

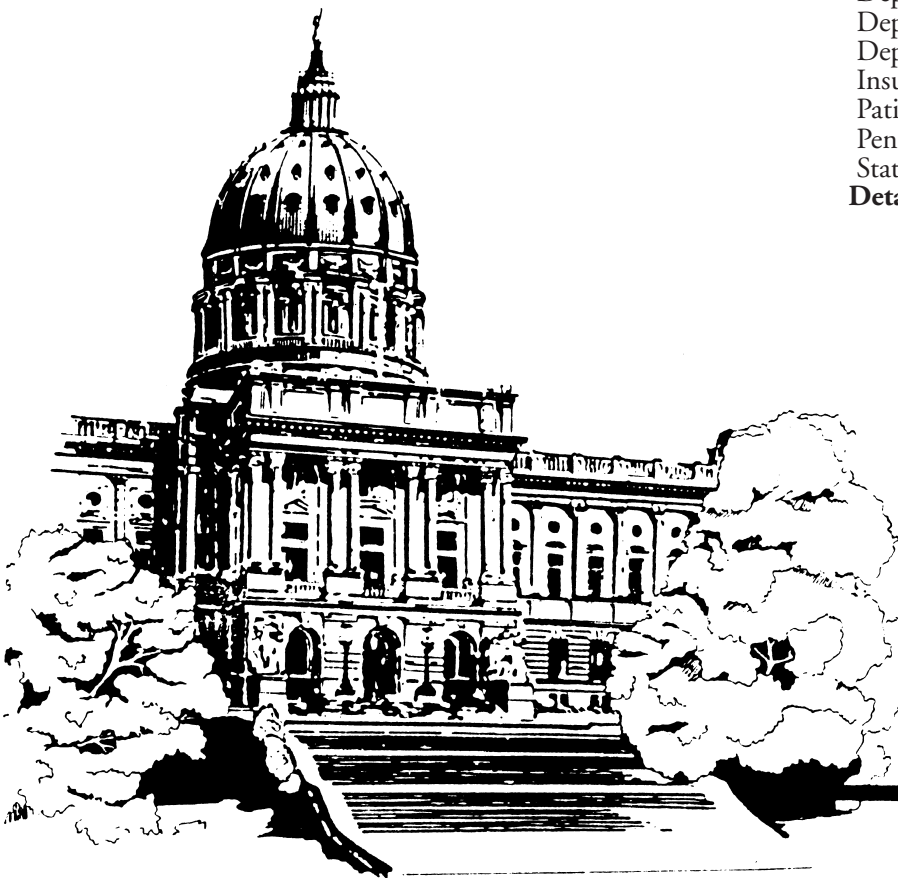
PENNSYLVANIA BULLETIN

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Agencies in this issue

The General Assembly
The Courts
Board of Coal Mine Safety
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Environmental Protection
Department of Health
Department of Revenue
Department of Transportation
Insurance Department
Patient Safety Authority
Pennsylvania Public Utility Commission
State Conservation Commission

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

No. 576, November 2022

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

The *Pennsylvania Bulletin* is available at 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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THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY

Cost-of-Living Factor under the Public Official Compensation Law

Under Section 4(d) of the Public Official Compensation Law, for the 12-month period beginning December 1, 2022 through November 30, 2023, the salary of the members of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period of November 1, 2021 through October 31, 2022.

The percentage increase and the new salary amount have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

The CPI-U for the period November 1, 2021 through October 31, 2022 increased by 7.7667%. Therefore, the salary for legislators for the period beginning December 1, 2022 through November 30, 2023 will be \$102,844.07.

Under section 4(d.1) of the Public Official Compensation Law, for the 12-month period beginning December 1, 2022 through November 30, 2023, the additional compensation of the officers and leaders of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from November 1, 2021 through October 31, 2022.

The percentage change and the new compensation amounts have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

<i>Leadership Position</i>	<i>% Increase</i>	<i>New Compensation</i>
President pro tempore/Speaker	7.7667%	\$160,546.15
Majority Floor Leader	7.7667%	\$149,007.92
Minority Floor Leader	7.7667%	\$149,007.92
Majority Whip	7.7667%	\$137,878.88
Minority Whip	7.7667%	\$137,878.88
Majority Caucus Chairman	7.7667%	\$124,688.58
Minority Caucus Chairman	7.7667%	\$124,688.58
Majority Appropriations Chairman	7.7667%	\$137,878.88
Minority Appropriations Chairman	7.7667%	\$137,878.88
Majority Caucus Secretary	7.7667%	\$117,270.68
Minority Caucus Secretary	7.7667%	\$117,270.68
Majority Caucus Policy Chairman	7.7667%	\$117,270.68
Minority Caucus Policy Chairman	7.7667%	\$117,270.68
Majority Caucus Administrator	7.7667%	\$117,270.68
Minority Caucus Administrator	7.7667%	\$117,270.68

DONETTA M. D'INNOCENZO,
Chief Clerk
Senate of Pennsylvania
 BROOKE WHEELER,
Chief Clerk
House of Representatives

[Pa.B. Doc. No. 22-1820. Filed for public inspection November 23, 2022, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 211]

Judicial Salaries

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

§ 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-DE-NJ-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2022, was 7.8 percent (7.8%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Thursday, November 10, 2022.)

§ 211.2. Judicial salaries effective January 1, 2023.

The annual judicial salaries for calendar year beginning January 1, 2023 will be adjusted by a cost-of-living factor.

(a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$244,793.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$251,916.

(b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$230,974.

(2) The annual salary of the President Judge of the Superior Court shall be \$238,094.

(c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$230,974.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$238,094.

(d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$212,495.

(2) The annual salaries of the president judges of the courts of common pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$216,056.

(ii) Philadelphia County, \$216,769.

(iii) Judicial districts having six or more judges, \$214,347.

(iv) Judicial districts having five or fewer judges, \$213,422.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with six or more judges, \$214,347.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with five or fewer judges, \$213,422.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with six or more judges, \$214,347.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with five or fewer judges, \$213,422.

(e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$207,578.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$210,785.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$106,254.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$659 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 22-1821. Filed for public inspection November 23, 2022, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 1]

Order Amending Pennsylvania Rule of Criminal Procedure 131; No. 541 Criminal Procedural Rules Docket

Order

Per Curiam

And Now, this 14th day of November, 2022, the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 131 of the Pennsylvania Rules of Criminal Procedure is amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective in 30 days.

Additions to the rule are shown in bold and are underlined.

Deletions from the rule are shown in bold and brackets.

Annex A

**TITLE 234. RULES OF CRIMINAL PROCEDURE
CHAPTER 1. SCOPE OF RULES, CONSTRUCTION
AND DEFINITIONS, LOCAL RULES**

**PART C. Venue, Location, and Recordings of
Proceedings Before Issuing Authority**

**Rule 131. Location of Proceedings Before Issuing
Authority.**

(A) An issuing authority within the magisterial district for which he or she is elected or appointed shall have jurisdiction and authority to receive complaints, issue warrants, hold preliminary arraignments, set and receive bail, issue commitments to jail, and hold hearings and summary trials.

(1) Except as provided in paragraph (A)(2), all preliminary arraignments shall be held in the issuing authority's established office, a night court, or some other facility within the Commonwealth designated by the president judge, or the president judge's designee.

(2) Preliminary arraignments may be conducted using advanced communication technology pursuant to Rule 540. The preliminary arraignment in these cases may be conducted from any site within the Commonwealth designated by the president judge, or the president judge's designee.

(3) All hearings and summary trials before the issuing authority shall be held publicly at the issuing authority's established office. For reasons of emergency, security, size, or in the interests of justice, the president judge, or the president judge's designee, may order that a hearing or hearings, or a trial or trials, be held in another more suitable location within the judicial district.

(4) The issuing authority may receive complaints, issue warrants, set and receive bail, and issue commitments to jail from any location within the judicial district, or from an advanced communication technology site within the Commonwealth.

(B) When local conditions require, the president judge may establish procedures for preliminary hearings or summary trials, in all cases or in certain classes of cases, to be held at a central place or places within the judicial district at certain specified times. The procedures established shall provide either for the transfer of the case or the transfer of the issuing authority to the designated central place as the needs of justice and efficient administration require. The president judge shall petition the Administrative Office of Pennsylvania Courts (AOPC) for such relocation of proceedings at a central place or places, and the Supreme Court of Pennsylvania shall make the ultimate decision as to whether to approve the petition. The petition procedure is as follows:

(1) Notice.

(a) Written notice of the proposed change in location of proceedings shall be provided to all magisterial district judges in the county and to each municipality and each police department that would be affected by the proposed petition.

(b) Notice of the proposal shall be provided to the public by posting of the proposal on the court or county official website and by any additional means that the president judge deems appropriate. The notice must be placed at least 30 days before submission of the proposal to the AOPC and must

invite members of the public to provide written comment on the proposal. All written comments must be attached to the petition.

(c) Each magisterial district judge shall provide a written statement whether the judge supports or opposes the recommendation. These statements shall be attached to the petition. If any judge affected by the proposal fails to submit a statement within 30 days of the distribution of the written notice in subsection (a) above, the president judge shall note this fact in the petition.

(2) Petition.

(a) A petition containing the proposal shall be transmitted to the AOPC, with a copy sent to all magisterial district judges in the judicial district, to all municipalities affected by the proposal, to all police departments affected by the proposal, and to the Supreme Court of Pennsylvania. The petition shall contain the following:

(i) a statement detailing what local conditions require the formation of a central court and what improvement would be made to the Magisterial District Court system with any data or other documentation,

(ii) an assessment of the impact on public accessibility to the relocated court proceedings,

(iii) an estimate of the fiscal impact of the proposal for the county, municipalities, police departments and other stakeholders,

(iv) a copy of the statements from all affected magisterial district judges as to their position on the proposal, or a notation of any magisterial district judge who declined to provide such a statement, and

(v) a copy of the public notice that was posted regarding the proposal and all written comments.

(b) Answers in opposition to the petition may be submitted to the AOPC by any interested party within thirty days of the submission of the original petition. Any answer should include a concise statement of reasons why the petition should be denied and should reference the standards listed below. A copy of the answer shall be sent to the president judge and to the Supreme Court of Pennsylvania. The president judge may submit a response to the answer within fifteen days of the submission of the answer.

(3) Standards.

(a) Any change shall not diminish the equitable distribution of cases between the magisterial district judges in the county.

(b) No change shall restrict public access to the courts.

(c) No change may create a situation where a duly elected magisterial district judge is hearing cases from outside the district from which he or she was elected on a regularly scheduled basis.

(4) Decision.

The AOPC shall provide its recommendation as to whether to approve the petition to the Supreme Court of Pennsylvania. The Supreme Court of Pennsylvania shall decide whether to approve the petition.

(5) Implementation.

Following the approval of a petition, the president judge shall consult with the affected magisterial district judges to ensure that the changes are implemented without undue disruption.

Comment

[The 2002 amendments to paragraph (A) divided the paragraph into subparagraphs to more clearly distinguish between the locations for the different types of proceedings and business that an issuing authority conducts.]

Paragraph (A)(3) permits the president judge, or the president judge's designee, to order that a hearing or hearings be held in a location that is different from the issuing authority's established office. [**Nothing in this rule is intended to preclude the president judge, or the president judge's designee, from issuing a standing order for a change in location. For example, this might be done when a state correctional institution is located in the judicial district and the president judge determines that, for security reasons, all preliminary hearings of the state correctional institution's inmates will be conducted at that prison.**] The creation of central courts is governed by paragraph (B) of this rule.

See Rule 540 and Comment for the procedures governing the use of advanced communication technology in preliminary arraignments.

See Rule 130 concerning the venue when proceedings are conducted by using advanced communication technology.

[**Paragraph (B) of this rule is intended to facilitate compliance with the requirement that defendants be represented by counsel at the preliminary hearing.** *Coleman v. Alabama*, 399 U.S. 1 (1970).]

Paragraph (A)(4) permits issuing authorities to perform their official duties from an advanced communication technology site within the Commonwealth. The site may be located outside the magisterial district or judicial district where the issuing authority presides.

[**This rule allows the president judge of a judicial district the discretion to determine what classes of cases require centralized preliminary hearings or summary trials, and requires the president judge, or the president judge's designee, to establish a schedule of central places within the Commonwealth to conduct such hearings or summary trials, and the hours for the hearings or trials at the central locations.**

Ideally, this rule should minimize the inconvenience to defense counsel and the attorney for the Commonwealth by eliminating the necessity of travel at various unpredictable times to many different locations throughout the judicial district for the purpose of attending preliminary hearings or summary trials. Finally, this rule allows preliminary hearings or summary trials for jailed defendants to be held at a location close to the place of detention.]

Paragraph (B) sets forth a procedure requiring examination of the effects of relocation to a central place or places, including inconvenience to the public. Such changes in location affect access to justice and may change procedures. Therefore, this

procedure mandates approval by the Supreme Court of Pennsylvania to ensure a more unified system as is done in similar matters like Reestablishment of Magisterial Districts (42 Pa.C.S. § 1503), Establishment of Offices (Pa.R.Civ.P.M.D.J. 101), etc.

Nothing in this rule limits the President Judges' authority to develop county-wide systems for preliminary arraignments and coverage for other after-hours emergency matters per Pa.R.Crim.P. 117 (Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail).

Ideally, the location of a central court should minimize inconvenience to the public. Long travel discourages the public from attending hearings, paying fines, or posting bail, may result in dispositional delays and increased litigation costs, and may hinder access to emergency relief, such as protection from abuse orders. Proximity to magisterial district courts "is an important ingredient in the public's...trust in the judicial branch." Report of the Magisterial District Reestablishment Subcommittee Intergovernmental Task Force to Study the District Justice System, 2001.

This rule is not intended to reverse existing orders relocating magisterial district judge proceedings to a central court.

* * * * *

[Pa.B. Doc. No. 22-1822. Filed for public inspection November 23, 2022, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 2 AND 5]

Proposed Amendment of Pa.R.Crim.P. 227, 229, 230, 231, and of the Comments to Pa.R.Crim.P. 200 and 588; and Proposed Adoption of Pa.R.Crim.P. 232, 233, 234, 235, 236, 245, 246, and 247

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the adoption of Pa.R.Crim.P. 232—236 (relating to local, regional, and statewide investigating grand juries) and Pa.R.Crim.P. 245—247 (relating only to regional and statewide investigating grand juries) and the amendment of Pa.R.Crim.P. 227 (Administering Oath to Witness), 229 (Control of Investigating Grand Jury Transcript/Evidence), 230 (Disclosure of Testimony Before Investigating Grand Jury) and 231 (Who May be Present During Session of an Investigating Grand Jury) and of the Comments to Pa.R.Crim.P. 200 (Who May Issue) and 588 (Motion for Return of Property), for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Joshua M. Yohe, Counsel
Criminal Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
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All communications in reference to the proposal should be received by Wednesday, January 25, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

AARON J. MARCUS,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 2. INVESTIGATIONS

PART A. Search Warrant

(Editor's Note: Pa.R.Crim.P. 200 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")

Rule 200. Who May Issue.

A search warrant may be issued by any issuing authority within the judicial district wherein is located either the person or place to be searched.

Comment:

This rule formally authorizes magisterial district judges, Philadelphia bail commissioners, and judges of the Municipal, Common Pleas, Commonwealth, Superior, and Supreme Courts to issue search warrants. This is not a departure from existing practice. See, e.g., Sections 1123(a)(5) and 1515(a)(4) of the Judicial Code, 42 Pa.C.S. §§ 1123(a)(5), 1515(a)(4). See also the Rules of Juvenile Court Procedure, Rule 105 (Search Warrants). Any judicial officer who is authorized to issue a search warrant and who issues a warrant is considered an "issuing authority" for purposes of this rule. The authority of a magisterial district judge to issue a search warrant outside of the magisterial district but within the judicial district is recognized in *Commonwealth v. Ryan*, 400 A.2d 1264 (Pa. 1979).

Only common pleas court judges and appellate court justices and judges may issue search warrants when the supporting affidavit(s) is to be sealed under Rule 211.

This rule is not intended to affect the traditional power of appellate court judges and justices to issue search warrants anywhere within the state.

For the issuance of search warrants by the supervising judge of an investigating grand jury, see Rule 235.

Note: Prior Rules 2000 and 2001 were suspended by former Rule 323, effective February 3, 1969. Present Rule 2001 adopted March 28, 1973, effective 60 days hence; amended July 1, 1980, effective August 1, 1980; Comment revised September 3, 1993, effective January 1, 1994;

renumbered Rule 200 and Comment revised March 1, 2000, effective April 1, 2001; Comment revised April 1, 2005, effective October 1, 2005[.] **Comment revised , 2022, effective , 2022.**

Committee Explanatory Reports:

Report explaining the September 3, 1993 Comment revisions published at 21 Pa.B. 3681 (August 17, 1991).

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

Final Report explaining the April 1, 2005 Comment revision concerning Rules of Juvenile Court Procedure published with the Court's Order at 35 Pa.B. 2213 (April 16, 2005).

Report explaining the proposed Comment revision concerning search warrants issued by the supervising judge of an investigating grand jury published for comment at 52 Pa.B. 7261 (November 26, 2022).

PART B(1). Investigating Grand Juries

(Editor's Note: Pa.R.Crim.P. 227 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")

Rule 227. Administering Oath to Witness.

(A) Each witness to be heard by the investigating grand jury shall be sworn and advised of his or her rights by the supervising judge before testifying. Absent good cause, the witness shall be sworn individually and outside the presence of other witnesses. [The witness may elect to be sworn in camera or in open court.]

(B) The supervising judge shall explain to each witness that witness's rights and obligations concerning grand jury secrecy, including the following:

(1) The right to counsel, including the right to confer with counsel during the witness's appearance before the grand jury;

(2) The privilege against self-incrimination;

(3) The right, absent a contrary court order, to disclose the witness's own testimony; and

(4) The obligation, absent a contrary court order, to keep secret all matters occurring before the grand jury, including matters occurring before the supervising judge, other than the witness's own testimony.

Comment:

[Should the witness fail to exercise any election, it is intended that the court will determine whether the witness is to be sworn *in camera* or in open court.

When it is necessary to give constitutional warnings to a witness, the warnings and the oath must be administered by the court. As to warnings that the court may have to give to the witness when the witness is sworn, see, e.g., *Commonwealth v. McCloskey*, 443 Pa. 117, 277 A.2d 764 (Pa. 1971).] **The oath administered by the supervising judge should be substantially in the following form:**

"Do you swear or affirm that that the testimony you will give will be the truth, the whole truth, and nothing but the truth? Do you swear or affirm that

you will keep secret all matters occurring before the grand jury other than your own testimony?"

