goal of this proposal is to be consistent with proposed regulations of the State Registration Board for Professional Engineers, Land Surveyors and Geologists and the State Board of Landscape Architects to provide all design professionals with standards that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients.	Amanda Li (717) 783-3397
<b>State Board of Auctioneer Examiners</b>			
Schedule of Fees 49 Pa. Code § 1.41 (# 16A-6411)	Summer 2020, as Proposed	The proposed rulemaking is needed to increase application and biennial renewal fees to provide sufficient biennial revenue to meet projected expenditures as required under section 6(a) of the Auctioneer Licensing and Trading Assistant Registration Act (63 P.S. § 734.6).	Terrie Kocher (717) 783-3397
<b>State Board of Barber Examiners</b>			
Schedule of Fees 49 Pa. Code § 3.103 (# 16A-4230)	Summer 2020, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 14 of the Barbers’ License Law (63 P.S. § 564).	Kelly Diller (717) 783-1261

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Chiropractic</i></b>			
Government Employee Liability Coverage 49 Pa. Code §§ 5.17(f) and 5.41 (# 16A-4325)	Summer 2020, as Proposed	The Chiropractic Practice Act requires chiropractors to maintain professional liability insurance, including self-insurance. This regulation would permit a licensee who practices exclusively on behalf of the government to meet this requirement by reliance upon the coverage provided under the Federal Tort Claims Act or the Sovereign Immunity Act as administered by the Commonwealth's Employee Liability Self-Insurance Program.	Michelle Roberts (717) 783-7155
<b><i>Commissioner of Professional and Occupational Affairs</i></b>			
Act 41 Regulations (Boards and Commissions have not yet assigned specific regulation numbers.)	Summer 2020, as Proposed	Act 41 was signed by the Governor on July 1, 2019, and requires all licensing boards and commissions under the Bureau of Professional and Occupational Affairs to draft regulations for the implementation of Act 41 to include methods of determining competency and terms of provisional licenses.	Jacqueline A. Wolfgang (717) 783-7200
<b><i>Bureau of Commissions, Elections and Legislation</i></b>			
Notaries Public 4 Pa. Code, Part VIII, Subpart C (# 16-59)	Summer 2020, as Final	The rulemaking implements the act of October 9, 2013 (P.L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA).	Martha Brown (717) 783-0736
<b><i>State Board of Cosmetology</i></b>			
Schedule of Fees 49 Pa. Code Chapter 7 (# 16A-4520)	Summer 2020, as Proposed	The proposed rulemaking would increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 14 of the Cosmetology Law (63 P.S. § 522).	Kelly Diller (717) 783-1261
<b><i>State Board of Crane Operators</i></b>			
Schedule of Civil Penalties 49 Pa. Code Chapter 43b (# 16A-7103)	Spring 2020, as Proposed	The proposed regulation would create a schedule of civil penalties for violations of the Crane Operator Licensure Act and regulations of the State Board of Crane Operators.	Amanda Li (717) 783-1404
<b><i>Bureau of Corporations and Charitable Organizations</i></b>			
Non-attorney Representation 19 Pa. Code, Part I, Subpart B, (new) Article VI (16-64)	Summer 2020, as Proposed	The proposed rulemaking would permit certain individuals to represent an association in an appeal or petition before the Department, superseding 1 Pa. Code § 31.21 (relating to appearance in person).	Martha Brown (717) 783-0736
<b><i>State Board of Dentistry</i></b>			
Anesthesia Update 49 Pa. Code, Subchapter E, §§ 33.331—33.342 (# 16A-4621)	Summer 2020, as Proposed	This proposed rulemaking would update the standards for the administration of general anesthesia, deep sedation, moderate sedation, minimal sedation and nitrous oxide/oxygen analgesia in dental offices to conform to and adopt the current standards used by the dental profession.	Lisa Burns (717) 783-7162