Note: Rule 259 adopted June 26, 1978, effective January 9, 1979; renumbered Rule 227 and Comment revised March 1, 2000, effective April 1, 2001; amended September 30, 2005, effective February 1, 2006.

Committee Explanatory Reports:

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

Final Report explaining the September 30, 2005 amendments concerning administration of the oath published with the Court's Order at 35 Pa.B. 5679 (October 15, 2005).

(Editor's Note: Pa.R.Crim.P. 229 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")

Rule 229. Control of Investigating Grand Jury Transcript/Evidence.

Except as otherwise set forth in these rules, the [court] **supervising judge** shall control and maintain the **secrecy** of the original and all copies of the transcript, **as well as any physical evidence that has been presented to the investigating grand jury. The supervising judge shall establish procedures for supervising the custody and control of said grand jury materials. [and shall maintain their secrecy. When physical evidence is presented before the investigating grand jury, the court shall establish procedures for supervising custody.]**

Comment:

This rule requires that **the supervising judge establish procedures to maintain grand jury materials. The supervising judge may designate the attorney for the Commonwealth as the entity that controls, maintains, and ensures the secrecy of such materials until their release pursuant to these rules. [the court retain control over the transcript of the investigating grand jury proceedings and all copies thereof, as the record is transcribed, until such time as the transcript is released as provided in these rules.**

Reference to the court in this rule and in Rule 230 is intended to be to the supervising judge of the grand jury.]

Upon the expiration of a grand jury, a successor tribunal is typically impaneled, with the supervising judge of the successor grand jury being tasked with maintaining secrecy of grand jury materials generated by prior multicounty investigating grand juries. While the departing and incoming supervising judges bear the primary responsibility to effectuate the transfer of such materials, the attorney for the Commonwealth can provide practical assistance in this process.

Note: Rule 261 adopted June 26, 1978, effective January 9, 1979; Comment revised October 22, 1981, effective January 1, 1982; renumbered Rule 229 and amended March 1, 2000, effective April 1, 2001.

Committee Explanatory Reports:

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1477 (March 18, 2000).

(Editor's Note: Pa.R.Crim.P. 230 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")

Rule 230. Disclosure of Testimony Before Investigating Grand Jury.

(A) Attorney for the Commonwealth:

Upon receipt of the certified transcript of the proceedings before the investigating grand jury, the court shall furnish a copy of the transcript to the attorney for the Commonwealth for use in the performance of official duties.

(B) Defendant in a Criminal Case:

(1) When a defendant in a criminal case has testified before an investigating grand jury concerning the subject matter of the charges against him or her, **the supervising judge shall direct the Commonwealth to furnish the defendant with a copy of the transcript of such testimony within 30 days after arraignment. [upon application of such defendant the court shall order that the defendant be furnished with a copy of the transcript of such testimony.]**

(2) When a witness in a criminal case has previously testified before an investigating grand jury concerning the subject matter of the charges against the defendant, upon application of such defendant the [court] **supervising judge of the grand jury** shall order that the defendant be furnished with a copy of the transcript of such testimony; however, such testimony may be made available only after the direct testimony of that witness at trial [.], **unless the parties agree, with the approval of the supervising judge of the grand jury, that an earlier disclosure is in the interests of justice. If a party seeks disclosure prior to the conclusion of the direct testimony of the witness, and no agreement has been reached for early disclosure, the party seeking disclosure may make an appropriate motion before the supervising judge. The supervising judge may direct any testimony not concerning the subject matter of the charges against the defendant to be redacted from a transcript furnished pursuant to this subdivision in order to preserve grand jury secrecy.**

(3) **Subdivision (B)(2) notwithstanding, the supervising judge shall direct the Commonwealth to furnish the defendant with a copy of any grand jury testimony or documentary evidence or tangible evidence presented to the grand jury that is favorable to the accused including information that tends to exculpate the defendant, mitigate the level of the defendant's culpability, or impeach a prosecution witness's credibility within 30 days after arraignment. If the parties disagree as to whether or when evidence should be disclosed under this paragraph, the defendant shall file a motion with the supervising judge, who shall decide the matter. [Upon appropriate motion of a defendant in a criminal case, the court shall order that the transcript of any testimony before an investigating grand jury that is exculpatory to the defendant, or any physical evidence presented to the grand jury that is exculpatory to the defendant, be made available to such defendant.]**

(C) Other Disclosures:

(1) Upon [**appropriate**] motion, and after a hearing into relevancy, the [court] **supervising judge** may

order disclosure of [that a transcript of testimony before an investigating grand jury, or physical evidence before the investigating grand jury,] matters occurring before the grand jury [may be released] to [another investigating agency] local, State, other state, or Federal law enforcement or investigating agencies to assist them in investigating crimes under their investigative jurisdiction, under such [other] conditions as the [court] supervising judge may impose.

(2) Upon motion by an attorney for the Commonwealth, a supervising judge may approve disclosure of matters occurring before the grand jury by a Commonwealth attorney to witnesses, subjects, or targets, and their counsel, provided that such disclosure is for use in the performance of the Commonwealth attorney's duties.

Comment:

It is intended that the "official duties" of the attorney for the Commonwealth may include reviewing investigating grand jury testimony with a prospective witness in a criminal case stemming from the investigation, when such testimony relates to the subject matter of the criminal case. It is not intended that a copy of such testimony be released to the prospective witness.

Subparagraph (B)(3) is intended to reflect the line of cases beginning with *Brady v. Maryland*, 373 U.S. 83 (1963), and the refinements of the *Brady* standards embodied in subsequent judicial decisions.

The language in subparagraph (C)(1), which permits release to other investigative agencies, has been reworded to track the language in 42 Pa.C.S. § 4549(b). See *In re Investigating Grand Jury of Philadelphia Cty. Appeal of Philadelphia Rust Proof Company, Inc.*, 437 A.2d 1128 (Pa. 1981).

Note: Rule 263 adopted June 26, 1978, effective January 9, 1979; renumbered Rule 230 and amended March 1, 2000, effective April 1, 2001; amended September 21, 2012, effective November 1, 2012.

Committee Explanatory Reports:

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

Final Report explaining the September 21, 2012 correction of a typographical error in paragraph (B)(1) published with the Court's Order at 42 Pa.B. 6251 (October 6, 2012).

(Editor's Note: Pa.R.Crim.P. 231 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")

Rule 231. Who May be Present During Session of an Investigating Grand Jury.

(A) The attorney for the Commonwealth, the alternate grand jurors, the witness under examination, and a stenographer may be present while the investigating grand jury is in session. Counsel for the witness under examination may be present as provided by law.

(B) The supervising judge, upon the request of the attorney for the Commonwealth or the grand jury, may order that an interpreter, security officers, and such other persons as the judge may determine are necessary to the presentation of the evidence may be present while the investigating grand jury is in session.

(C) All persons who are to be present while the grand jury is in session shall be identified in the record, shall be sworn to secrecy as provided in these rules, and shall not disclose any [information pertaining to the grand jury] matters occurring before the grand jury except as provided by law.

(D) No person other than the permanent grand jurors may be present during the deliberations or voting of the grand jury.

Comment:

As used in this rule, the term "witness" includes both juveniles and adults.

The 1987 amendment provides that either the attorney for the Commonwealth, or a majority of the grand jury, through their foreperson, may request that certain, specified individuals, in addition to those referred to in paragraph (A), be present in the grand jury room while the grand jury is in session. As provided in paragraph (B), the additional people would be limited to an interpreter or interpreters the supervising judge determines are needed to assist the grand jury in understanding the testimony of a witness; a security officer or security officers the supervising judge determines are needed to escort witnesses who are in custody or to protect the members of the grand jury and the other people present during a session of the grand jury; and any individuals the supervising judge determines are required to assist the grand jurors with the presentation of evidence. This would include such people as the case agent (lead investigator), who would assist the attorney for the Commonwealth with questions for witnesses; experts, who would assist the grand jury with interpreting difficult, complex technical evidence; or technicians to run such equipment as tape recorders, videomachines, etc.

It is intended in paragraph (B) that when the supervising judge authorizes a certain individual to be present during a session of the investigating grand jury, the person may remain in the grand jury room only as long as is necessary for that person to assist the grand jurors.

[Paragraph (C), added in 1987, generally prohibits the disclosure of any information related to testimony before the grand jury. There are, however, some exceptions to this prohibition enumerated in Section 4549 of the Judicial Code, 42 Pa.C.S. § 4549.]

"The first lesson of federal precedent is that the phrase 'matter occurring before the grand jury' is a term of art." Wayne R. LaFave, Jerold H. Israel, Nancy J. King & Orin S. Kerr, 3 Crim. Proc. § 8.5(c) (4th ed. 2017), quoted in *In re Fortieth Statewide Investigating Grand Jury, Appeal of Diocese of Harrisburg and Diocese of Greenburg*, 191 A.3d 750 (Pa. 2018).

Where a secrecy oath is administered via an entry-of-appearance form, the oath should require the attorney to swear or affirm that, under penalty of contempt, they will keep secret all that transpires in the Grand Jury room and all matters occurring before the Grand Jury, except when otherwise authorized by law or permitted by the Court. *In re Fortieth Statewide Investigating Grand Jury*, 191 A.3d 750, 761-62 (Pa. 2018). Additionally, the following statement should be appended to the entry-of-appearance: "I understand that—with the explicit, knowing, voluntary, and informed consent of my client or clients, and absent a specific prohi-

hibition by a supervising judge or circumstances implicating prohibitions arising from the Rules of Professional Conduct—I may disclose the content of a client-witness's own testimony to the extent that the client-witness may do so under applicable law.” *Id.* at 761.

Note: Rule 264 adopted June 26, 1978, effective January 9, 1979; amended June 5, 1987, effective July 1, 1987; renumbered Rule 231 and amended March 1, 2000, effective April 1, 2001; Comment revised January 18, 2013, effective May 1, 2013.

Committee Explanatory Reports:

Report explaining the June 5, 1987 amendments adding paragraphs (B)—(D) published at 17 Pa.B. 167 (January 10, 1987).

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

Final Report explaining the January 18, 2013 Comment revision concerning definition of witness as used in this rule published at 43 Pa.B. 653 (February 2, 2013).

The following text is entirely new.

(Editor's Note: Rules 232, 233, 234, 235, 236, 245, 246 and 247, as follows, are proposed to be added and are printed in regular type to enhance readability.)

Rule 232. Guidance of an Investigation by the Commonwealth's Attorney.

(A) An investigation is commenced upon the approval of a notice of submission presented by the Commonwealth's attorney to the supervising judge.

(B) The Commonwealth's attorney may explain to the investigating grand jury the elements of the charges that could be set forth in a presentment.

(C) The Commonwealth's attorney may explain to the investigating grand jury the principles applicable to a grand jury report.

(D) The Commonwealth's attorney may summarize for the investigating grand jury the evidence that has been presented, but with the express caution that it is the investigating grand jury's recollection of the evidence, and not that of the prosecutor, which controls.

(E) The Commonwealth's attorney shall ensure that proceedings before the investigating grand jury, except for the investigating grand jury's deliberations and votes, are stenographically recorded or transcribed or both.

Comment:

The Investigating Grand Jury Act specifies that proceedings before the grand jury, but for the deliberations and votes of the tribunal, are to be recorded. See 42 Pa.C.S. § 4549(a). While the statute is silent as to designating the entity responsible for ensuring that such recording occurs, logically the duty falls on the Commonwealth's attorney, who will be present whenever the grand jury is in session.

The unintentional failure to make such a recording should not be seen as affecting the validity of any subsequent presentment, grand jury report, or prosecution but may be relevant to evidentiary or discovery disputes. Compare Fed.R.Crim.P. 6(e)(1) (imposing a similar requirement in federal grand jury proceedings; further instructing that “the validity of a prosecution is not affected by the unintentional failure to make a recording”).

Rule 233. Disclosure of Grand Jury Testimony by Witnesses and Their Attorneys and Requirements for Nondisclosure Orders.

(A) *Disclosure of Grand Jury Testimony by Witnesses and Their Attorneys.*

No witness or attorney for a witness shall be prohibited from disclosing the witness's testimony before the grand jury unless, after a hearing before the supervising judge, cause is shown to justify nondisclosure by that particular witness or the witness's attorney. In no event may a witness be prevented from disclosing the witness's testimony to his or her attorney.

(B) *Request for and Conduct of Nondisclosure Hearing.*

(1) When the Commonwealth's attorney seeks an order prohibiting a witness and the witness's attorney from disclosing the witness's grand jury testimony, a hearing shall be held. The request for a nondisclosure order shall be made *ex parte*, and any request to exclude the witness and the witness's attorney from the hearing, along with the reasons for excluding the witness and the witness's attorney from the hearing, shall be made contemporaneously with the nondisclosure request. Prior to granting a request to exclude the witness and the witness's attorney from the hearing, the witness shall be heard on that request.

(2) If the witness and the witness's attorney are excluded from the hearing, the witness shall be afforded the opportunity to present argument against the Commonwealth's request for nondisclosure prior to any decision by the supervising judge.

(3) The supervising judge shall support any nondisclosure order with written or on-the-record findings provided to the witness and the witness's attorney, with such redactions as the supervising judge deems necessary to protect the secrecy of matters occurring before the grand jury. The nondisclosure order shall specify the prohibitions on disclosure applicable to the witness and the witness's attorney.

Comment:

Authority for a witness to disclose his or her testimony is provided by 42 Pa.C.S. § 4549(d) (“Disclosure of proceedings by witnesses.—No witness shall be prohibited from disclosing his testimony before the investigating grand jury except for cause shown in a hearing before the supervising judge. In no event may a witness be prevented from disclosing his testimony to his attorney.”). The Investigating Grand Jury Act, 42 Pa.C.S. §§ 4541 *et seq.*, does not define “testimony.”

Rule 234. Investigating Grand Jury Reports.

(A) *Submission of investigating grand jury report.* An investigating grand jury may, upon majority vote of the full investigating grand jury, submit to the supervising judge an investigating grand jury report.

(B) *Citation to the Record.* At the time the report is submitted to the supervising judge for review, the attorney for the Commonwealth shall provide the supervising judge with citations to the record in support of any factual claims or evidentiary references. These citations to the record shall not be part of the report itself.

(C) *Review of Report by the Supervising Judge.*

(1) The supervising judge shall examine the report to determine whether the report is based upon sufficient evidence received in the course of an investigation autho-

rized by the Investigating Grand Jury Act. In conducting this review, the supervising judge is to determine whether discrete findings are supported by record evidence.

(2) In the event the supervising judge finds that certain discrete passages in the report are not supported by record evidence, the supervising judge shall not accept the report. Rather, the supervising judge shall return the report to the investigating grand jury for its consideration, identifying those passages the supervising judge concluded were unsupported by record evidence. In the event the investigating grand jury, by an affirmative vote of the full investigating grand jury, submits a revised version of the report, or takes additional evidence in support of the findings in the report, the supervising judge shall conduct another review pursuant to subsection (C)(1).

(3) The contents of an investigating grand jury report are subject to grand jury secrecy unless and until the supervising judge files the report as a public record.

(D) *Appeal from Refusal to File.* Failure of the supervising judge to accept and file as a public record a report submitted under this section, including the return of a report to the grand jury pursuant to subsection (C)(2), may be appealed by the attorney for the Commonwealth to the Supreme Court in the manner prescribed by general rules.

Comment:

The supervising judge is tasked with examining the report prior to accepting it. The judge should only accept the report if it is based upon facts received by the grand jury and supported by a preponderance of the evidence. 42 Pa.C.S. § 4552(b). The supervising judge, however, does not sit through the grand jury testimony. Subsection B of this Rule requires the attorney for the Commonwealth to provide citations to the supervising judge so that the jurist can more easily identify and review the evidentiary support for the report. This subsection also specifies that citations provided by the Commonwealth for purposes of the supervising judge's review are not incorporated into the report itself. This is to ensure that, in the event the report is approved and released to the public, the record as a whole remains subject to grand jury secrecy.

Rule 235. Search Warrants; Motions for Return of Property.

(A) The supervising judge of the investigating grand jury may issue a search warrant that is sought in connection with and to further an investigation of the grand jury for a person or property to be searched that are in the judicial district in which the investigating grand jury has been convened or, in the case of a statewide or regional investigating grand jury, any of the judicial districts for which the investigating grand jury has been convened.

(B) Unless otherwise specifically covered by this rule, the procedures governing search warrants as set forth in Part A (Search Warrants) of this Chapter shall be applicable to search warrants issued by the supervising judge of an investigating grand jury.

(C) Any search warrant issued pursuant to this rule shall contain the docket number of the investigating grand jury and shall identify the judicial district in which the investigating grand jury is located.

(D) Upon return of the search warrant with inventory as provided in Rule 209, the supervising judge shall file the search warrant, all supporting affidavits and the

inventory with the clerk of court of the common pleas of the judicial district in which the investigating grand jury is located and which shall be entered upon the docket of the investigating grand jury.

(E) Any motion for return of property filed pursuant to Rule 588 shall be filed in the court of common pleas for the judicial district in which the investigating grand jury is located and which shall be entered on the docket of the investigating grand jury.

Comment:

Regarding the issuance of search warrants by supervising judges of investigating grand juries and the adjudication of motions for return of property arising from such warrants, see *In Re: Return of Seized Property of Lackawanna County*, 212 A.3d 1 (Pa. 2019).

Investigating grand jury dockets are sealed.

Rule 236. Presence of Supervising Judges of County Investigating Grand Juries.

Whenever the investigating grand jury is in session, the supervising judge of the county investigating grand jury shall either be on the premises or readily available to return to the premises.

Comment:

The presence of the supervising judge while the grand jury is in session serves several important functions, including the in-person swearing of witnesses and the prompt handling of any legal issues that may arise. When the supervising judge is not physically present, the work of the grand jury may be delayed.

The supervising judge administers oaths to various individuals. See Pa.R.Crim.P. 223 (oath to stenographer); 224 (oath to court personnel); 225 (oath to grand jury and foreman); 227 (oath to witness); 231, Comment (oath to attorney for witness). These oaths should be administered by the supervising judge in person, although there may be instances when, due to timeliness concerns and to protect grand jury secrecy, an oath for an attorney for a witness may be administered via two-way, simultaneous audio-visual communication.

During the course of a grand jury session, various legal issues may arise. If the supervising judge is not on the premises, or readily available to return to the premises, then the issues may not be resolved in a timely manner, risking significant delay and inconvenience. While the supervising judge does not sit in the grand jury sessions themselves, and therefore need not be physically present for the entirety of a grand jury session, the judge must be readily available to return to the facility promptly should the need arise. While the meaning of readily available may vary with the circumstances, ordinarily the judge should be able to return within 30 minutes in order to ensure the efficient operation of the grand jury.

PART B(2). Statewide or Regional Investigating Grand Juries

Rule 245. Applications to Convene a Multicounty Investigating Grand Jury.

(A) The Attorney General shall file an application to convene a multicounty investigating grand jury in the Supreme Court's Office of the Prothonotary.

(B) In that application, the Attorney General shall state that, in his or her judgment, the convening of a multicounty investigating grand jury is necessary to:

(1) investigate organized crime, public corruption, or both, that involves more than one county of the Commonwealth;

(2) such investigation or investigations cannot be adequately performed by a county investigating grand jury; and

(3) such investigation or investigations cannot be adequately performed by another multicounty investigating grand jury.

(C) Based on information available when the application to convene a multicounty investigating grand jury is filed, the Attorney General shall indicate how many investigations he or she intends to submit to the multicounty investigating grand jury that:

(1) relate to organized crime and/or public corruption, further specifying how many of such investigations will be transferred from another grand jury and how many will be newly initiated; and

(2) are unrelated to organized crime and/or public corruption, further specifying how many of such investigations will be transferred from another grand jury and how many will be newly initiated.

(D) The Attorney General shall indicate whether the investigating grand jury is to have statewide jurisdiction or, alternatively, specify the counties for which the investigating grand jury is to be convened. The Attorney General shall also indicate the preferred location for the investigating grand jury.

(E) An order granting an application to convene a multicounty investigating grand jury shall:

(1) declare that the multicounty investigating grand jury has statewide jurisdiction or, alternatively, specify the counties over which it has jurisdiction;

(2) designate a judge of the court of common pleas as the supervising judge;

(3) designate the location of the multicounty investigating grand jury proceedings; and

(4) provide for any other incidental arrangements as may be necessary.

Comment:

This rule, in large part, both tracks the pertinent sections of the Investigating Grand Jury Act, see 42 Pa.C.S. §§ 4541—4553, and memorializes existing practice with respect to applications for statewide investigating grand juries. Traditionally, such applications, and the orders disposing of them, have not been placed under seal, as the contents are general in nature and do not disclose any particulars that would implicate grand jury secrecy.

The statistical information required by this rule should be general in nature, so as to avoid disclosing any matters covered by grand jury secrecy provisions. Additionally, the statistics concern only that data available to the Attorney General at the time the application to convene is filed. As such, the statistics should not be viewed as a tally of the total number of investigations the Attorney General will ultimately conduct through the grand jury. Indeed, considering that investigating grand juries commonly operate for 24 months, any estimate given prior to impanelment as to the tribunal's full workload would be speculative.

Finally, the statistics are pertinent to the statutory criteria for impanelment. See 42 Pa.C.S. § 4544(a). Those Section 4544 requirements apply with respect to impanelment and do not limit the matters that the Office of Attorney General may investigate through a statewide investigating grand jury. See *In re Twenty-Fourth Statewide Investigating Grand Jury*, 907 A.2d 505, 512 (Pa. 2006).

Rule 246. Filing Office for Multicounty Investigating Grand Juries.

(A) The filing office for a multicounty investigating grand jury shall be the clerk of courts for the county designated as the location of the investigating grand jury.

(B) The clerk of courts shall place all such filings on a sealed docket.

Comment:

The county in which a multicounty investigating grand jury sits is specified in the order permitting the convening of that tribunal. See 42 Pa.C.S. § 4544(b)(3); Pa.R.Crim.P. 243(A). Unlike most other orders concerning grand juries, Supreme Court orders permitting the convening of multicounty investigating grand juries have historically not been sealed. Litigants can thus readily identify the proper clerk of courts for submitting filings relative to a particular grand jury.

Rule 247. Presence of Supervising Judges of Multicounty Investigating Grand Juries.

Whenever the investigating grand jury is in session, the supervising judge of the multicounty investigating grand jury shall either be on the premises or readily available to return to the premises.

Comment:

The presence of the supervising judge while the grand jury is in session serves several important functions, including the in-person swearing of witnesses and the prompt handling of any legal issues that may arise. When the supervising judge is not physically present, the work of the grand jury may be delayed.

The supervising judge administers oaths to various individuals. See Pa.R.Crim.P. 223 (oath to stenographer); 224 (oath to court personnel); 225 (oath to grand jury and foreman); 227 (oath to witness); 231, Comment (oath to attorney for witness). These oaths should be administered by the supervising judge in person, although there may be instances when, due to timeliness concerns and to protect grand jury secrecy, an oath for an attorney for a witness may be administered via two-way, simultaneous audio-visual communication.

During the course of a grand jury session, various legal issues may arise. If the supervising judge is not on the premises, or readily available to return to the premises, then the issues may not be resolved in a timely manner, risking significant delay and inconvenience. While the supervising judge does not sit in the grand jury sessions themselves, and therefore need not be physically present for the entirety of a grand jury session, the judge must be readily available to return to the facility promptly should the need arise. While the meaning of readily available may vary with the circumstances, ordinarily the judge should be able to return within 30 minutes in order to ensure the efficient operation of the grand jury.

**CHAPTER 5. PRETRIAL PROCEDURES
IN COURT CASES**

PART G(1). Motion Procedures

(*Editor's Note:* Pa.R.Crim.P. 588 as printed in 234 Pa. Code reads "Official Note" rather than "Note.")

Rule 588. Motion for Return of Property.

(A) A person aggrieved by a search and seizure, whether or not executed pursuant to a warrant, may move for the return of the property on the ground that he or she is entitled to lawful possession thereof. Such motion shall be filed in the court of common pleas for the judicial district in which the property was seized.

(B) The judge hearing such motion shall receive evidence on any issue of fact necessary to the decision thereon. If the motion is granted, the property shall be restored unless the court determines that such property is contraband, in which case the court may order the property to be forfeited.

(C) A motion to suppress evidence under Rule 581 may be joined with a motion under this rule.

Comment:

A motion for the return of property should not be confused with a motion for the suppression of evidence, governed by Rule 581. However, if the time and effect of a motion brought under the instant rule would be, in the view of the judge hearing the motion, substantially the same as a motion for suppression of evidence, the judge may dispose of the motion in accordance with Rule 581.

For the motion for return of property arising from search warrants issued by the supervising judge of an investigating grand jury, see Rule 235.

Note: Rule 324 adopted October 17, 1973, effective 60 days hence; amended June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; renumbered Rule 588 and amended March 1, 2000, effective April 1, 2001.

Committee Explanatory Reports:

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

Report explaining the proposed Comment revising concerning motions for return of property arising from search warrants issued by the supervising judge of an investigating grand jury published for comment at 52 Pa.B. 7261 (November 26, 2022).

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

Proposed Amendment of Pa.R.Crim.P. 227, 229, 230, 231, and of the Comments to Pa.R.Crim.P. 200 and 588; and Proposed Adoption of Pa.R.Crim.P. 232, 233, 234, 235, 236, 245, 246, and 247.

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court a set of statewide procedural rules to augment the existing rules governing investigating grand juries. Proposed Pa.R.Crim.P. 232 through 235 would be applicable to local, regional, and statewide investigating grand juries, while proposed Pa.R.Crim.P. 236 would only be applicable to local investigating grand juries. These rules would be codified in Chapter 2, Part B(1) of the rules. Proposed Pa.R.Crim.P. 245 through 247 would be applicable to regional and

statewide investigating grand juries and would be codified in Chapter 2, Part B(2) of the rules. The Committee is also proposing the amendment of Pa.R.Crim.P. 227, 229, 230 and 231 and of the Comments to Pa.R.Crim.P. 200 and 588.

The primary authority for investigating grand juries is the Investigating Grand Jury Act, 42 Pa.C.S. §§ 4541—4553 (hereafter "the Act"). The rules related to investigating grand juries are contained in Chapter 2 Part B of the Rules of Criminal Procedure. Part B(1) was first adopted in 1978, while Part B(2) was first adopted in 1980. In 2017, the Court formed an Investigating Grand Jury Task Force (hereafter "the Task Force") to perform a comprehensive review of investigating grand juries, centered on the judicial role in those proceedings. On November 22, 2019, the Task Force issued its report, which can be found here: <https://www.pacourts.us/news-and-statistics/reports>. The Task Force's Report was forwarded to the Committee for further review resulting in this proposal. Differences between the Committee's proposal and the Task Force's recommendation are noted.

Beginning with the proposed rules addressing regional and statewide investigating grand juries, proposed Rule 245 (Applications to Convene a Multicounty Investigating Grand Jury) is derived from the requirements of 42 Pa.C.S. § 4544 regarding convening a multicounty investigating grand jury. While neither the Committee nor the Task Force is aware of any problems with the current application process, the Committee, following the Task Force's lead, felt it appropriate to codify that process with a rule reflecting current practice. The required contents of an order granting an application can be found in § 4544(b) of the Act.

In addition to the requirements for convening a multicounty investigating grand jury, Rule 245 would also require the Attorney General's Office to include in the application the number of investigations it intends to submit to the grand jury. The Committee determined that such statistics, though provisional, would aid the Court in providing for "any other incidental arrangements as may be necessary" for the convening of the grand jury as required by subdivision (E)(4). Subdivision (E) would also require the order granting an application to: declare whether the grand jury has statewide jurisdiction or jurisdiction over several counties; designate a judge of the court of common pleas as the supervising judge; and designate the location of the grand jury.

Proposed Rule 246 (Filing Office for Multicounty Investigating Grand Juries) would establish the filing office of a multicounty investigating grand jury as the clerk of courts of the county designated by the Court—pursuant to Proposed Rule 245(E)(3)—as the location of the investigating grand jury. The Committee believes, as stated in the Comment to this rule, that identifying the filing office will allow litigants to easily identify where relevant filings should be submitted, including motions for return of property when property has been seized pursuant to a search warrant issued by the supervising judge of a grand jury. Additionally, this rule would create a unified filing practice throughout the Commonwealth.

Proposed Rule 247 (Presence of Supervising Judges of Multicounty Investigating Grand Juries) would require a supervising judge to be on the premises or readily available when the grand jury is in session. While a supervising judge does not preside over the grand jury session, they are required to administer oaths and respond to legal issues that may arise. As noted in the Comment, "If the supervising judge is not on the prem-

ises, or readily available to return to the premises, then [legal issues that may arise] may not be resolved in a timely manner, risking significant delay and inconvenience.” Proposed Rule 236 (Presence of Supervising Judges of County Investigating Grand Juries) would similarly require a supervising judge of a county investigating grand jury to be on the premises or readily available when the grand jury is in session.

Rule 229 (Control of Investigating Grand Jury Transcript/Evidence) currently requires the court to control the original and all copies of the grand jury transcript but permits the court to establish procedures for supervising custody of physical evidence presented to the grand jury. With the proposed amendment of this rule, the supervising judge would be permitted to establish an alternative procedure for managing custody of any transcripts as well. The Comment would be amended to indicate that the supervising judge may assign such responsibility to the attorney for the Commonwealth. Allowing the attorney for the Commonwealth to assume this responsibility recognizes that supervising judges often lack the staff, space, and security necessary to maintain physical control of, and ensure the secrecy of, transcripts. Additionally, the amended Comment would inform the reader that the attorney for the Commonwealth may assist the supervising judge in transferring materials from an expiring grand jury to a newly impaneled one. This accommodation would be particularly beneficial when the attorney for the Commonwealth is continuing their investigation with the new grand jury.

Proposed Rule 232 (Guidance of an Investigation by the Commonwealth’s Attorney) would allow the attorney for the Commonwealth to provide guidance to the grand jury in preparing a presentment or a report. In particular, subdivision (B) would permit the attorney for the Commonwealth to explain to the grand jury the elements of any criminal charges that could be set forth in a presentment, and subdivision (C) would permit the attorney for the Commonwealth to explain to the grand jury the principles applicable to a grand jury report. These subdivisions are derived from 42 Pa.C.S. § 4551(a) (providing for the attorney for the Commonwealth to prepare the presentment) and 42 Pa.C.S. §§ 4548 and 4550 (permitting the attorney for the Commonwealth to define the scope of the investigation). The attorney for the Commonwealth would also be permitted to summarize for the grand jury the evidence that had been presented. But, subdivision (D) would require the attorney for the Commonwealth to remind the grand jury that the grand jury’s recollection of the evidence controls. Additionally, the rule would place a duty on the attorney for the Commonwealth to ensure that the grand jury proceedings were recorded or transcribed. Informed by Fed.R.Crim.P. 6(e)(1)—which reads, in pertinent part, “the validity of a prosecution is not affected by the unintentional failure to make a recording”—the Comment to the rule as proposed by the Task Force would notify the reader that “[t]he unintentional failure to make such a recording, however, should not be seen as affecting the validity of any subsequent presentment, grand jury report, or prosecution.” To this Comment, the Committee is proposing the additional clarification that the unintentional failure to make a recording “may be relevant to evidentiary or discovery disputes.” Although the federal rule does not address potential evidentiary or discovery disputes, the Committee was concerned that a Comment without the proposed clarification might be read as immunizing the Commonwealth against any and all challenges arising from an unintentional failure to make a recording.

Turning to the restrictions on disclosure of matters occurring before the grand jury, subdivision (C) of Rule 231 (Who May be Present During Session of an Investigating Grand Jury) currently prohibits any person present while the grand jury is in session from disclosing “any information pertaining to the grand jury except as provided by law.” Pa.R.Crim.P. 231(C). In response to the Court’s decision in *In Re Fortieth Statewide Investigating Grand Jury*, 191 A.3d 750 (Pa. 2018), the Committee undertook a review of this language. At issue in *In Re Fortieth* were objections by attorneys who, in order to enter their appearance, were required to swear “to keep secret all that transpires in the Grand Jury room, all matters occurring before the Grand Jury, and all matters and information concerning this Grand Jury obtained in the course of the representation, except when authorized by law or permitted by the Court. 42 Pa.C.S. § 4549(b).” The Court found that requiring an attorney to keep secret “all matters and information concerning this Grand Jury obtained in the course of the representation” to be “too great an impingement on counsel’s ability to effectively represent their clients,” *In Re Fortieth*, 191 A.3d at 761, and directed removal of the offending language. The Committee is therefore proposing that the Comment to Rule 231 be amended to include the oath as modified by the Court and to advise the reader that “[w]here a secrecy oath is administered via an entry-of-appearance form” the modified oath is to be used.

The Court also directed the following statement to be appended to the entry-of-appearance form “to the extent that [it] remains the vehicle by which private attorneys are sworn to secrecy”:

I understand that—with the explicit, knowing, voluntary, and informed consent of my client or clients, and absent a specific prohibition by a supervising judge or circumstances implicating prohibitions arising from the Rules of Professional Conduct—I may disclose the content of a client-witness’s own testimony to the extent that the client-witness may do so under applicable law.

In Re Fortieth, 191 A.3d at 761. That language has also been added to the Comment.

While discussing the overbreadth of the nondisclosure requirement at issue in *In Re Fortieth*, the Court directed that Rule 231(C) “be construed to align with the material provisions of the Investigating Grand Jury Act” and invoked its rulemaking authority to “effectuate a clarifying amendment.” *Id.* at 762, n. 20. Of concern to the Court was the extent to which “Rule 231(C) can be read to sweep more broadly [than the Act] in its requirement of non-disclosure of ‘any information pertaining to the grand jury’[.]” *Id.* Accordingly, the Committee is proposing—as did the Task Force—the amendment of Rule 231(C) to replace “information pertaining to the grand jury” with “matters occurring before the grand jury.” The revised language is that of the Act and can be found at 42 Pa.C.S. § 4549(b). Although the Task Force would also amend the Comment to reference federal case law construing the phrase “matters occurring before the grand jury,” the Committee has chosen to defer to our courts and allow decisional law specific to the Commonwealth to develop in light of the amendment.

Rule 230 (Disclosure of Testimony Before Investigating Grand Jury) governs if and when grand jury testimony can be disclosed. Currently, subdivision (A) requires disclosure to the attorney for the Commonwealth “for use in the performance of official duties.” Pa.R.Crim.P. 230(A). No amendments to subdivision (A) are being proposed.

Subdivision (B) currently provides for disclosure of grand jury testimony to a defendant in a criminal case under several scenarios. First, subdivision (B)(1) allows disclosure to a defendant in a criminal case of the defendant's own grand jury testimony. Next, subdivision (B)(2) allows disclosure to a defendant of a witness's grand jury testimony "concerning the subject matter of the charges" when that witness testifies at the defendant's trial, but such disclosure may only occur after the direct testimony of that witness. Lastly, subdivision (B)(3) allows for disclosure of any exculpatory testimony or exculpatory physical evidence presented to the grand jury. Disclosure under any of subdivisions (B)(1), (2), or (3) currently requires an application for disclosure by the defendant.

One area of discussion regarding subdivision (B) was whether the trial judge or the supervising judge should be the decision maker regarding disclosures to the defendant. Currently the rule provides for "the court" to order disclosure. While the trial judge would likely be more attuned to what was necessary for a fair trial, the supervising judge would understand the impact upon grand jury secrecy of any disclosure (such as criminal charges that have not yet been filed but were a subject of the grand jury investigation). Further in favor of directing any disclosure requests to the supervising judge would be the supervising judge's ability to quickly familiarize him/herself with the needs of the trial—something a well-drafted motion and brief could facilitate. By contrast, a trial judge, due to grand jury secrecy, would have difficulty informing themselves on the consequences of disclosure. Thus the Committee is proposing amending subdivisions (B)(1), (2), and (3) by replacing "court" with "supervising judge." The Task Force would have entrusted disclosure decisions to the trial judge, noting that the trial judge would have "the most developed insight on the criminal prosecution." Report, p. 44.

Subdivision (B)(1) would also be amended to require the supervising judge to direct the Commonwealth to provide the defendant's grand jury testimony to the defendant within 30 days of arraignment rather than requiring the defendant to make application seeking disclosure. As disclosure is currently required upon application, removing the application requirement should result in a more efficient process without impacting what is disclosed. The Committee believes an order from the supervising judge would be necessary due to the requirements of grand jury secrecy.