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code § 33.250 (# 16A-4626)	Spring 2020, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Dentistry obtain required training in child abuse recognition and reporting.	Lisa Burns (717) 783-7162
General Revisions 49 Pa. Code Chapter 33 (# 16A-4628)	Summer 2020, as Proposed	The State Board of Dentistry has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, licensure by criteria approval, acceptable proof of professional liability insurance, use of titles, advertising, unprofessional conduct, multi-disciplinary professional corporations, exclusion of auxiliary personnel from performing radiological procedures and continuing dental education. It would also implement two new licensure categories: restricted faculty licenses (incorporating into this rulemaking the subject matter from prior Reg. # 16A-4632) and temporary volunteer dental licenses (incorporating into this rulemaking the subject matter from prior Reg. # 16A-4631).	Lisa Burns (717) 783-7162
Expansion of PHDHP Practice Sites 49 Pa. Code § 33.205b (# 16A-4633)	Summer 2020, as Final	This regulation would clarify and expand the practice settings in which public health dental hygiene practitioners (PHDHPs) may perform dental hygiene services without the supervision of a dentist.	Lisa Burns (717) 783-7162
Fees 49 Pa. Code § 33.339 (# 16A-4634)	Spring 2020, as Proposed	This proposed regulation would amend § 33.339 (relating to fees) to increase the application fees, biennial renewal fees, restricted faculty license fees and unrestricted permit fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 4(b) of the Dental Law (63 P.S. § 123(b)).	Lisa Burns (717) 783-7126
<b><i>State Registration Board for Professional Engineers, Land Surveyors and Geologists</i></b>			
Electronic Seals and Signatures 49 Pa. Code Chapter 37 (# 16A-4712)	Spring 2020, as Proposed	The proposed regulations would update existing regulations on seals and set forth standard requirements for electronic seals and electronic signing of design documents. The goal of this proposal is to be consistent with proposed regulations of the State Architects Licensure Board and the State Board of Landscape Architects to provide all design professionals with standards that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients.	Jeannie Bronshtein (717) 783-7049

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Funeral Directors</b>			
Limited Liability Company 49 Pa. Code §§ 13.95, 13.96, 13.103, 13.109 and 13.110 (16A-4826)	Summer 2020, as Proposed	The proposed regulation would set forth that a limited liability company that has only two or more funeral directors as its members may be licensed as a partnership and with only a single funeral director as its sole member may be licensed as a sole proprietorship. <i>Statutory Authority:</i> Sections 8 and 16(a) of the Funeral Director Law, 63 P.S. §§ 479.8, 479.16(a).	Heidy Weirich (717) 783-4866
<b>State Board of Landscape Architects</b>			
Electronic Seals and Signatures 49 Pa. Code Chapter 15 (# 16A-6112)	Spring 2020, as Proposed	The proposed regulations would update existing regulations on seals and set forth standard requirements for electronic seals and electronic signing of design documents. The goal of this proposal is to be consistent with proposed regulations of the State Architects Licensure Board and the State Registration Board for Professional Engineers, Land Surveyors and Geologists to provide all design professionals with standards that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients.	Terrie Kocher (717) 772-8528
<b>State Board of Massage Therapy</b>			
General Revisions 49 Pa. Code §§ 20.11—20.54 (# 16A-725)	Summer 2020, as Proposed	This proposed rulemaking enacts part of the act of September 24, 2014 (P.L. 2476, No. 136), which allows massage therapists to practice in cosmetology or esthetician salons. This rulemaking also updates several provisions, including education, scope of practice, and examinations. <i>Statutory Authority:</i> Section 4(2) of the Massage Therapy Act, 63 P.S. § 627.4(2).	Christina Townley (717) 783-7155
<b>State Board of Medicine</b>			
Practitioners of Oriental Medicine 49 Pa. Code Chapter 18 (# 16A-4956)	Summer 2020, as Proposed	This proposed rulemaking would revise the regulations relating to acupuncturists and practitioners of Oriental medicine (POM) to transform the current POM license into a one-time registration, make amendments to reflect legislative changes regarding acupuncturists which have occurred since the prior regulatory amendments on the topic, and to address acceptable testing scores due to new test formats. The rulemaking is in accordance to the Governor's recommendation for occupational licensure reform.	Suzanne Zerbe (717) 787-7768
Naturopathic Doctors 49 Pa. Code Chapter 18 (# 16A-4953)	Summer 2020, as Proposed	The proposed rulemaking will amend the Board's regulations to implement the Naturopathic Doctor Registration Act, Act of Nov. 3, 2016, P.L. 997, No. 128, 63 P.S. §§ 272.101—272.301, which provides for the registration of naturopathic doctors. The proposal establishes fees, registration requirements, continuing education requirements, standards of practice, required records, advertising, grounds for discipline and types of discipline.	Suzanne Zerbe (717) 787-7768