Disclosure pursuant to subdivision (B)(2) is currently mandatory upon application of the defendant, but disclosure may not occur prior to the witness's direct testimony at trial. While the requirement of an application from the defendant would be retained, the Committee is proposing amending this subdivision to allow the parties to agree to earlier disclosure when earlier disclosure "is in the interests of justice." Early disclosure can often prevent unnecessary delays, such as requests to postpone cross-examination so that defense counsel can familiarize themselves with the newly disclosed transcript, and thereby improve efficiency. The Task Force was similarly troubled by the "inflexible timing provision" of subdivision (B)(2), which "has complicated criminal proceedings." Report, p. 44. To avoid unnecessary delays, the Task Force recommended that disclosures pursuant to subdivision (B)(2) be governed by Pa.R.Crim.P. 573(B)(2) (Disclosure by the Commonwealth) (Discretionary With the Court). The Committee, however, was hesitant to recategorize disclosures that are currently mandatory (upon application) as discretionary and has therefore

declined to do so. The Committee is also proposing that subdivision (B)(2) be amended to allow a party to file a motion for early disclosure when the parties cannot agree and to allow a supervising judge to redact testimony not concerning the subject matter of the charges in order to preserve grand jury secrecy.

Regarding the types of evidence required to be disclosed pursuant to subdivision (B)(3), the Committee is proposing language similar to its prior proposal to amend Rule 573. See 49 Pa.B. 7173 (Dec. 7, 2019). As proposed, subdivision (B)(3) would require "the Commonwealth to furnish the defendant with a copy of any grand jury testimony or documentary evidence or tangible evidence presented to the grand jury that is favorable to the accused including information that tends to exculpate the defendant, mitigate the level of the defendant's culpability, or impeach a prosecution witness's credibility[.]" The Task Force recommended retaining the requirement that "exculpatory" testimony and evidence be made available to the defendant.

Both the Committee and the Task Force would amend subdivision (B)(3) to require disclosure of the identified materials after arraignment. The Committee is additionally proposing that subdivision (B)(3) require the supervising judge to order the Commonwealth to provide favorable information within 30 days of arraignment. Again, the Committee believes such an order is required before information subject to grand jury secrecy can be disclosed.

Several amendments to subdivision (C) of Rule 230 are being proposed. As with subdivision (B), "court" would be replaced with "supervising judge," and subdivision (C)(1) would permit disclosure of "matters occurring before the grand jury" to "local, State, other state, or Federal Law enforcement agencies or investigating agencies to assist them in investigating crimes under their investigative jurisdiction. . . ." This amendment conforms the rule to the statute by clarifying that disclosures to investigating agencies are only permitted to assist in investigating crimes and by replacing "a transcript of testimony before an investigating grand jury, or physical evidence before the investigating grand jury" with "matters occurring before the grand jury." See 42 Pa.C.S. § 4549(b). By identifying what can be disclosed as "matters occurring before the grand jury," this amendment would also create consistency within these rules.

Subdivision (C) would further be amended to include a new subdivision (C)(2). This new subdivision was proposed by the Task Force and would permit a judge, upon motion of the attorney for the Commonwealth, to disclose grand jury matters "to witnesses, subjects, or targets, and their counsel, provided that such disclosure is for the use in the performance of the Commonwealth attorney's duties." Allowing such disclosures could facilitate more productive conversations between prosecutors and the individuals listed and potentially result in the early resolution of investigations.

Proposed Rule 233 (Disclosure of Grand Jury Testimony by Witnesses and Their Attorneys and Requirements for Nondisclosure Orders) was proposed by the Task Force and, pursuant to subdivision (A) of the proposed rule, would allow a witness or the witness's attorney to disclose the witness's testimony unless the supervising judge granted a request for nondisclosure after a hearing as provided for in subdivision (B). Regardless, a witness could not be prohibited from disclosing their testimony to their attorney. Subdivision (B) would contain the proce-

dures for requesting nondisclosure and for the conducting of a hearing on that request. The Committee has slightly modified the procedure proposed by the Task Force.

Proposed subdivision (B)(1) would provide for the Commonwealth to notify the supervising judge of its intention to seek a nondisclosure order and to request a hearing on the matter. This notification and request would be made *ex parte* to avoid any unnecessary disclosure to the witness, against whom the nondisclosure order is sought, of any secret grand jury material. If the Commonwealth wishes to exclude the witness and their attorney from the nondisclosure hearing, such request would be made at the time of the *ex parte* notification. Additionally, subdivision (B)(1) would require the supervising judge, prior to making a decision on the exclusion request, to afford the witness an opportunity to be heard on that request.

Per subdivision (B)(2), if the witness and their attorney are excluded from the hearing, the witness must be heard on the nondisclosure request prior to any decision by the supervising judge. If the supervising judge grants a request to prohibit a witness and their attorney from disclosing the witness's grand jury testimony, subdivision (B)(3) would require the judge to "support any nondisclosure order with written or on-the-record findings provided to the witness and the witness's attorney, with such redactions as the supervising judge deems necessary to protect the secrecy of matters occurring before the grand jury." The supervising judge would also be required to specify in the nondisclosure order "the prohibitions on disclosure applicable to the witness and the witness's attorney."

Rather than requiring a request from the attorney for the Commonwealth to exclude the witness and their attorney from the hearing, the Task Force would permit the witness and their attorney to participate in the hearing unless the supervising judge determined that exclusion was necessary to protect the secrecy of grand jury matters. As proposed by the Task Force, the witness would not be afforded an opportunity to be heard on a decision to exclude them and their attorney from the hearing.

While the Task Force's proposal would make a nondisclosure order immediately appealable, the Committee concluded that review pursuant to Pa.R.A.P. 1611(a)(3) would be sufficient and that such review did not require additional language in the rule. Finally, considering the discussion surrounding disclosure of a witness's testimony in *In Re Fortieth Statewide Investigating Grand Jury*, 191 A.3d 750 (Pa. 2018), *see In Re Fortieth*, 191 A.3d at 759-60; *id.* at 770 n. 7 (Donohue, J., concurring and dissenting), the Committee declined to include in Rule 233 the Task Force's definition of "witness's testimony." *See* Report, p. 40. Instead, the Committee is proposing that the Comment simply acknowledge that the Act does not define "testimony." Clarifying the contours of that term would then be left to our courts as disputes arise.

Rule 227 (Administering Oath to Witness) currently requires every witness to be sworn. Whether the oath is administered *in camera* or in open court is to be decided by the witness. According to the current Comment, if the witness fails to make an election, the court should decide. Yet it was relayed to the Committee that some supervising judges, likely seeking efficiency, administer the oath to all witnesses simultaneously. Recognizing the importance of anonymity in the grand jury setting, the Committee agreed that the rule should require a witness, absent good cause, to be sworn individually, outside the presence of other witnesses. This requirement is found in the

proposed amendment of subdivision (A). As amended, subdivision (A) would also require the supervising judge to inform each witness of their rights. Subdivision (B), adopted from the Task Force's recommendation, details those rights, which include: the right to counsel, the right against self-incrimination, and the right to disclose their testimony. However, subdivision (B)(3) of the Committee's proposal does not include the Task Force's characterization of testimony as including "the questions the witness is asked, the responses of the witness, and documents the witness is shown in the course of his or her testimony." Report, p. 20. As discussed above, the Committee has chosen not to define "testimony" within these rules. As proposed by the Committee, subdivision (B)(3) would simply inform the witness of their "right, absent a contrary order, to disclose [their] own testimony[.]" Subdivision (B) would also require a witness to be informed of their obligation to keep secret all matters before the grand jury. As a result of these proposed changes, the Comment would be amended by replacing the current commentary with a suggested oath to be administered by the supervising judge.

Proposed Rule 234 (Investigating Grand Jury Reports) of the Task Force's recommendation contains the procedures for the submission of a grand jury report and for the reviewing of that report by the supervising judge. Subdivision (A) would permit the submission of a report to the supervising judge upon a majority vote of the full grand jury. Subdivision (B) would require the attorney for the Commonwealth to provide the supervising judge with citations to the record in support of any factual claims or evidentiary references in the report. Subdivision (C) would address the review of the report by the supervising judge. Subdivision (C)(1) would require the judge to "examine the report to determine whether the report is based upon sufficient evidence. . . ." Per the statute, the judge "shall issue an order accepting and filing such report as a public record. . . only if the report is based upon facts received in the course of an investigation authorized by this subchapter and is supported by the preponderance of the evidence." 42 Pa.C.S. § 4552(b). The Committee proposes including the preponderance of the evidence standard in the Comment with a citation to the statute. Subdivision (C)(2) would require the supervising judge to refuse to accept the report if there are passages not supported by the record. This subdivision would also provide for resubmission of the report after correcting for the unsupported passages. Subdivision (C)(3) reminds the reader that the report is subject to grand jury secrecy until the supervising judge files the report as a public record. The last subdivision of the rule, subdivision (D), would permit the attorney for the Commonwealth to appeal a supervising judge's refusal to accept and file a report submitted by a grand jury.

The Task Force also proposed new Rule 248 (Submission of Annual Statistics Regarding Multicounty Investigating Grand Juries), Report, pp. 27, 28, and 31, which would require "supervising judges of statewide investigating grand juries. . . to provide certain basic statistics on an annual basis." Report, 30. The rule would also require the Office of Attorney General to submit to the supervising judge the number of days the grand jurors reported for service and the number of notices of submission related to organized crime, public corruption, or both. Report, 31. After discussion, the Committee concluded that this rule was administrative rather than procedural in nature and has chosen not to include it as part of this proposal.

Prior to receipt of the Task Force's Report, the Committee had undertaken an examination of the procedures for

the return of property when that property was seized pursuant to a search warrant issued by the supervising judge of an investigating grand jury. This examination was prompted by the Court's opinion in *In Re: Return of Seized Property of Lackawanna County*, 212 A.3d 1 (Pa. 2019) (hereafter "*In Re Lackawanna County*").

The 41st Statewide Investigating Grand Jury was convened in 2016 to conduct a statewide investigation into organized crime and political corruption. In September 2017, at the request of the Office of the Attorney General ("OAG"), the supervising judge of the grand jury issued two warrants for the seizure of property belonging to Lackawanna County. The warrants were executed, and various pieces of property were seized, including computers, hard drives, email servers, files, documents, and other records.

Lackawanna County filed a motion for return of property in the Court of Common Pleas of Lackawanna County, arguing, *inter alia*, that the search warrants were invalid under Pa.R.Crim.P. 200. Rule 200 states that a search warrant may be issued by an issuing authority *within the judicial district* where the person or place to be searched is located. The OAG challenged the court's jurisdiction to hear the motion for return of property, citing the order appointing the supervising judge of the 41st Statewide Investigating Grand Jury. That order stated, "all applications and motions relating to the work of the 41st Statewide Investigating Grand Jury. . . shall be presented to the Supervising Judge." *In Re Lackawanna County*, 212 A.3d at 15 (internal quotations omitted). Nevertheless, pursuant to Pa.R.Crim.P. 588, a motion for return of property "shall be filed in the court of common pleas for the judicial district in which the property was seized." Pa.R.Crim.P. 588. As all of the property seized was seized in Lackawanna County, the lower court found it had jurisdiction to adjudicate the motion. Regarding the issuance of the search warrants, the lower court noted that the Investigating Grand Jury Act does not address search warrants. Rather, as noted above, Pa.R.Crim.P. 200 requires search warrants to be issued by an issuing authority within the judicial district where a place to be searched is located. Yet, the supervising judge who issued the challenged warrants was a judge of the Court of Common Pleas of Chester—not Lackawanna—County. The OAG appealed to the Supreme Court of Pennsylvania pursuant to Pa.R.A.P. 3331(a)(3).

A majority of the Court held "that where this Court appoints a common pleas court judge to supervise a multi-county or statewide investigating grand jury and empowers the judge to act in multiple judicial districts, that grant of authority includes the inherent power to issue search warrants in any of those districts, so long as the warrants relate to an investigation of the grand jury." *In Re Lackawanna County*, 212 A.3d at 15.

Regarding who should hear the motion for return of property, the Court found that the County's motion had to be presented to the supervising judge of the grand jury. The Court reasoned that its order appointing the supervising judge was sweeping and covered all applications and motions generally related to the work of the grand jury. Additionally, any alternative to the supervising judge addressing a motion for return of property in the first instance would likely result in unnecessary delay caused by the Commonwealth's need to obtain permission from the supervising judge to disclose otherwise-secret grand jury material. If, upon being presented with the motion, the supervising judge determines that there are no outstanding concerns for grand jury secrecy, perhaps

because the term of the grand jury has expired or an indictment has already issued, the judge may decline to hear the motion and it may instead be considered in the normal course under applicable rules and procedures.

In footnote 18 of *In Re Lackawanna County*, the Court directed this Committee's attention to the question of where and on which docket a motion for return of property should be filed:

Based on our disposition, we decline to endorse the OAG's alternative proposal to allow motions for return of property to be transferred to the docket associated with the underlying grand jury investigation. Our procedural rules do not contemplate the process envisioned by the OAG, and crafting a procedural mechanism of that scale is a function more appropriately reserved for our Criminal Procedural Rules Committee. Along those same lines, we believe it would be prudent for the Criminal Procedural Rules Committee to consider adopting a procedure requiring motions for return relative to property seized per warrants issued by a grand jury supervising judge to be filed on the docket for the grand jury investigation in the county in which the grand jury has been empaneled. In our view, such a procedure, if feasible, would most effectively facilitate this Court's intent that matters relating to grand jury proceedings be directed to the supervising judge.

Id. at 17, n. 18.

As an initial question, the Committee considered whether the rules should codify the Court's finding that a "grant of statewide jurisdiction. . . include[s] within its scope the power to issue search warrants sought in connection with and to further an investigation" of the grand jury. *Id.* at 14. The Committee concluded that such codification within Chapter 2, Part B of the rules would be beneficial.

Regarding motions for return of property, the Committee agreed with the Court that such motions should be directed to the supervising judge of the investigating grand jury for resolution. The supervising judge would be in the best position to determine the impact on the proceedings of the investigating grand jury were the seized property to be returned. Furthermore, the Committee concluded that the procedures suggested by the Court, requiring such motions to be filed on the docket of the grand jury investigation in the county where the grand jury has been impaneled, would be the most efficient procedure.

To those ends, the Committee is proposing the adoption of Rule 235 (Search Warrants; Motions for Return of Property), to be placed in Chapter 2, Part B(1), which provides general provisions for all investigating grand juries. Subdivision (A) of the proposed rule would provide for a supervising judge of an investigating grand jury to issue a search warrant for a person or property in any county in which the investigating grand jury has been convened. However, the supervising judge's authority would be limited to search warrants "sought in connection with and to further an investigation of the grand jury[.]" Subdivision (B) would notify the reader that the procedures contained in Part A (Search Warrants) of Chapter 2 would be applicable to search warrants issued by the supervising judge unless otherwise provided for in the new rule. Subdivision (C) would require the search warrant to contain the docket number of the investigating grand jury and to identify the judicial district where the grand jury is located. This information is necessary to aid

a party seeking to file a motion for return of property related to property seized pursuant to a grand jury search warrant. Per subdivision (D), once the search warrant and inventory are returned pursuant to Rule 209, the supervising judge would be required to file the warrant, supporting affidavits, and inventory with the clerk of courts of the judicial district identified in subdivision (C). Notably, this might not be the clerk of courts of the judicial district where the property was seized. *Compare* Pa.R.Crim.P. 210 (Return of Papers to Clerk). Subdivision (E) would provide that motions for return of property must be filed in the court of common pleas for the judicial district in which the grand jury is located and entered on the docket of the investigating grand jury. The Comment would direct the reader to *In Re Lackawanna*.

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 22-1823. Filed for public inspection November 23, 2022, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 4]

Proposed Adoption of Pa.R.J.C.P. 405

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the adoption of Pennsylvania Rule of Juvenile Court Procedure 405 governing the admission of a certified forensic lab report in lieu of the expert appearing and testifying in court for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

Daniel A. Durst, Chief Counsel
 Juvenile Court Procedural Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 P.O. Box 62635
 Harrisburg, PA 17106-2635
 FAX: 717-231-9541
 juvenilerules@pacourts.us

All communications in reference to the proposal should be received by January 17, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court
 Procedural Rules Committee*

THE HONORABLE ALICE BECK DUBOW,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 4. ADJUDICATORY HEARING

The following is an entirely new rule.

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

Rule 405. Forensic Laboratory Report and Certification.

(a) *Report and Certification in Lieu of Expert Testimony.*

(1) If the requirements of this rule have been met, the attorney for the Commonwealth may seek to offer a forensic laboratory report into evidence in lieu of testimony in any adjudicatory hearing of a non-detained juvenile.

(2) The report shall be supported by a certification, as provided in subdivision (e), from the expert who drafted the report and performed the analysis or examination.

(b) *Notice.*

(1) The attorney for the Commonwealth shall file the written notice and serve the written notice, together with the report and certification, upon the juvenile's attorney.

(2) The notice shall include a statement informing the juvenile that:

(i) if no written demand for testimony as provided in subdivision (c)(3) is made, the forensic laboratory report and certification are admissible in evidence; and

(ii) the expert who drafted the report does not have to testify.

(3) Service shall occur no later than 20 days prior to the adjudicatory hearing.

(4) Once entered into evidence, the report and certification shall qualify as if the expert had testified personally.

(c) *Demand.*

(1) Within 10 days of service of the notice, the juvenile's attorney may file and serve a written demand upon the attorney for the Commonwealth requiring the expert to testify at the adjudicatory hearing.

(2) If a written demand is filed and served, the expert must testify.

(3) If no demand is filed and served as required by subdivision (c)(1), the report and certification are admissible in evidence without the expert's testimony.

(d) *Extension.* For cause shown, the judge may:

(1) extend the time requirements of this rule; or

(2) grant a continuance of the adjudicatory hearing.

(e) *Certification.* The expert shall complete a certification providing:

(1) the education, training, and experience that qualify the expert to perform the analysis or examination;

(2) the entity by which the expert is employed and a description of the expert's regular duties;

(3) the name and location of the laboratory where the analysis or examination was performed;

(4) any state, national, or international accreditations of the laboratory at which the analysis or examination was performed;

(5) that the analysis or examination was performed under industry-approved procedures or standards; and

(6) the report accurately reflects the findings and opinions of the expert.

Comment:

This rule is intended to establish a uniform procedure for delinquency proceedings, similar to Pa.R.Crim.P. 574, for the admission of laboratory reports without the expense of live expert testimony while protecting a juvenile's confrontation rights. The rule provides a "notice and demand" procedure for delinquency proceedings. Under this rule, the attorney for the Commonwealth may seek to admit a forensic laboratory report as evidence without expert testimony if the notice requirements are met and no demand for the presence of the expert is made. If the juvenile makes such a demand, the expert is required to testify before the report can be admitted into evidence.

Given the prompt adjudicatory hearing requirement of the Juvenile Act, 42 Pa.C.S. § 6335(a) (if juvenile is detained, then adjudicatory hearing must be held within 10 days of the filing of a petition), this rule is only available for adjudicatory hearings of non-detained juveniles. See Pa.R.J.C.P. 404(B) (if juvenile is not detained, then adjudicatory hearing must be held within a reasonable time).

Nothing in this rule is intended to: 1) preclude a stipulation agreed to by the parties for the admission of the report without the expert's presence; 2) prevent further stipulation by the parties in light of the admission of the report and certification; or 3) change the discovery requirements pursuant to Rule 340.

Pursuant to subdivision (d), the court may permit filing of the notice or demand after the time period required in the rule if the party seeking the late filing shows cause for the delay. In the situation where the judge permits the late filing of the notice, the juvenile still has ten days to make the demand for the live testimony of the expert. This may necessitate a continuance of the adjudicatory hearing.

The certification in subdivision (e) does not require a description of the actual tests performed for the analysis. This information more properly belongs in the report itself. Because one of the goals of this rule is to permit the juvenile to make an informed decision regarding whether to demand the live testimony of the expert, the report should provide information sufficient to describe the methodology by which the results were determined.

For purposes of this rule, a laboratory is "accredited" when its management, personnel, quality system, operational and technical procedures, equipment, and physical facilities meet standards established by a recognized state, national, or international accrediting organization such as the American Society of Crime Laboratory Directors/Laboratory Accrediting Board (ASCLD/LAB) or Forensic Quality Services—International (FQS-I).

See Rule 345 for filing and service requirements.

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

PUBLICATION REPORT

Proposed Adoption of Pa.R.J.C.P. 405

The Juvenile Court Procedural Rules Committee ("Committee") proposes the adoption of Pennsylvania Rule of Juvenile Court Procedure 405 governing the admission of a certified forensic lab report in lieu of the expert appearing and testifying in court.

The Committee received a rulemaking request for a delinquency rule mirroring Pa.R.Crim.P. 574 (Forensic Laboratory Report; Certification In Lieu of Expert Testimony). As background, Pa.R.Crim.P. 574 was intended to implement the use of "notice and demand" procedures approved in *Melendez-Diaz v. Massachusetts*, 129 U.S. 2527 (2009), which held that the 6th Amendment's confrontation right precluded presentation of laboratory reports without a live witness testifying at trial. The reasons for rulemaking include increased consistency among the bodies of rules for prosecutors and defenders crossing over from criminal proceedings to delinquency proceedings. Also, responses to offers of stipulation are sometimes not received so having a formal mechanism would be beneficial. Further, experts seem increasingly busy and a rule that operates to relieve the burden of appearing when reports are uncontested would allow the experts to focus on the proceedings where reports are contested and to reduce lab testing backlogs.

The Committee previously published proposed Pa.R.J.C.P. 405, which provided for "notice and demand" procedures nearly identical to Pa.R.Crim.P. 574. See 44 Pa.B. 3306 (June 7, 2014). The Committee ultimately discontinued rulemaking because the timeframes were not compatible with adjudicatory hearings for detained juveniles. See Pa.R.J.C.P. 404(A) (hearing to be held within 10 days of the petition's filing). Further, several commentators indicated that stipulations were a widely used and effective alternative to live expert witness testimony.

Given the prior comments, the Committee considered a rule largely modeled after Pa.R.Crim.P. 574 but that would exclude juveniles who were in pre-adjudication detention given the 10-day adjudicatory window for detained juveniles. The rate of pre-adjudication detention appears to be declining over time and most detentions now occur post-adjudication. Consequently, the "detention exclusion" would not erode the value of the rule.

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

[Pa.B. Doc. No. 22-1824. Filed for public inspection November 23, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

**Adoption of Local Rule of Civil Procedure L-204.2;
No. 2022-1**

Administrative Order

And Now, this 31st day of October, 2022, having received approval from the appropriate Rules Committee pursuant to Pa.R.J.A. 103(d)(4), it is hereby *Ordered*,

Adjudged, and *Decreed* that Washington County Local Rule of Civil Procedure L-204.2 (following) is hereby adopted, effective thirty (30) days after publication of this *Order* in the *Pennsylvania Bulletin*.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(d)(5) and (6). The District Court Administrator is directed to:

1. Distribute copies of the adopted local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
2. File one (1) copy with the Administrative Office of Pennsylvania Courts;
3. Publish the local rule on the Court's website within thirty (30) days of the effective date; and
4. Cause a copy hereof to be published in the *Washington County Reports* once a week for two (2) successive weeks at the expense of the County of Washington.

By the Court

JOHN F. DiSALLE,
President Judge

L-204.2. Papers and Records.

(a) The Court, which shall for purposes of this subsection include a Judge, staff of a judge, the District Court Administrator, and court administration staff, may remove original papers, records, exhibits, or transcripts ("case records"), from the Office of the Prothonotary for official court business, unless otherwise restricted by law or order of court.

(b) If appointed by the Court, the following individuals shall have the authority to remove case records from the Office of the Prothonotary:

- (1) Conference or hearing officers;
- (4) Chair of the Board of View;
- (3) Chair of a compulsory arbitration panel;
- (4) Master appointed by the court;
- (5) Mediator or special presiding officer; and
- (6) Other court staff or any person(s) specifically authorized by the President Judge or order of court.

Note: If there is a question concerning the authority of an individual to access a case record under this subsection, the Prothonotary is to seek guidance from the President Judge, District Court Administrator, or judge to whom the case is assigned.

(c) Except as provided in preceding subsections or applicable rule of procedure, no case records shall be removed from the Office of the Prothonotary except upon subpoena duces tecum or order of court. Nothing in this rule is intended to prohibit the removal and/or transmittal of case records pursuant to a rule of appellate procedure.

(d) The Prothonotary shall maintain the docket and act as the custodian of the record for actions filed pursuant to the Mental Health Procedures Act, 50 P.S. § 7101, et seq., in a manner prescribed by the Court.

(1) All case records are confidential pursuant to the Act, and may only be accessed and/or removed by the Judge, staff of the assigned judge, District Court Administrator, or court administration staff for official court business.

(2) Absent order of court, the record may only be inspected by the mental health review officer, or counsel of record for the party involved.

(e) Access to case records, docketing information, digital records, and/or images of case filings that are or can be made available or otherwise accessed through computer software or digital case management systems, shall be determined by the Court through rule, order, policy, or regulation, except as otherwise provided by law.

Comment: Access to case records by the public is governed by the Case Records Public Access Policy of the Unified Judicial System. See Local Rule of Judicial Administration 3000 and 3001. The Policy in no way alters the ability and authority of the Court, upon application of a party or acting sua sponte, to seal a record or any portion of a record for reasons not inconsistent with the Policy, or other applicable governing authority.

[Pa.B. Doc. No. 22-1825. Filed for public inspection November 23, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Adoption of Local Rules of Criminal Procedure L-113 and L-114; No. 2022-1

Administrative Order

And Now, this 31st day of October, 2022, having received approval from the appropriate Rules Committee pursuant to Pa.R.J.A. 103(d)(4), it is hereby *Ordered*, *Adjudged*, and *Decreed* that Washington County Local Rules of Criminal Procedure L-113 and L-114 (following) are hereby adopted, effective thirty (30) days after publication of this *Order* in the *Pennsylvania Bulletin*.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(d)(5) and (6). The District Court Administrator is directed to:

1. Distribute copies of the adopted local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
2. File one (1) copy with the Administrative Office of Pennsylvania Courts;
3. Publish the local rules on the Court's website within thirty (30) days of the effective date; and
4. Cause a copy hereof to be published in the *Washington County Reports* once a week for two (2) successive weeks at the expense of the County of Washington.

By the Court

JOHN F. DiSALLE,
President Judge

L-113. Criminal Case File and Docket Entries.

(a) The clerk of courts serves as the custodian of the criminal case files on behalf of the Court. Judges, the District Court Administrator, and authorized staff of the Court may remove files from the custody of the clerk of courts for official court business, unless access is otherwise restricted by law or order of court.

(b) Except as provided in the preceding subsection or applicable rule of procedure, no case files shall be removed from the clerk of courts except upon subpoena duces tecum or order of court. Nothing in this rule is intended to prohibit the removal and/or transmittal of case files pursuant to a rule of appellate procedure.

(c) The clerk of courts may charge a reasonable cost for copies of publicly accessible court records; provided, however, that any such cost shall not be imposed without the approval of the President Judge. The term copy shall be defined to include those items produced or transmitted electronically to a requestor. No cost shall be imposed for the production of copies to staff or members of the Court for official business, court-appointed counsel, or county agencies that are a participant in a case.

L-114. Orders and Court Notices: Filing; Service; and Docket Entries.

(a) Reserved.

(b) The clerk of courts shall serve all orders or court notices to parties or individuals as set forth in Pennsylvania Rule of Criminal Procedure 114(B).

(1) The clerk of courts shall serve copies of all orders or court notices to any other individual or entity as designated on the order or court notice. The clerk of courts shall make such copies of orders or court notices as required to perform service.

(2) Service on county agencies within the judicial district, including but not limited to the county correctional facility, Sheriff, and Behavioral Health and Developmental Services, may be made by facsimile or electronic address, assigned box, or interoffice mail as approved by the President Judge, or his or her designee.

(3) The Court, or the District Court Administrator upon the direction of the President Judge, may effectuate service of orders or notices. If the Court or District Court Administrator serves an order or notice, an original or copy shall be transmitted to the clerk of courts for filing with a notation of each party, attorney, entity, and/or individual that was served. The clerk of courts shall make a docket entry noting the date of service, each party, attorney, entity, and/or individual served, and the method of service.

(4) Nothing shall prohibit the Court and District Court Administrator, or their respective designees, from directly filing an order or notice into the Common Pleas Case Management System.

(c) The President Judge may issue by administrative order or regulation requirements for the making of, and timeliness of, docket entries by the clerk of courts.

(d) Except as provided in Local Rule of Criminal Procedure 113, no case records shall be removed from the custody of the clerk of courts except upon subpoena duces tecum or order of court.

Comment: This rule is promulgated pursuant to the responsibility given to the President Judge by Pennsylvania Rule of Criminal Procedure 116.

[Pa.B. Doc. No. 22-1826. Filed for public inspection November 23, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Adoption of Local Rules of Orphans' Court Procedure L-O.C. Rule 1.41 and L-O.C. Rule 15.21; No. 2022-1

Administrative Order

And Now, this 31st day of October, 2022, having received approval from the appropriate Rules Committee

pursuant to Pa.R.J.A. 103(d)(4), it is hereby *Ordered, Adjudged, and Decreed* that Washington County Local Rules of Orphans' Court Procedure L-O.C. 1.41 and L-O.C. 15.21 (following) are hereby adopted, effective thirty (30) days after publication of this *Order* in the *Pennsylvania Bulletin*.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(d)(5) and (6). The District Court Administrator is directed to:

1. Distribute copies of the adopted local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

2. File one (1) copy with the Administrative Office of Pennsylvania Courts;

3. Publish the local rules on the Court's website within thirty (30) days of the effective date; and

4. Cause a copy hereof to be published in the *Washington County Reports* once a week for two (2) successive weeks at the expense of the County of Washington.

By the Court

JOHN F. DiSALLE,
President Judge

L-O.C. Rule 1.41. Papers and Records.

(a) The Court, which shall for purposes of this subsection include a Judge, staff of a judge, the District Court Administrator, and court administration staff, may remove original papers, records, exhibits, or transcripts ("case records"), from the Office of the Register of Wills/Clerk of the Orphans' Court ("Register/Clerk") for official court business, unless access is otherwise restricted by law or order of court.

(b) If appointed by the Court, the following individuals shall have the authority to remove case records from the Office of the Register/Clerk:

(1) Auditors;

(2) Hearing officers;

(3) Mediators; and

(4) Other court staff or any person(s) specifically authorized by the President Judge or order of court.

Note: If there is a question concerning an individual's authority to access records under this subsection, the Register/Clerk is to seek guidance from the President Judge, District Court Administrator, or the judge to whom the case is assigned.

(c) Except as provided in the preceding subsections or applicable rule of procedure, no case records shall be removed from the Office of the Register/Clerk except upon subpoena duces tecum or order of court.

(d) This rule is not applicable to matters filed pursuant to the Adoption Act.

(e) Access to case records, docketing information, digital records, and/or images of case filings that are or can be made available or otherwise accessed through computer software or digital case management systems, shall be determined by the Court through rule, order, policy, or regulation, except as otherwise provided by law.

Comment: Access to case records by the public is governed by the Case Records Public Access Policy of the Unified Judicial System. See also Local Rule of Judicial Administration 3000 and 3001. The Policy in no way alters the ability and authority of the Court, upon application of a party or acting sua sponte, to seal a

record or any portion of a record for reasons not inconsistent with the Policy, or other applicable governing authority.

L-O.C. Rule 15.21. Court File.

(a) The court file is defined as those court records and other documents identified in Pa.R.O.C.P. 15.21.

(b) The court file is confidential pursuant to the Act, and may only be inspected or removed by a Judge or staff of the assigned judge, District Court Administrator, or court administration staff for official court business prior to the conclusion of the adoption.

(1) Upon conclusion of any such proceeding, all documents therewith shall be impounded and sealed in an appropriate packet; with a restriction noted thereon that the packet shall not be opened except as authorized by an order of court, and thereafter shall be retained in the custody of the Register/Clerk.

(i) To the extent that any part of the docket or court file is maintained digitally or otherwise accessed through software or electronic case management system, the Court shall exercise authority over the system and ensure that access to the court file is restricted consistent with these rules.

(ii) This rule is not intended to restrict removal and/or transmittal of the court file pursuant to any rule of appellate procedure, including Pa.R.A.P. 1931.

(2) An individual seeking release of non-identifying or identifying information in the court file does not need an order of court if the requirements of 23 Pa. Con. Stat. Ann. §§ 2932-2933 and Pa.R.O.C.P. 15.22 are satisfied.

Note: The Adoption Act sets forth that the court records of an adoption are to be maintained as a permanent record and the Act governs inspection and access once an adoption is finalized. See 23 Pa. Con. Stat. Ann. §§ 2915, 2932, and 2933.

[Pa.B. Doc. No. 22-1827. Filed for public inspection November 23, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Clarissa Thomas a/k/a Clarissa Thomas Edwards a/k/a Clarissa T. Edwards having been suspended from the practice of law in the District of Columbia Court of Appeals; the Supreme Court of Pennsylvania issued an Order dated November 8, 2022 suspending Clarissa Thomas a/k/a Clarissa Thomas Edwards a/k/a Clarissa T. Edwards (# 58582) from the practice of law in this Commonwealth for a period of two years effective December 8, 2022.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1828. Filed for public inspection November 23, 2022, 9:00 a.m.]

NOTICES

BOARD OF COAL MINE SAFETY

Meeting Cancellation

The Board of Coal Mine Safety (Board) meeting scheduled for Wednesday, December 7, 2022, has been cancelled. The next Board meeting is not yet scheduled. Information about the next meeting will be published in a future issue of the *Pennsylvania Bulletin*.

Information 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 "Mining," then "Board of Coal Mine Safety").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Board can be directed to Peggy Scheloske at mscheloske@pa.gov or (724) 404-3143.

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

RAMEZ ZIADEH, P.E.,
Chairperson

[Pa.B. Doc. No. 22-1829. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending November 15, 2022.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-12-2022	First Citizens Community Bank Mansfield Tioga County	3630 Rothsville Road Ephrata Lancaster County	Opened

CREDIT UNIONS

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
11-10-2022	Norristown Bell Credit Union Blue Bell Montgomery County Amendment to Article 1 of the institution's Articles of Incorporation provides for a change in corporate title to 3Hill Credit Union. Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	Filed

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 22-1830. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Approval of Big Sewickley Creek Watershed Conservation & Stewardship Plan and Placement of Big Sewickley Creek Watershed (Allegheny County) on the Pennsylvania Rivers Conservation Registry

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation (Bureau) has approved the Big Sewickley Creek Watershed Conservation & Stewardship Plan (Plan) and is placing the Big Sewickley Creek Watershed, Allegheny County, covered in the Plan on the Pennsylvania Rivers Conservation Registry (Registry) under the Pennsylvania Rivers Conservation Program (Program).

Bell Acres Borough submitted the Plan and other required information to gain Registry status.

After review of the Plan and other required information, the Department has determined that the Program requirements have been satisfied and places the following on the Registry:

- The Big Sewickley Creek watershed from the headwaters to its confluence with the Ohio River located in 12 municipalities and 3 separate counties—30 square miles.

- The North Fork watershed from the headwaters to its confluence with the Big Sewickley Creek.

- The Cooney Hollow watershed from the headwaters to its confluence with the Big Sewickley Creek.

- The East Branch watershed from the headwaters to its confluence with the Big Sewickley Creek.

- The Rippling Run watershed from the headwaters to its confluence with the Big Sewickley Creek.

Projects submitted to the Bureau, which are identified as part of the Plan, become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Plan is available for review at Bell Acres Borough, 1153 Campmeeting Road, Sewickley, PA 15143, (412) 741-5448 and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

This action will go into effect immediately upon publication of this notice in the *Pennsylvania Bulletin*.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 22-1831. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

Section II identifies individual NPDES permit applications received and draft permits indicating DEP’s tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP’s tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

Section III provides notice of applications and draft individual permits for stormwater discharges associated with construction activities. Where indicated, DEP has made tentative determinations, based on preliminary review, to issue permits subject to proposed effluent limitations consisting of best management practices identified in the erosion and sediment control (E&S) plans and post-construction stormwater management (PCSM) plans submitted with the applications, as well as other terms and conditions based on the permit applications. A 30-day public comment period applies to these applications.

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

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

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

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

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

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

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

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

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

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

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

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if DEP determines that there is a significant public interest. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. DEP will postpone its final determination until after a public hearing is held.