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Examinations 49 Pa. Code §§ 16.1, 17.11, 17.12 and 17.12c (# 16A-4948)	Spring 2020, as Proposed	The proposed rulemaking will conform the regulation to reflect changes made by the National Board of Medical Examiners to the United States Medical Licensing Examination (USMLE) regarding limitations on the number and timing of attempts an applicant may take the various USMLE parts. The proposed rulemaking will also remove the detailed descriptions of the FLEX and Federation of State Medical Boards (FSMB) licensing examinations which have not been offered for 24 and 33 years, respectively. <i>Statutory Authority:</i> Section 8 of the Medical Practice Act of 1985 (63 P.S. § 422.8).	Suzanne Zerbe (717) 787-7768
Orthotic Fitter Extension of Temporary Practice Permit 49 Pa. Code Chapter 18, §§ 18.841 and 18.842 (# 16A-4947)	Summer 2020, as Proposed	The proposed rulemaking would extend the temporary practice permit from 12 months to 18 months to be consistent with National certification standards and provide permit holders with a full year to test. It would also permit an individual who has failed the certification examination three times and whose permit has expired to apply for a second permit after completing another approved education program.	Suzanne Zerbe (717) 787-7768
<b><i>State Board of Examiners of Nursing Home Administrators</i></b>			
Continuing Education Requirements 49 Pa. Code § 39.11 (# 16A-6219)	Summer 2020, as Final	The proposed regulation amends the biennial continuing education requirement to conform with the Governor's recommendations for licensure reform that were generated by Executive Order 2017-3. The biennial requirement of 48 credit hours will be reduced to 36. Additionally, the rulemaking provides for showing of continued competence where a licensee has been inactive for a period of time.	Chris Stuckey (717) 783-4856
<b><i>State Board of Occupational Therapy Education and Licensure</i></b>			
Educational Programs 49 Pa. Code §§ 42.1 and 42.13 (# 16A-6712)	Summer 2020, as Proposed	The State Board of Occupational Therapy Education and Licensure intends to propose this regulation to specifically recognize educational programs that are accredited by the Accreditation Council for Occupational Therapy Education (ACOTE) and other national accrediting agencies.	Christina Townley (717) 783-1389
<b><i>State Board of Optometry</i></b>			
General Revisions 49 Pa. Code Chapter 23 (# 16A-5213)	Summer 2020, as Final	Section 3(b)(14) of the Optometric Practice and Licensure Act (act) gives the Board the authority to promulgate all rules and regulations necessary to carry out the purposes of the act. Section 5(b) of the act provides the minimal requirements for continuing education of 30 hours in a biennial period for licensed optometrists. The amendments ensure that clear guidance is given to licensees in prescribing contact lenses, reporting continuing education and the standards for accepting commercial support from the providers of continuing education.	Christina Stuckey (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Osteopathic Medicine</b>			
Prescribing 49 Pa. Code § 25.218 (# 16A-5330)	Summer 2020, as Proposed	The State Board of Osteopathic Medicine proposes this rulemaking to set forth the minimum acceptable standards of practice that an osteopathic physician or physician assistant licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors, and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives.	Aaron Hollinger (717) 783-4858
Fees 49 Pa. Code §§ 25.231 and 25.503 (# 16A-5334)	Spring 2020, as Proposed	This proposed rulemaking provides for increased application fees and biennial renewal fees for board-regulated practitioners and is needed to ensure sufficient biennial revenue to meet expected expenditures.	Aaron Hollinger (717) 783-4858
<b>State Board of Pharmacy</b>			
Administration of Injectable Medications, Biologicals and Immunizations 49 Pa. Code §§ 27.12 and 27.401—27.407 (# 16A-5429)	Spring 2020, as Proposed	This proposed rulemaking addresses amendments to section 9.2 of the Pharmacy Act (63 P.S. § 380-9.2) which reduce the age of patients to whom pharmacists can administer influenza immunizations and permit pharmacy interns to administer injectable medications, biologicals and immunizations.	Melanie Zimmerman (717) 783-7156
<b>State Board of Physical Therapy</b>			
Early Exam and CE for Clinical Instruction 49 Pa. Code Chapter 27 (# 16-6522)	Summer 2020, as Proposed	This proposed rulemaking would allow physical therapist students, and physical therapist assistant students, to sit for the requisite examinations up to 90 days prior to graduation from their respective programs. Additionally, this proposed rulemaking would allow physical therapists (PTs) and physical therapist assistants (PTAs) who provide clinical instruction to student PTs and student PTAs, at clinical facilities affiliated with accredited programs, to receive credit for one (1) contact hour of continuing education for each 40 hours of clinical instruction up to a maximum of four (4) contact hours per biennial period.	Michelle Roberts (717) 783-7134
<b>State Board of Podiatry</b>			
Continuing Education 49 Pa. Code § 29.61 (# 16A-4417)	Spring 2020, as Proposed	This proposed rulemaking would reduce the biennial requirement for continuing education, in accordance with the Governor's recommendations for licensure reform; additionally, the rulemaking would provide for the use of distance learning to satisfy the continuing education requirement and provide for exemptions.	Aaron Hollinger (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Psychology</b>			
Continuing Education 49 Pa. Code § 41.59 (# 16A-6317)	Summer 2020, as Proposed	The Board, in its effort to continually review the efficacy of its regulations, has again reviewed the continuing education regulations and has determined that amendments are needed to update, revise and clarify the continuing education requirements. This proposed rulemaking would amend the requirements relating to home study, instruction and carry over.	Chris Stuckey (717) 783-7155
Code of Ethics 49 Pa. Code § 41.61 (# 16A-6324)	Summer 2020, as Proposed	This proposed rulemaking will update the Board's Code of Conduct to adopt the American Psychological Association's (APA) Ethical Principles of Psychologists and Code of Conduct and various enumerated APA practice guidelines.	Chris Stuckey (717) 783-7155
General Revisions 49 Pa. Code § 41.31 (# 16A-6320)	Summer 2020, as Proposed	This proposed rulemaking will update the Board's regulations to conform to changes made to the Professional Psychologists Practice Act by the Act of June 23, 2016 (P.L. 379, No. 53) (Act 53 of 2016). Act 53 of 2016 clarifies the scope of practice of psychology, grants the Board the power to issue temporary licenses to out of state licensees, revises and removes some of the previous exemptions to licensure, removes the time limitation pertaining to the retaking of the licensure examinations, eliminates the requirement that at least one year of supervised experience be obtained subsequent to the granting of the doctoral degree, gives the Board the ability to bar a suspended licensee from engaging in any other form of counseling or mental health practice, and requires licensees to report multiple licensure of any other health profession. <i>Statutory Authority:</i> Section 3.2(2) of the Professional Psychologists Practice Act, 63 P.S. § 1203.2(2).	Chris Stuckey (717) 783-7155
<b>State Board of Certified Real Estate Appraisers</b>			
Appraisal Management Companies 49 Pa. Code Chapter 36 (# 16A-7023)	Spring 2020, as Final-Omitted	This rulemaking updates two definitions within the Board's regulations to ensure compliance with Federal law.	Heidy Weirich (717) 783-4866
<b>State Real Estate Commission</b>			
General Revisions 49 Pa. Code Chapter 35 (# 16A-5616)	Summer 2020, as Proposed	The proposed rulemaking would update the Commission's regulations to reflect changes in the law and practice in the industry, which include advertising and escrow requirements. <i>Statutory Authority:</i> Section 404 of the Real Estate Licensing and Registration Act, 63 P.S. § 455.404. This regulation was formerly entitled "Advertising." The Board decided to expand the regulation to include other general updates.	Krista Linsenhach (717) 783-3658