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

I. Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0245178	Industrial Stormwater Individual NPDES Permit	Transfer	GXO Logistics Supply Chain, Inc. 3000 Am Drive Suite 200 Quakertown, PA 18951-3812	Milford Township Bucks County	SERO
PA0275891	Industrial Stormwater Individual NPDES Permit	Transfer	Avient Corp 2513 Highland Avenue Bethlehem, PA 18020-8942	Bethlehem City Northampton County	NERO
0113802	Joint DEP/PFBC Pesticides Permit	Renewal	Ely Paul 180 Opossum Hill Road Bendersville, PA 17306	Menallen Township Adams County	SCRO
0113811	Joint DEP/PFBC Pesticides Permit	Renewal	Twin Lake I 26 Lake View Drive Gettysburg, PA 17325-8429	Cumberland Township Adams County	SCRO
0113818	Joint DEP/PFBC Pesticides Permit	Renewal	Ruppert Elizabeth 489 Crum Road Fairfield, PA 17320-9234	Liberty Township Adams County	SCRO
0413800	Joint DEP/PFBC Pesticides Permit	Renewal	Oleary David 360 River Road Beaver, PA 15009-2816	South Beaver Township Beaver County	SWRO
0413801	Joint DEP/PFBC Pesticides Permit	Renewal	Seven Oaks CC 132 Lisbon Road Beaver, PA 15009-8559	Ohioville Borough Beaver County	SWRO
1022803	Joint DEP/PFBC Pesticides Permit	New	Nathaniel Yap 1081 W Lancaster Road Harmony, PA 16037-7425	Lancaster Township Butler County	NWRO
1213802	Joint DEP/PFBC Pesticides Permit	Renewal	Dolan John A 134 Aspen Lane Emporium, PA 15834-4104	Shippen Township Cameron County	NCRO
1522817	Joint DEP/PFBC Pesticides Permit	New	Prettyman Ben 365 Indian Run Road Avondale, PA 19311-9360	London Grove Township Chester County	SERO
2113806	Joint DEP/PFBC Pesticides Permit	Renewal	Stough Steven 123 W Lisburn Road Mechanicsburg, PA 17055-5544	Upper Allen Township Cumberland County	SCRO
2113810	Joint DEP/PFBC Pesticides Permit	Renewal	Lehrman Lou 995 Boiling Springs Road Mechanicsburg, PA 17055-9705	Monroe Township Cumberland County	SCRO
2113812	Joint DEP/PFBC Pesticides Permit	Renewal	Messiah Village 100 Mt Allen Drive Mechanicsburg, PA 17055	Upper Allen Township Cumberland County	SCRO
2813818	Joint DEP/PFBC Pesticides Permit	Renewal	Rine Charles 3421 Coseytown Road Greencastle, PA 17225-9629	Antrim Township Franklin County	SCRO
3613820	Joint DEP/PFBC Pesticides Permit	Renewal	Mill Pond HOA Lancaster County 375 Millpond Drive Lititz, PA 17543-9326	Manheim Township Lancaster County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
3613836	Joint DEP/PFBC Pesticides Permit	Renewal	Milton Grove Sportsmans Club 22 Heather Circle Elizabethtown, PA 17022-1416	Mount Joy Township Lancaster County	SCRO
3613847	Joint DEP/PFBC Pesticides Permit	Renewal	Wenger Hugh 403 Trail Road N Elizabethtown, PA 17022-8430	Mount Joy Township Lancaster County	SCRO
3613869	Joint DEP/PFBC Pesticides Permit	Renewal	Adams Sandy 1338 Mountain Road Manheim, PA 17545-9516	Penn Township Lancaster County	SCRO
5613807	Joint DEP/PFBC Pesticides Permit	Renewal	Deer Valley YMCA Camp 254 Deer Valley Drive Fort Hill, PA 15540-2131	Elk Lick Township Somerset County	SWRO
5613808	Joint DEP/PFBC Pesticides Permit	Renewal	Sherbine Marlin 2165 Highland Farms Road Somerset, PA 15501-7007	Somerset Township Somerset County	SWRO
6313801	Joint DEP/PFBC Pesticides Permit	Renewal	Doran Lois 249 Lynn Haven Drive Pittsburgh, PA 15228-1820	South Franklin Township Washington County	SWRO
6313805	Joint DEP/PFBC Pesticides Permit	Renewal	Charleroi Fishing Club 45 Fremont Road Charleroi, PA 15022-3608	Fallowfield Township Washington County	SWRO
6513800	Joint DEP/PFBC Pesticides Permit	Renewal	Trafford Borough Westmoreland County P.O. Box 196 Trafford, PA 15085-0196	Trafford Borough Westmoreland County	SWRO
6513809	Joint DEP/PFBC Pesticides Permit	Amendment	Laurel Valley Golf Course P.O. Box 435 Ligonier, PA 15658-0435	Ligonier Township Westmoreland County	SWRO
6713802	Joint DEP/PFBC Pesticides Permit	Renewal	Warehime Michael 6663 Moulstown Road E Hanover, PA 17331-6819	Heidelberg Township York County	SCRO
6713806	Joint DEP/PFBC Pesticides Permit	Renewal	Maple Press Co. 480 Willow Springs Lane York, PA 17402	Manchester Township York County	SCRO
6713808	Joint DEP/PFBC Pesticides Permit	Renewal	South Western School District 225 Bowman Road Hanover, PA 17331	Penn Township York County	SCRO
6713818	Joint DEP/PFBC Pesticides Permit	Renewal	Shamenek Lou 795 Whisler Road Etters, PA 17319-9443	Newberry Township York County	SCRO
1598201	Land Application and Reuse of Industrial Waste Individual WQM Permit	Renewal	Herr Foods, Inc. 20 Herr Drive P.O. Box 0300 Nottingham, PA 19362-9788	West Nottingham Township Chester County	SERO
1507415	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Delcora 100 East 5th Street Chester, PA 19013	Pocopson Township Chester County	SERO
1588416	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Balmoral Homeowners Maintenance Corp P.O. Box 119 Chadds Ford, PA 19317	Kennett Township Chester County	SERO
0287202	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Amendment	Trogon Development, LLC P.O. Box 1636 Canovanas, PR 00729	Jefferson Hills Borough Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1189201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Amendment	Ebensburg Power Co. P.O. Box 845 Ebensburg, PA 15931-0845	Cambria Township Cambria County	SWRO
1422203	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	New	Monument Water Authority 2332 Monument Orviston Road Beech Creek, PA 16822-9101	Liberty Township Centre County	NCRO
4022403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	Conyngham Sugarloaf Joint Municipal Authority P.O. Box 469 Conyngham, PA 18219-0469	Sugarloaf Township Luzerne County	NERO
4606408	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Upper Providence Township Montgomery County	SERO
5986401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Westfield Borough Tioga County 429 E Main Street Westfield, PA 16950-1610	Westfield Borough Tioga County	NCRO
6320404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Cecil Township Municipal Authority 375 Southpointe Boulevard Canonsburg, PA 15317-8587	Cecil Township Washington County	SWRO
6486403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	BHG Aviv LLC 1401 Golf Park Drive Lake Ariel, PA 18436-4231	Lake Township Wayne County	NERO
6494406	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	BHG Aviv, LLC 1401 Golf Park Drive Lake Ariel, PA 18436-4231	Lake Township Wayne County	NERO
NOEXNC176	No Exposure Certification	New	Sekisui Kydex, LLC 6685 Lowe Street Bloomsburg, PA 17815-8613	South Centre Township Columbia County	NCRO
NOEXSC388	No Exposure Certification	New	PKG Corp of American 104 Commerce Street New Oxford, PA 17350-1702	New Oxford Borough Adams County	SCRO
NOEXSE344	No Exposure Certification	New	Anholt Tech, Inc. 440 Church Road Avondale, PA 19311-9786	Avondale Borough Chester County	SERO
NOEXSE345	No Exposure Certification	New	Mac Hydraulics 4901 Chester Creek Road Brookhaven, PA 19015-1520	Brookhaven Borough Delaware County	SERO
NOEXSW228	No Exposure Certification	Renewal	Flowserve US, Inc. 1885 Mayview Road Bridgeville, PA 15017-1518	South Fayette Township Allegheny County	SWRO
PAG036200	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Michael Bros Mt Pleasant, LLC 901 Horning Road Pittsburgh, PA 15236-2833	East Huntingdon Township Westmoreland County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAR236120	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Altium PKG, LLC 601 Seldon Avenue Verona, PA 15147-1434	Verona Borough Allegheny County	SWRO
PAG042213	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	LMF Landgroup, LLC 6257 Peters Road Germansville, PA 18053-2122	Heidelberg Township Lehigh County	NERO
PAG042220	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Gunkle William 622 Creek Road Bath, PA 18014-9367	Moore Township Northampton County	NERO
PAG044983	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Quay Kevin M 1945 Halfmoon Valley Road Port Matilda, PA 16870-8710	Halfmoon Township Centre County	NCRO
PAG048435	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Michael & Shelia Mezzacapo 1695 Quaker Hill Road Warren, PA 16365-4285	Glade Township Warren County	NWRO
PAG066106	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Girtys Run Joint Sewer Authority 2236 Babcock Boulevard Pittsburgh, PA 15237-3218	Millvale Borough Allegheny County	SWRO
PAG066107	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Stowe Township Allegheny County 555 Broadway Avenue McKees Rocks, PA 15136	Stowe Township Allegheny County	SWRO
PAG066108	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Wilkins Township Allegheny County 110 Peffer Road Turtle Creek, PA 15145-1148	Wilkins Township Allegheny County	SWRO
PAG066110	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Crafton Borough Allegheny County 100 Stotz Avenue Pittsburgh, PA 15205	Crafton Borough Allegheny County	SWRO
PAG066116	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	West View Water Authority Allegheny County 441 Perry Highway Pittsburgh, PA 15229-1818	West View Borough Allegheny County	SWRO
PAG066126	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Carnegie Borough Allegheny County One Veterans Way Carnegie, PA 15106	Carnegie Borough Allegheny County	SWRO
PAG066140	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Etna Borough Allegheny County 437 Butler Street Etna, PA 15223-2126	Etna Borough Allegheny County	SWRO
PAG100052	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	PECO Energy Co. 2301 Market Street N3-3 Philadelphia, PA 19103	West Conshohocken Borough Montgomery County	SERO
PAG123935	PAG-12 NPDES General Permit for CAFOs	New	Martin Aaron 1383 River Road Mohrsville, PA 19541-8721	Centre Township Berks County	SCRO
PAG123936	PAG-12 NPDES General Permit for CAFOs	New	Brubaker Kevin 7117 Bernville Road Bernville, PA 19506-8637	Jefferson Township Berks County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG133506	PAG-13 NPDES General Permit for MS4s	Renewal	Wernersville Borough Berks County 100 N Reber Street P.O. Box 167 Wernersville, PA 19565-2131	Wernersville Borough Berks County	SCRO
PAG136360	PAG-13 NPDES General Permit for MS4s	Renewal	Brownstown Borough Cambria County 350 Habicht Street Johnstown, PA 15906-3131	Brownstown Borough Cambria County	SWRO
462S29	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sani Auth Alcosan 3300 Preble Avenue Pittsburgh, PA 15233-1025	North Versailles Township Allegheny County	SWRO
PA0255637	Single Residence STP Individual NPDES Permit	Transfer	Lane David C 1206 Eldersville Road Burgettstown, PA 15021-2504	Jefferson Township Washington County	SWRO
PA0290742	Single Residence STP Individual NPDES Permit	Transfer	Hayes Joshua 5655 Van Camp Road McKean, PA 16426-1512	McKean Township Erie County	NWRO
1022417	Single Residence Sewage Treatment Plant Individual WQM Permit	New	McDeavitt David 418 Deer Run Road Slippery Rock, PA 16057-2940	Slippery Rock Township Butler County	NWRO
1497408	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Quay Kevin M 1945 Halfmoon Valley Road Port Matilda, PA 16870-8710	Halfmoon Township Centre County	NCRO
2522415	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Hayes Joshua 5655 Van Camp Road McKean, PA 16426-1512	McKean Township Erie County	NWRO
4222408	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Niggel Louis 371 Lamplite Lane Williston, VT 05495-7711	Corydon Township McKean County	NWRO
4322409	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Carlson Beth 124 Heath Drive Baden, PA 15005-9616	Jefferson Township Mercer County	NWRO
6282405	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Michael & Shelia Mezzacapo 1695 Quaker Hill Road Warren, PA 16365-4285	Glade Township Warren County	NWRO
6319413	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Lane David C 1206 Eldersville Road Burgettstown, PA 15021-2504	Jefferson Township Washington County	SWRO
0214403	Small Flow Treatment Facility Individual WQM Permit	Amendment	Pittsburgh Parks Conservancy 2000 Technology Drive Suite 200 Pittsburgh, PA 15219-3113	Pittsburgh City Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG010073	WQG-01 WQM General Permit	New	Anolik Rachel 1436 Monk Road Gladwyne, PA 19035-1315	Lower Merion Township Montgomery County	SERO
WQG02152209	WQG-02 WQM General Permit	New	East Whiteland Township Chester County 209 Conestoga Road Frazer, PA 19355-1633	East Whiteland Township Chester County	SERO
WQG02152210	WQG-02 WQM General Permit	New	East Whiteland Township Chester County 209 Conestoga Road Frazer, PA 19355-1633	East Whiteland Township Chester County	SERO

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

Northeast Regional Office

PA0060747, Industrial, SIC Code 3087, **Westchester Plastics, LLC**, 42 Mountain Avenue, Nesquehoning, PA 18240. Facility Name: Westchester Plastics. This existing facility is located in Nesquehoning Borough, **Carbon County**.

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

The receiving stream, Nesquehoning Creek (CWF, MF) is located in State Water Plan watershed 2-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.28 MGD.

(From Permit Effective Date to 3 Years After Permit Effective Date)

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.28 MGD.

(From 3 Years After Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Copper, Total	0.15	0.24	XXX	0.061	0.095	0.152
Thallium, Total	0.004	0.007	XXX	0.0018	0.0028	0.0045

The proposed effluent limits for Outfall 001 are based on a design flow of 0.28 MGD.

(From Permit Effective Date to Permit Expiration Date)

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.28 MGD.

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Biochemical Oxygen Demand (BOD ₅)	XXX	67.2	XXX	XXX	XXX	XXX

<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>Daily Maximum</i>	
Total Suspended Solids	XXX	49.1	XXX	XXX	XXX	XXX
Oil and Grease	XXX	75.0	XXX	15.0	XXX	30.0

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD (stormwater).

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements for Total Copper and Total Thallium
- Chemical Additives
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

Northcentral Regional Office

PA0027171, Sewage, SIC Code 4952, **Municipal Authority of the Town of Bloomsburg**, 1000 Market Street, Suite 9, Bloomsburg, PA 17815-2601. Facility Name: Bloomsburg Municipal Wastewater Treatment Plant. This existing facility is located in Town of Bloomsburg, **Columbia County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.29 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.35	XXX	1.14
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report Wkly Avg	XXX	25.0	40.0 Wkly Avg	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report Wkly Avg	XXX	30.0	45.0 Wkly Avg	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo					
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo					
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Antimony, Total (ug/L)	XXX	Report	XXX	XXX	Report	XXX
Copper, Total (ug/L)	XXX	Report	XXX	XXX	Report	XXX
Thallium, Total (ug/L)	0.19	0.29	XXX	5.17	8.07	12.9
2,4-Dinitrotoluene (ug/L)	0.17	0.26	XXX	4.64	7.23	11.6
2,6-Dinitrotoluene (ug/L)	0.17	0.26	XXX	4.64	7.23	11.6
4,6-dinitro-o-cresol (ug/L)	1.54	2.41	XXX	43.1	67.3	108
3,3-Dichlorobenzidine (ug/L)	0.17	0.26	XXX	4.64	7.23	11.6
Pentachlorophenol (ug/L)	0.1	0.16	XXX	2.78	4.34	6.95
1,2,4-Trichlorobenzene (ug/L)	0.054	0.084	XXX	1.51	2.35	3.77
Hexachlorobenzene (ug/L)	0.0003	0.0004	XXX	0.007	0.012	0.019
Benzidine (ug/L)	0.0003	0.0005	XXX	0.009	0.014	0.023
Benzo(a)Anthracene (ug/L)	0.003	0.005	XXX	0.093	0.14	0.23
Benzo(a)Pyrene (ug/L)	0.0003	0.0005	XXX	0.009	0.014	0.023
Benzo(k)Fluoranthene (ug/L)	0.033	0.052	XXX	0.93	1.45	2.32
Butyl Benzyl Phthalate (ug/L)	0.077	0.12	XXX	2.16	3.36	5.39
Bis(2-Ethylhexyl)Phthalate (ug/L)	1.06	1.66	XXX	29.7	46.3	74.2
Chrysene (ug/L)	0.4	0.62	XXX	11.1	17.4	27.8
Dibenzo(a,h)Anthracene (ug/L)	0.0003	0.0005	XXX	0.009	0.014	0.023
Hexachlorobutadiene (ug/L)	0.033	0.052	XXX	0.93	1.45	2.32
Hexachlorocyclopentadiene (ug/L)	1.99	3.11	XXX	55.7	86.8	139
Hexachloroethane (ug/L)	0.33	0.52	XXX	9.27	14.5	23.2
Indeno(1,2,3-cd)Pyrene (ug/L)	0.003	0.005	XXX	0.093	0.14	0.23
N-Nitrosodimethylamine (ug/L)	0.002	0.004	XXX	0.065	0.1	0.16
N-Nitrosodi-N-Propylamine (ug/L)	0.017	0.026	XXX	0.46	0.72	1.16
Phenanthrene (ug/L)	1.99	3.11	XXX	55.7	86.8	139
Cadmium, Total (ug/L)	XXX	Report	XXX	XXX	Report	XXX
Silver, Total (ug/L)	XXX	Report	XXX	XXX	Report	XXX
2,4,6-Trichlorophenol (ug/L)	XXX	Report	XXX	XXX	Report	XXX
1,3-Dichlorobenzene (ug/L)	XXX	Report	XXX	XXX	Report	XXX

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	78,355 Total Annual	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	10,447 Total Annual	XXX	XXX	XXX	XXX

*This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

Northcentral Regional Office

PA0233251, Storm Water, SIC Code 2676, **Nutek Disposables, Inc.**, 121 North Road, McElhattan, PA 17748-9601. Facility Name: Nutek Disposables, Inc. This existing facility is located in Wayne Township, **Clinton County**.

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

The receiving stream(s), McElhattan Creek (CWF, MF), is located in State Water Plan watershed 9-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed monitoring requirements for Outfall 001 and 002 are as follows:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0063461, Sewage, SIC Code 4952, **Mehoopany Township**, P.O. Box 133, Mehoopany, PA 18629-0133. Facility Name: Mehoopany Township WWTP. This existing facility is located in Mehoopany Township, **Wyoming 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, Little Mehoopany Creek (CWF, MF), is located in State Water Plan watershed 4-G and is classified for Cold Water and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.055 MGD.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.5
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	11.5	18.4	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	13.8	20.6	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

The proposed effluent limits for Outfall 001 are based on a design flow of 0.055 MGD.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.055 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

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

- Solids Management

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0275981, Pesticides, SIC Code 0782, 9999, **Borough of Harveys Lake**, 4875 Memorial Highway, Suite 101, Harveys Lake, PA 18618.

Description of Existing Activity: The application is for a renewal of an NPDES permit for a renewal of a discharge associated with the application of pesticides in Harveys Lake Borough, **Luzerne County**.

The receiving surface water, Harveys Lake (on Harveys Creek) (HQ-CWF, MF), is located in State Water Plan watershed 5-B and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

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.

Northeast Regional Office

PAS802227, Storm Water, SIC Code 4225, **Dayton Superior Corp**, 1125 Byers Road, Miamisburg, OH 45342-5765. Facility Name: Dayton Superior Corp Allentown Distribution Center. This existing facility is located in Upper Macungie Township, **Lehigh 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), Iron Run (HQ-CWF), is located in State Water Plan watershed 2-C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Average	Minimum	Average	Maximum	
	Monthly	Weekly		Monthly		
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Average	Minimum	Average	Maximum	
	Monthly	Weekly		Monthly		
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Average	Minimum	Average	Maximum	
	Monthly	Weekly		Monthly		
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0263842, Sewage, SIC Code 4952, **Keating Township**, 7160 Route 46, Smethport, PA 16749-4700. Facility Name: Keating Township Farmers Valley STP. This existing facility is located in Keating Township, **McKean County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.085 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Weekly	Minimum	Average	Weekly	
	Monthly	Average		Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	17.7	28.3	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform (No./100 ml) Oct 1 - Apr 30	21.2	31.9	XXX	30.0	45.0	60
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
UV Intensity (µw/cm ²)	XXX	XXX	XXX	XXX Report	XXX	Report XXX
Total Nitrogen	XXX	XXX	XXX	Daily Max Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Avg Qrtly Report	XXX	Report
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0264334, Sewage, SIC Code 4952, 7000, **Denis Brooks**, 3257 Soap Fat Road, Shippenville, PA 16254-3029. Facility Name: Denis Brooks SFTF. This existing facility is located in Elk Township, **Clarion County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .00194 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Biochemical Oxygen Demand (BOD ₅)	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 Geo Mean	XXX	1,000

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

The EPA Waiver is not in effect.

Northwest Regional Office

PA0291200, Sewage, SIC Code 8800, **Albert & Miriam Youschak**, 9370 Miller Road, Cranesville, PA 16410-9601. Facility Name: Albert & Miriam Youschak SRSTP. This proposed facility is located in Elk Creek Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Conneaut Creek, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0005011 A-2, Industrial, SIC Code 4911, **Keystone-Conemaugh Projects, LLC**, 175 Cornell Road, Suite 1, Blairsville, PA 15717. Facility Name: Conemaugh Power Plant. This existing facility is located in West Wheatfield Township, **Indiana County**.

Description of Existing Activity: The application is for a NPDES permit amendment for an existing discharge of treated industrial waste. Proposed changes as part of this permit amendment is aggregating WLAs for Outfalls 003, 004, 006, 007, 015—017, and 019 and reporting a cumulative total facility load at Monitoring Point 001.

The receiving stream(s), Conemaugh River and an Unnamed Tributary to Conemaugh River, is located in State Water Plan watershed 18-D and is classified for Warm Water Fishes, Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Monitoring Point 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>Average Monthly</i>	<i>Maximum</i>	
Aluminum, Total (lbs/year) Special Effluent Gross	XXX	10,667 Total Annual	XXX	XXX	XXX	XXX
Iron, Total (lbs/year) Special Effluent Gross	XXX	21,334 Total Annual	XXX	XXX	XXX	XXX
Manganese, Total (lbs/year) Special Effluent Gross	XXX	14,224 Total Annual	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 2.9 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.1	2.2	XXX
Iron, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.7	3.4	XXX
Manganese, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.6	3.2	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

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<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>	
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 1.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report Total Mo	XXX	Report	Report	XXX
Iron, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.7	3.4	XXX
Manganese, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.6	3.2	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0.005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.6	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	10,000	XXX
May 1 - Sep 30	XXX	XXX	XXX	200	1,000	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report Total Mo	XXX	Report	Report	XXX
Iron, Total (lbs/mo)	XXX	Report Total Mo	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Manganese, Total (lbs/mo)	XXX	Report Total Mo	XXX	Report	Report	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	40,000.0	80,000.0	100,000
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Beryllium, Total	XXX	XXX	XXX	0.008	0.016	0.02
Boron, Total	XXX	XXX	XXX	100.0	200.0	250
Copper, Total	XXX	XXX	XXX	0.045	0.09	0.113
Lead, Total	XXX	XXX	XXX	0.1	0.2	0.25
Mercury, Total	XXX	XXX	XXX	0.003	0.006	0.008
Selenium, Total	XXX	XXX	XXX	0.25	0.5	0.63
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total (lbs/mo)	XXX	Report Total Mo	XXX	Report	Report	XXX
Iron, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.7	3.4	XXX
Manganese, Total (lbs/mo)	XXX	Report Total Mo	XXX	1.6	3.2	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 012 are based on a design flow of 0.0005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.4	3.3	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX

The proposed effluent limits for Outfall 015 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>	
Total Flow (Total Volume, Mgal) (M Gal)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 016 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>	
Total Flow (Total Volume, Mgal) (M Gal)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 017 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>	
Total Flow (Total Volume, Mgal) (M Gal)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 029 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Flow (Total Volume, Mgal) (M Gal)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Iron, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Manganese, Total (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

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

- Cooling Water Intake Structures—316(b)

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0083488, Sewage, SIC Code 8361, **Stonebridge Health & Rehab Center**, 102 Chandra Drive, Duncannon, PA 17020-9745. Facility Name: Stonebridge Health & Rehab Center. This existing facility is located in Penn Township, **Perry County**.

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

The receiving stream(s), Unnamed Tributary to Sherman Creek (WWF), is located in State Water Plan watershed 7-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0082 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.21	XXX	0.7
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	40.0	50
Total Suspended Solids	XXX	XXX	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	Report	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	Report	XXX	XXX	3.0	XXX	6

The proposed effluent limits for Outfall 001 are based on a design flow of .0082 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Avg Qrtly	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Avg Qrtly	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Avg Qrtly	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Avg Qrtly	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0082 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0261475, Sewage, SIC Code 6514, 8811, **Broad Top Township Bedford County**, 124 Hitchens Road, Defiance, PA 16633-9002. Facility Name: Broad Top Township Runde Residence. This existing facility is located in Broad Top Township, **Bedford County**.

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

The receiving stream(s), Unnamed Tributary to Sixmile Run (WWF), is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Semi-Annual Average	Maximum	
Flow (MGD)	Report Semi Avg	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0009164, Industrial, SIC Code 3312, 3462, **Standard Steel, LLC**, 500 N Walnut Street, Burnham, PA 17009-1644. Facility Name: Standard Steel Burnham Plant. This existing facility is located in Burnham Borough, **Mifflin 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), Kishacoquillas Creek (HQ-CWF, MF), is located in State Water Plan watershed 12-A and is classified for High Quality—Cold Water, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 2.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>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			
Temperature (deg F) (°F)	XXX	XXX	XXX	Report	XXX	XXX
Heat Rejection Rate (MBTUs/day)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Suspended Solids Intake	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Effluent Net	218	581	XXX	Report	Report	37
Total Suspended Solids Intake	Report	Report	XXX	Report	Report	XXX
Turbidity (NTU)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease Effluent Net	XXX	146	XXX	Report	Report	25
Oil and Grease Intake	Report	Report	XXX	Report	Report	XXX
Oil and Grease	Report	Report	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 1.53 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Total Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Priority Pollutants, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 1.53 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Total 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.)	Avg Mo	Daily Max	6.0	XXX	XXX	9.0
			Inst Min			
Temperature (deg F) (°F)	XXX	XXX	XXX	Report	XXX	XXX
Heat Rejection Rate (MBTUs/day)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids Effluent Net	XXX	XXX	XXX	15	30	37
Total Suspended Solids Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease Intake	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease Effluent Net	XXX	XXX	XXX	10	20	25

The proposed effluent limits for Outfall 004 are based on a design flow of 1.43 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Total Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	Report	XXX	XXX
Heat Rejection Rate (MBTUs/day)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids Intake	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids Effluent Net	XXX	XXX	XXX	15	30	37
Oil and Grease Effluent Net	XXX	XXX	XXX	10	20	25
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease Intake	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of .46 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 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	Report	XXX	XXX
Heat Rejection Rate (MBTUs/day)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Effluent Net	143	383	XXX	Report	Report	37
Total Suspended Solids Intake	Report	Report	XXX	Report	Report	XXX
Oil and Grease Effluent Net	XXX	96	XXX	Report	Report	25
Oil and Grease Intake	Report	Report	XXX	Report	Report	XXX
Oil and Grease	Report	Report	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 301 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>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Priority Pollutants, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 401 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 Inst Min	XXX	XXX	9.0
Trichloroethylene	XXX	XXX	XXX	XXX	Report	XXX
Vinyl Chloride	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 500 are based on a design flow of 8.43 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Heat Rejection Rate (MBTUs/day)						
Jan 1 - 31	XXX	2,057	XXX	XXX	XXX	XXX
Feb 1 - 28	XXX	1,872	XXX	XXX	XXX	XXX
Mar 1 - 31	XXX	5,244	XXX	XXX	XXX	XXX
Apr 1 - 30	XXX	5,979	XXX	XXX	XXX	XXX
May 1 - 31	XXX	4,372	XXX	XXX	XXX	XXX
Jun 1 - 30	XXX	3,054	XXX	XXX	XXX	XXX
Jul 1 - 31	XXX	1,676	XXX	XXX	XXX	XXX
Aug 1 - 31	XXX	1,200	XXX	XXX	XXX	XXX
Sep 1 - 30	XXX	1,886	XXX	XXX	XXX	XXX
Oct 1 - 31	XXX	1,672	XXX	XXX	XXX	XXX
Nov 1 - 30	XXX	1,880	XXX	XXX	XXX	XXX
Dec 1 - 31	XXX	1,543	XXX	XXX	XXX	XXX

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

- Approval contingencies
- Collected screenings, slurries, sludges, and other solids management
- Chemical additives conditions
- Stormwater requirements
- Temperature condition
- Heat rejection rate limitation
- Cooling water intake structure requirement with compliance schedule

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 not in effect.

Southcentral Regional Office

PA0034886, Industrial, SIC Code 3351, **St Products LLC dba Small Tube Products**, P.O. Box 1017, Duncansville, PA 16635-1017. Facility Name: St Products LLC. This existing facility is located in Allegheny Township, **Blair 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), Beaverdam Branch (TSF), is located in State Water Plan watershed 11-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .2276 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Quarterly	Daily Maximum		Average Quarterly	Daily Maximum	
Chromium, Total	0.42	1.02	XXX	XXX	XXX	XXX
Copper, Total	2.32	4.42	XXX	1.57	3.15	3.94
Lead, Total	0.30	0.35	XXX	0.20	0.41	0.51
Nickel, Total	2.95	4.46	XXX	2.00	4.00	5
	Total Qrtly					
Zinc, Total	1.42	3.39	XXX	0.96	1.92	2.4
Acrylamide	Report	XXX	XXX	Report	Report	XXX
Hexachlorobutadiene	Report	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .2276 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Quarterly	Daily Maximum		Average Quarterly	Daily Maximum	
Flow (MGD)	Report Avg Mo	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	XXX	110	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	102.9	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .2276 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
Chromium, Hexavalent	Semi Avg Report	XXX	XXX	Semi Avg Report	XXX	XXX
Iron, Total	Semi Avg Report	XXX	XXX	Semi Avg Report	XXX	XXX
Manganese, Total	Semi Avg Report	XXX	XXX	Semi Avg Report	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of .0143 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	XXX	110 Daily Max	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	102.9 Daily Max	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of .0881 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Quarterly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Mo XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	XXX	110 Daily Max	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	102.9 Daily Max	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of .0881 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Quarterly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Maximum</i>	
Acrylamide	Report	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Zinc, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 005 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>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Copper, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report
Lead, Total	XXX	XXX	XXX	XXX	XXX	Report
Zinc, Total	XXX	XXX	XXX	XXX	XXX	Report

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0276006, Concentrated Animal Feeding Operation (CAFO), **Koch's Turkey Farm (Koch's Turkey Farm Walker Township, Schuylkill County)**, 416 Valley Road, Tamaqua, PA 18252-5115.

Koch's Turkey Farm has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Koch's Turkey Farm Walker Township, Schuylkill County, located in Walker Township, **Schuylkill County**.

The CAFO is situated near Unnamed Tributary to Beaver Creek (CWF, MF), Cold Run (HQ-CWF, MF), and Little Schuylkill River (CWF, MF) all located in Watershed 3-A. The CAFO is designed to maintain an animal population of approximately 3,187.58 animal equivalent units (AEUs) consisting of 147,365 Turkey Hens and 79,036 Turkey Toms. Solid turkey manure is stored in the turkey barns until export. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Southcentral Regional Office

PA0281867, Concentrated Animal Feeding Operation (CAFO), **C & J Farm (C & J Farm CAFO)**, 949 Harman Lane, Warfordsburg, PA 17267.

C & J Farm has submitted an application for an Individual NPDES permit for a new CAFO known as C & J Farm CAFO, located in Union Township, **Fulton County**.

The CAFO is situated near Unnamed Tributary to Sideling Hill Creek (EV, MF) in Watershed 13-B, which is classified for Exceptional Value Waters and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 527.56 animal equivalent units (AEUs) consisting of 3,400 Swine Grow Finish, 6 Beef Cow, 6 Beef Calf, 4 Meat Goat Doe, and 1 Light Horse Mature. Manure drains via gravity from two concrete underbarn reception pits to an HDPE Lined Lagoon. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Southcentral Regional Office

PA0291692, Concentrated Animal Feeding Operation (CAFO), **Hope Valley Dairy, LLC**, 40 Mount Hope Road, Quarryville, PA 17566-9255.

Hope Valley Dairy LLC has submitted an application for an Individual NPDES permit for a CAFO known as Hope Valley Dairy LLC, located in East Drumore Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to Conowingo Creek (HQ-CWF, MF) in Watershed 7-K, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 1,179.95 animal equivalent units (AEUs) consisting of 615 Holstein Cows, 150 Holstein Heifers, and 270 calves. Liquid dairy manure will be stored in two circular manure pits. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

Southeast Regional Office

PA0050466, Sewage, SIC Code 4952, **East Vincent Township, Chester County**, 262 Ridge Road, Spring City, PA 19475-2203. Facility Name: Veterans Center STP. This existing facility is located in East Vincent Township, **Chester County**.

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

The receiving stream(s), Unnamed Stream, is located in State Water Plan watershed 3-D and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .325 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>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	27.1	40.7	XXX	10.0	15.0	20
Raw Sewage Influent Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	27.1	40.7	XXX	10.0	15.0	20
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	2,000.0	2,500
Fecal Coliform (No./100 ml)					Daily Max	
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	27.1	XXX	XXX	Geo Mean 10.0	XXX	20
Ammonia-Nitrogen	4.07	XXX	XXX	1.5	XXX	3
Total Phosphorus						
Nov 1 - Mar 31	5.42	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	4.07	XXX	XXX	1.5	XXX	3
Ultraviolet light dosage (mWsec/cm ²)	XXX	XXX	Report	XXX	XXX	XXX

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

- A. No stormwater
- B. Property rights
- C. Sludge disposal
- D. Small stream
- E. Responsible operator
- F. Act 11 regulations
- G. Operations and Maintenance Plan
- H. DRBC's fecal coliform

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0058131, Sewage, SIC Code 8811, **Warren A Jefferis**, 1739 Pottstown Pike, Glenmoore, PA 19343-2642. Facility Name: Jeffries SRSTP. This existing facility is located in East Nantmeal Township, **Chester County**.

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

The receiving stream(s), Beaver Run (EV, MF), is located in State Water Plan watershed 3-D and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	1.5	XXX	3

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

- Proper Sludge Disposal
- UV Disinfection

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0027634, Industrial, SIC Code 4941, **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055. Facility Name: Yardley Water Treatment Plant. This existing facility is located in Lower Makefield 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), Brock Creek (WWF, MF), is located in State Water Plan watershed 2-E and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 and Outfall 002 are based on a design flow of 0.402 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	67	134	XXX	20	40	50
Aluminum, Total	2.4	4.8	XXX	0.7	1.4	1.8
Iron, Total	6.7	13.4	XXX	2.0	4.0	5
Manganese, Total	3.4	6.7	XXX	1.0	2.0	2.5

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

- Proper disposal of collected screenings, slurries, sludges and other solids
- Minimization of Total Residual Chlorine (TRC) in the effluent
- The permittee shall develop Operations and Maintenance (O&M) Plan
- Chemical additives requirement
- Sedimentation basin cleaning requirement

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0203777, Sewage, SIC Code 4953, **Ductmate Industries**, 101 Parkview Drive Ext, Kittaning, PA 16201. Facility Name: Ductmate Industries. This existing facility is located in Forward Township, **Allegheny County**.

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

The receiving stream(s), Monongahela River (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.006 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.006	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .006 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Raw Sewage Influent						
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Raw Sewage Influent						
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Raw Sewage Influent						

The proposed effluent limits for Outfall 001 are based on a design flow of .006 MGD.—Limits.

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

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

- Chlorine optimization
- PRP submission for total copper, total mercury, and total zinc
- Solids management for non-lagoon system

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0255335 A-1, Industrial, SIC Code 4953, **Allegheny Energy Supply Company, LLC**, 800 Cabin Hill Drive, Greensburg, PA 15601. Facility Name: Mitchell FGD Landfill. This existing facility is located in Union Township, **Washington County**.

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

The receiving stream(s), Unnamed Tributary to Monongahela River and Monongahela River (WWF), are located in State Water Plan watershed 19-C and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed Interim effluent limits for Outfall 007 are based on a design flow of 0.0559 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Arsenic, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	3.5	7.0	XXX

The proposed Final effluent limits for Outfall 007 are based on a design flow of 0.0559 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Iron, Total	XXX	XXX	XXX	3.5	7.0	XXX

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0284793, Storm Water, SIC Code 5093, **Glassport Scrap, LLC**, 40 Allegheny Square, Glassport, PA 15045-1649. Facility Name: Glassport Scrap, LLC. This proposed facility is located in Glassport Borough, **Allegheny County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of stormwater associated with industrial activity from scrap metal recycling facility.