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Social Workers, Marriage and Family Therapists and Professional Counselors</i></b>			
Licensed Bachelor Social Worker 49 Pa. Code Chapter 47 (# 16A-6922)	Spring 2020, as Final	The rulemaking would amend the Board's regulations to implement the act of October 22, 2014 (P.L. 2884, No. 179) (Act 179) which provides for the establishment of a bachelor level social worker's license. The regulation establishes fees, licensure requirements, continuing education requirements, and standards of practice for licensed bachelor social workers.	Sandra Matter (717) 783-1389
General Revisions 49 Pa. Code Chapters 47—49 (# 16A-6923)	Summer 2020, as Proposed	The Board has undertaken a comprehensive review of its regulations relating to qualifications for licensure, supervision of clinical experience, including the provision of supervision through electronic means, and continuing education. The purpose of this rulemaking is to eliminate outdated provisions, update standards to reflect modern technology, and to modernize the Board's processes relating to licensure.	Sandra Matter (717) 783-1389
<b><i>State Board of Vehicle Manufacturers, Dealers and Salespersons</i></b>			
Fees 49 Pa. Code § 19.4 (16A-5726)	Spring 2020, as Proposed	This proposed rulemaking would increase application fees and biennial renewal fees for licensees of the Board such that revenues would be sufficient to meet projected expenditures. <i>Statutory Authority:</i> Section 30(a) of the Board of Vehicles Act (Act) (63 P.S. § 818.30(a)) requires an increase in fees when the expenses incurred by the Board to meet its obligations under the Act, including enforcement, exceed revenues.	Janice Cline (717) 772-0483
<b><i>State Board of Veterinary Medicine</i></b>			
Licensure of Euthanasia Technicians 49 Pa. Code Chapter 31 (# 16A-5726)	Spring 2020, as Proposed	This proposed rulemaking is necessary to implement the act of October 24, 2012 (P.L. 1452, No. 182) (Act 182 of 2012) which amended the Animal Destruction Method Authorization Law to require the State Board of Veterinary Medicine to register animal welfare organizations and to license euthanasia technicians to permit the organizations to purchase controlled substances and employ euthanasia technicians for the humane euthanasia of small domestic animals.	Michelle Roberts (717) 783-7134
<b><i>Department of Transportation (DOT)</i></b>			
Registration Class Stickers 67 Pa. Code Chapter 55	Spring 2020, as Proposed	This rulemaking will delete Chapter 55 and eliminate the issuance of weight class stickers. The elimination of these stickers will result in cost savings to the Department and the regulated community.	Anita Wasko (717) 787-2171 Jeffrey Spotts (717) 787-5299
School Bus Drivers— Physical and Mental Criteria 67 Pa. Code Chapter 71	Summer 2020, as Proposed	This rulemaking will update the medical standards for school bus drivers that have brain disease, cognitive impairment or a mental/emotional disorder.	Kara N. Templeton (717) 787-2977 Jeffrey Spotts (717) 787-5299
Drivers—Physical and Mental Criteria 67 Pa. Code Chapter 83	Summer 2020, as Proposed	This rulemaking will update the medical standards for all drivers that have brain disease, cognitive impairment or a mental/emotional disorder.	Kara N. Templeton (717) 787-2977 Jeffrey Spotts (717) 787-5299



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Access to and Occupancy of Highways by Driveways and Local Roads 67 Pa. Code Chapter 441	Summer 2020, as Proposed	The Department will be promulgating a regulation to rewrite the entirety of Chapter 441 and to address comments received during the promulgation of an earlier promulgated Chapter 441 regulation redefining the term "owner."	Bob Pento (717) 783-6265 Jeffrey Spotts (717) 787-5299
Permanent Regulation for RADAR and LIDAR for State Police and Automated Enforcement Systems 67 Pa. Code Chapter 105	Summer 2020, as Proposed	The Department will be promulgating a regulation to define proper testing and calibration of RADAR and LIDAR Systems to be used by state police and automated enforcement systems.	Anita Wasko (717) 787-2171 Jeffrey Spotts (717) 787-5299

[Pa.B. Doc. No. 20-648. Filed for public inspection May 8, 2020, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by AlleghenyPoint Insurance Company

AlleghenyPoint Insurance Company, a domestic stock casualty insurance company, has filed for approval of a plan of redomestication whereby the state of domicile would change from the Commonwealth of Pennsylvania to West Virginia. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 20-649. Filed for public inspection May 8, 2020, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by NorthStone Insurance Company

NorthStone Insurance Company, a domestic stock casualty insurance company, has filed for approval of a plan of redomestication whereby the state of domicile would change from the Commonwealth of Pennsylvania to West Virginia. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone

number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 20-650. Filed for public inspection May 8, 2020, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Workers' Compensation Security Fund Assessment; Notice 2020-13

The Insurance Department (Department) has determined that no contributions will be required during 2020 to maintain the balance of the Workers' Compensation Security Fund (Fund).

Section 9(1) of the Workers' Compensation Security Fund Act (act) (77 P.S. § 1059(1)) states "[i]f, due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000."

As of the evaluation of December 31, 2019, the balance of the Fund exceeded \$500,000,000. Therefore, insurers writing workers' compensation insurance in this Commonwealth will not be required to submit contributions to the Fund in 2020.

The act may be viewed at [www.ncigf.org](http://www.ncigf.org) (select "Resources," then "Laws and Law Summaries") and 31 Pa. Code Chapter 165 (relating to the Workers' Compensation Security Fund) may be viewed at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov) Additional information regarding the Fund is located on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov).

Acknowledgement of this notice is not required.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 20-651. Filed for public inspection May 8, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of Duquesne Light Company; Prehearing Conference

**P-2020-3019522. Duquesne Light Company.** Petition of Duquesne Light Company for approval of its default service plan for the period from June 1, 2021, through May 31, 2025, (DSP V Petition).

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 5, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the petitioner and a copy provided to the Deputy Chief Administrative Law Judge by e-filing with the Secretary of the Pennsylvania Public Utility Commission (Commission) through the Commission's e-filing system.

The documents filed in support of the petition are available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

*Applicant:* Duquesne Light Company

*Through and by Counsel:* Michael Zimmerman, Duquesne Light Company, 411 Seventh Avenue, 15-7, Pittsburgh, PA 15219

#### Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

<i>Date:</i>	Friday, June 12, 2020
<i>Time:</i>	10 a.m.
<i>Location:</i>	Telephonic call-in
<i>Presiding:</i>	Deputy Chief Administrative Law Judge Mark A. Hoyer

Currently, the Commission is following Governor Tom Wolf's emergency order with respect to the novel coronavirus (COVID-19) pandemic. The Commission's offices are closed and the Deputy Chief Administrative Law Judge Mark A. Hoyer and the Secretary's Bureau are teleworking until the emergency is lifted. As a result, the Commission cannot access either incoming or outgoing regular mail delivery. Therefore, all parties are required to open an e-filing account, sign up for e-service online and to accept service from the Commission electronically until further notice. Additionally, all parties are required to provide an e-mail address as part of their contact information.

The Commission offers a free eFiling Subscription Service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at [http://www.puc.pa.gov/Documentation/eFiling\\_Subscriptions.pdf](http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf).

Scheduling Office: (717) 787-1399

Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-652. Filed for public inspection May 8, 2020, 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. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by May 26, 2020. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2020-3019411. Dunaway Family Ventures, LLC** (1639 East Lycoming Street, Philadelphia, PA 19124) in paratransit service, between points in the City and County of Philadelphia.

**A-2020-3019444. Eastern Regional Emergency Medical Services, LLC** (863 1st Avenue, Brackenridge, Allegheny County, PA 15014) in paratransit service, between points in the Counties of Allegheny, Armstrong, Beaver, Butler, Washington and Westmoreland.

**A-2020-3019583. Joseph G. Campbell, t/a J G Campbell Driving Service** (61 Railway Drive, Kirkwood, Lancaster County, PA 17536) persons whose personal convictions prevent them from owning or operating motor vehicles, in paratransit service, from points in Lancaster County, to points in Pennsylvania, and return.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2020-3019405. Peace of Mind Moving, LLC** (535 Southlawn Lane, Rockville, Montgomery County, MD 20850) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public conveyance as described under each application.**

**A-2020-3019623. Safe Senior Rides, LLC** (230 Maiden Lane, Erie, Erie County, PA 16504) for the discontinuance of service and cancellation of its certificate, at A-6422086, as a common carrier, by motor vehicle, persons in paratransit service, from points in Erie County, to points in Pennsylvania, and return.

**A-2020-3019625. Rezman Express, Inc.** (18 South 9th Street, Suite 104H, Stroudsburg, Monroe County, PA 18360) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00121626, persons in limousine service, between points in the Counties of Bucks, Chester, Delaware, Lackawanna, Luzerne, Monroe, Montgomery, Pike and Wayne, and from points in said counties, and from Philadelphia County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-653. Filed for public inspection May 8, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3019572. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and BullsEye Telecom, Inc.** Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and BullsEye Telecom, Inc. for approval of an interconnection agreement and amendment No. 1 under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and BullsEye Telecom, Inc., by their counsel, filed on April 24, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment No. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and BullsEye Telecom, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-654. Filed for public inspection May 8, 2020, 9:00 a.m.]