The receiving stream(s), Monongahela River (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

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

Application Number	Application Type	Applicant Name & Address	Municipality, County	Office
PAD380017	Major Amendment	PPL Electric Utilities Corporation 258 South Fort Zellers Road Newmanstown, PA 17073-9188	Milford Township Heidelberg Township South Heidelberg Township Lebanon County Berks County	SCRO
PAD230012 A-17	Major Amendment	City of Philadelphia Division of Aviation (DOA) Philadelphia International Airport Airfield Philadelphia, PA 19153	City of Philadelphia Philadelphia County	SERO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD510226	New	NDA Swanson, LLC David Newman 16 Snyder Avenue Philadelphia, PA 19148-2710	City of Philadelphia Philadelphia County	SERO
PAD450026	Renewal	Steve Parisi P.O. Box 655 Brodheads ville, PA 18322	Polk Township Monroe County	NERO
PAD390051	Renewal	Lower Macungie Township 3400 Brookside Dr Macungie, PA 18062	Lower Macungie Township Lehigh County	NERO

PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, DEP will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

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

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

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

Application No. 2222518, Construction, Public Water Supply.

Applicant	Pillow Borough Authority
Address	174 South Union Street Pillow, PA 17080
Municipality	Pillow Borough
County	Dauphin County

Responsible Official	Todd Laudneslager 174 South Union Street Pillow, PA 17080
Consulting Engineer	Joshua C Owens 725 Hickory Road Dalmatia, PA 17017
Application Received	September 22, 2022
Description	Construction of a Well No. 6 as a new source of supply and the removal of Well No. 4.

MINOR AMENDMENT

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

Central Office: Safe Drinking Water Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-772-4477.

Application No. 9996457, Amendment, Minor Amendment, Public Water Supply.

Applicant	Blue Triton Zephyrhills
Address	4330 20th Street Zephyrhills, FL 33542
Municipality	Out of State
County	Out of State
Responsible Official	Hih Song Kim 4330 20th Street Zephyrhills, FL 33542
Application Received	November 9, 2022
Description	Amendment to add fluoride to a bottle line “Pure Life Baby Purified Water Enhanced with Minerals for Taste and Added Fluoride.”

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment

noting receipt of any Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where an individual proposes to, or has been required to, respond to a release of a regulated substance at a site. Individuals intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a NOI to Remediate with DEP. A NOI to Remediate filed with DEP provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. An individual who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals not participating in the remediation.

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

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

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

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

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

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

Kingsley E 6H Well Site, Primary Facility ID # **859078**, 1030 Keir Hill Rd, Troy, PA 16947, Springfield Township, **Bradford County**. Moody & Associates, Inc., 101 N. Main Street, Suite 3, Athens, PA 18810, on behalf of Blackhill Energy, LLC, 4600 J Barry Court, Suite 230, Canonsburg, PA 15317, submitted a Notice of Intent to Remediate concerning site soil contaminated with production fluid. The applicant proposes to remediate the site to meet the Background and Statewide health standards. The Notice of Intent to Remediate was published in *The Daily Review* on October 12, 2022. Application received: October 27, 2022.

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

Contact: Eric Supey, Environmental Program Manager, 570-826-2511.

Saint Jerome Regional School, Primary Facility ID # **860310**, 50 Meadow Avenue, Tamaqua, PA 18252, Rush Township, **Schuylkill County**. JMT Industrial & Environmental, 710 Uhler Road, Easton, PA 18040, on behalf of Saint Jerome Regional School, 50 Meadow Avenue, Tamaqua, PA 18252, submitted a Notice of Intent to Remediate. Soil was contaminated with heating oil from an underground storage tank. The Notice of Intent to Remediate was published in *The Times News* on September 27, 2022. Application received: November 7, 2022.

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

Contact: Chris Schiappa, Licensed Professional Geologist, 724-598-2206.

Polaris Well Pad, Primary Facility ID # **862111**, 520 Pine Tract Road, West Sunbury, PA 16061, Oakland Township, **Butler County**. Justin Paul, 171 Hillpointe Drive, Suite 302, Canonsburg, PA 15317, on behalf of Kevin Eshbaugh, P.O. Box 360, Canonsburg, PA 15317, submitted a Notice of Intent to Remediate to continue removal of accumulated water as needed/warranted, further assessment of potentially impacted material off-containment, removal and disposal of impacted construction/soil-like materials, investigation of subsurface materials beneath the well stimulation containment once the containment materials are fully removed, soil characterization sampling, soil attainment sampling procedures. The Notice of Intent to Remediate was published in *Butler Eagle* on October 30, 2022. Application received: October 26, 2022.

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

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

Former McMinn's Asphalt Plant, Primary Facility ID # **622545**, 1061 Manheim Pike, Lancaster, PA 17601, City of Lancaster and Manheim Township, **Lancaster County**. Liberty Environmental, Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of McKinley Avenue Partners, 120 North Pointe Blvd., Suite 201, Lancaster, PA 17601, submitted a Notice of Intent to Remediate soil and groundwater contaminated with petroleum substances and metals. The site will be remediated to the site-specific standard. Future use of the site is for nonresidential purposes. The Notice of Intent to Remediate was published in *LNP* on April 5, 2021. Application received: April 15, 2021.

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

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

Residential Property, Primary Facility ID # **862088**, 108 North Madison Avenue, Upper Darby, PA 19082, Upper Darby Township, **Delaware County**. Thomas Hippensteal, PG, Envirosearch Consultants, Inc., P.O. Box 940, Springhouse, PA 19477, on behalf of Federal National Mortgage Association, 1422 Dallas Parkway # 1000,

Dallas, TX 75265, submitted a Notice of Intent to Remediate. The site is a residential property found to be contaminated with No. 2 fuel oil. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *Delaware County Daily Times* on October 27, 2022. Application received: November 2, 2022.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

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

WMGR123-NE009, SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, New Milford Township, **Susquehanna County**. An application for determination of applicability for coverage under General Permit No. WMGR123 for the processing, transfer and beneficial use of oil and gas liquid waste at the Colwell West Water Transfer facility. Application received: November 4, 2022. Deemed administratively complete: November 10, 2022.

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

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department of Environmental Protection (DEP) has developed an integrated plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for DEP, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

calling the appropriate DEP Regional Office. The address and telephone number of the Regional Office is listed before the application notices.

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

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

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

43-00396B: Crosstex International, Inc., (Crosstex), 534 Vine Avenue, Sharon, PA 16146, City of Sharon, **Mercer County**. Application received: May 23, 2022.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44—127.46 that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval 43-00396B to Crosstex for the

operation two (2) printing presses, adhesive operations and saliva ejector dental instrument machinery at their facility.

The proposed equipment includes: One (1) 6-color printing press (Source ID P001); One (1) 8-color printing press (Source ID P002); One (1) laminator adhesive operation (Source ID P003); One (1) saliva ejector machinery (Source ID P004); One (1) dental extrusion operation; Two (2) <1 MMBtu/hr natural gas dryers (printing press operations); Two (2) profile polyethylene film extrusion sources; One (1) barrier film laminator; Multiple natural gas comfort heat heaters; Cleaning operations; Mix/dispensing room operations (minor source exemption); and six (6) resin silos.

Based on the information provided by the applicant and DEP's own analysis, the proposed operation will emit a maximum of 15.7 tpy of volatile organic compounds (VOC) and 0.03 tpy of hazardous air pollutants (HAP). Some proposed equipment emissions were determined to be sources of minor significance with regard to plan approval requirements.

The authorization is subject to State regulations including 25 Pa. Code §§ 121.7, 123.1, 123.2, 123.13, 123.21, 123.31, 123.41—123.43, 127.1, 127.3, 127.11, 127.12b, 127.14, 129.14 and 129.77. The Plan Approval has been conditioned to ensure compliance with all applicable rules. The Plan Approval will contain additional testing, monitoring, recordkeeping, reporting, and work practice requirements, as applicable, and has been designed to keep the facility operating within all applicable air quality requirements. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the following address. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the following address. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval No. 43-00396B and concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

OPERATING PERMITS

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

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

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

07-03036, Forsht Products, Inc., 765 Forsht Lane, Altoona, PA 16601, Logan Township, **Blair County**. Application received: August 22, 2022. To issue a State Only Operating Permit renewal for the crematory. The potential emissions are estimated at 3.90 tpy of NO_x, 3.24 tpy of CO, 3.18 tpy of PM₁₀, 1.42 tpy of SO_x, and 0.28 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

05-03004, Chestnut Ridge School District, 3281 Valley Road, Fishertown, PA 15539, East Saint Clair Township, **Bedford County**. Application received: February 17, 2022. To issue a State Only Operating Permit renewal for the boilers at the high school and elementary school campus. Potential emissions from the facility are 5.17 tpy of CO, 6.28 tpy of NO_x, 2.79 tpy of PM₁₀, 31.77 tpy of SO_x, 0.57 tpy HAPs and 0.18 tpy of VOC. The State-Only Operating Permit will include visible 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 applicability to 40 CFR Part 60, Subpart IIII Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR Part 63 Subpart JJJJJ National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers, and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

05-03003, Chestnut Ridge School District, 3281 Valley Road, Fishertown, PA 15539, East Saint Clair Township, **Bedford County**. Application received: February 17, 2022. To issue a State Only Operating Permit renewal for the boilers at the middle school campus. Potential emissions from the facility are 3.49 tpy of CO, 3.73 tpy of NO_x, 1.92 tpy of PM₁₀, 22.38 tpy of SO_x, 0.41 tpy HAPs and 0.07 tpy of VOC. The State-Only Operating Permit will include visible 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 applicability to 40 CFR Part 63, Subpart ZZZZ National emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 63 Subpart JJJJJ National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers.

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

22-05046, Pennsy Supply, Inc./Fiddlers Elbow N. Quarry, P.O. Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331, Lower Swatara Township, **Dauphin County**. Application received: April 19, 2022. To issue a State Only Operating Permit renewal for a hot mix batch asphalt plant. The facility 2021 actual emissions listed in

AIMS are 38.29 tons of CO, 2.86 tons of NO_x, 10.43 PM₁₀, 0.44 ton of SO_x, 0.81 ton of VOC, and 0.016 ton of 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 40 CFR Part 60 Subpart I—Standard of Performance for Hot Mix Asphalt Facilities, and 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

04-00748, ARDEX L.P., 400 Ardex Park Drive, Aliquippa, PA 15001, Center Township, **Beaver County**. Application received: June 15, 2022.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an initial natural minor State-Only Operating Permit for the ARDEX L.P. high performance dry and liquid flooring and tiling products. Sources of emissions consist of twenty-two (22) building silos, two (2) mixing and blending operations, one (1) 100-kW emergency generator, and miscellaneous sources including roadways. Potential emissions from this facility are estimated to be 23.6 TPY PM₁₀, 22.80 TPY PM_{2.5}, 0.3 TPY NO_x, and less than 0.1 TPY VOC, SO_x, CO, and total HAPs.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the natural minor State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00748) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

All comments must be received prior to the close of business 30 days after the date of this publication.

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>.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (DEP). A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or Local Government Agency or Authority to DEP at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

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

Coal Applications

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

Table 1

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

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

Alkalinity must always be greater than acidity.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54070102. Gilberton Coal Company, 10 Gilberton Road, Gilberton, PA 17934, Butler Township, **Schuylkill County**. Renewal of an anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation affecting 149.7 acres. Receiving stream: Big Mine Run tributary to Mahanoy Creek, classified for the following use: WWF. Application received: October 21, 2022.

Mining Permit No. 54070102. Gilberton Coal Company, 10 Gilberton Road, Gilberton, PA 17934, Butler Township, **Schuylkill County**. Correction to update the post-mining land use of an anthracite surface mine, coal refuse reprocessing and refuse disposal operation affecting 149.7 acres. Receiving stream: Big Mine Run tributary to Mahanoy Creek, classified for the following use: WWF. Application received: October 21, 2022.

Noncoal Applications

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

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l

Alkalinity must always exceed acidity.

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

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

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

Mining Permit No. 37220301. Three Rivers Aggregates, LLC, 321 Currie Road, Slippery Rock, PA 16057, Taylor Township, **Lawrence County**. Commencement, operation and restoration of an industrial minerals mine. Application received: November 7, 2022.

Mining Permit No. 16970307. NPDES No. PA0227609. Terra Works, Inc., 49 South Sheridan Road, Clarion, PA 16214, Beaver Township, Licking Township and Richland Township, **Clarion County**. Renewal of an NPDES permit. Application received: November 9, 2022.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 36120301. NPDES Permit No. PA0225266. Allan Myers Materials PA, Inc. d/b/a Allan Myers Materials, 638 Lancaster Avenue, Malvern, PA 19355, Upper Leacock and Manheim Townships, **Lancaster County**. Renewal of NPDES Permit on a quarry operation affecting 106.3 acres. Receiving stream: Conestoga River, classified for the following uses: WWF, MF. Application received: October 27, 2022.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters DEP may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

Coal NPDES Draft Permits

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

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

NPDES No. PA0279846. Mining Permit No. 56220101. Berwind Coal Sales Company, 509 15th Street, Windber, PA 15963, Paint Township, **Somerset County**. New NPDES permit in Paint Township, Somerset County, affecting 101.2 acres related to a coal mining activity permit. Receiving stream: Unnamed Tributaries A & B to Spruce Run, classified for the following use(s): CWF. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: December 14, 2021.

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

The following treated wastewater outfalls discharge to Unnamed Tributaries A & B to Spruce Run.

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate (MGD)</i>
001 Unnamed Tributary B to Spruce Run	New	Treatment	0.078 intermittent
002 Unnamed Tributary B to Spruce Run	New	Treatment	0.078 intermittent
003 Unnamed Tributary A to Spruce Run	New	Treatment	0.078 intermittent
004 Unnamed Tributary B to Spruce Run	New	Sediment	0.376 Precipitation

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

Mine Drainage Treatment Outfalls 001—003.

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0	N/A	N/A	9.0
Total Suspended Solids (mg/L)	N/A	35.0	70.0	90.0
Iron, Total (mg/L)	N/A	1.5	3.0	3.75
Manganese, Total (mg/L)	N/A	1.0	2.0	2.5
Aluminum, Total (mg/L)	N/A	0.75	1.5	1.8
Net Alkalinity (as CaCO ₃ , mg/L)	0.0	N/A	N/A	N/A
Alkalinity, Total (as CaCO ₃ , mg/L)	Report			
Acidity, Total (as CaCO ₃ , mg/L)			Report	
Flow (gpm)			Report	
Temperature (°C)			Report	
Specific Conductance (µmhos/cm)			Report	
Sulfate, Total (mg/L)			Report	

Stormwater Treatment Outfall 004

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Suspended Solids (mg/L)	N/A	35.0	70.0	90.0
Iron, Total (mg/L)	N/A	1.5	3.0	3.75
Manganese, Total (mg/L)	N/A	1.0	2.0	2.5
Aluminum, Total (mg/L)	N/A	0.75	1.5	1.8
Net Alkalinity (as CaCO ₃ , mg/L)	0.0	N/A	N/A	N/A
Alkalinity, Total (as CaCO ₃ , mg/L)			Report	
Acidity, Total (as CaCO ₃ , mg/L)			Report	
Flow (gpm)			Report	
Temperature (°C)			Report	
Specific Conductance (µmhos/cm)			Report	
Sulfate, Total (mg/L)			Report	

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert or RA-EPNEWSTANTON@pa.gov.

NPDES No. PA02782138. Mining Permit No. 65150101. Coal Loaders, Inc., 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, Ligonier Township, **Westmoreland County.** Application received: September 1, 2022.

Renewal and revision of the NPDES permit to add two new outfalls to a proposed sediment pond for a surface coal mine permit affecting approximately 230 acres. Receiving stream(s): UNT to Mill Creek, classified for the following use(s): CWF and UNT to Coalpit Run, classified for the following use(s): HQ-CWF. Application received: September 1, 2022.

The following outfalls utilize non-discharge alternatives and non-degrading discharges alternatives.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	SWO
002	N	SWO
003	N	SWO
004	N	SWO
005	N	SWO
006	N	SWO
007	N	TFO
008	N	TFO
009	N	TFO
010	N	TFO
011	N	TFO
012	N	TFO
020	Y	SWO

The proposed effluent limits for outfalls 001—012 and 020 are as follows:

<i>Parameter</i>	<i>Instant. Maximum</i>
Total Iron (mg/L)	3.7
Total Manganese (mg/L)	2.5
Total Aluminum (mg/L)	0.75
Total Suspended Solids (mg/L)	90
Osmotic Pressure (mOsm/kg)	50
Sulfates (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.	

The following stormwater outfalls are for precipitation events exceeding the 10-year/24 storm event.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
013	N	SWO
014	N	SWO
015	N	SWO
016	N	SWO
017	N	SWO
018	N	SWO
020	Y	TSWO

The proposed effluent limits for outfalls 013—018 and 020 are as follows:

<i>Parameter</i>	<i>Instant. Maximum</i>
Total Iron (mg/L)	3.7
Total Manganese (mg/L)	2.5
Total Aluminum (mg/L)	0.75

Parameter

Total Suspended Solids (mg/L)
 Osmotic Pressure (mOsm/kg)
 Sulfates (mg/L)
 Specific Conductivity (µmhos/cm)
 Alkalinity must be greater than acidity at all times.
 pH must be between 6.0 and 9.0 at all times.

*Instant.
 Maximum*

90
 50
 Monitor and Report
 Monitor and Report

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

CORRECTION—previously published on November 5, 2022

E59292221-006. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, Osceola Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 7, 2022.

Previously posted as E5929222-008. This is a correction to update the permit number. To construct, operate and maintain an additional 9.15 acres of PFO, PSS and PEM wetland creation/enhancement will temporarily impact 6.14 acres of PEM and PFO wetlands at the Camp Brook Mitigation Site. (Elkland, PA Quadrangle, Latitude: 41.99200°, Longitude: -77.32750°). This project is in addition to impacts from permit number E5929221-006 which provides for 54.15 acres of wetland creation. This project is the mitigation site for the *Chesapeake Audit and Consent Decree United States, et al. v. Chesapeake Appalachia, LLC*, Civil Action No. 4:21-00538-MWB, all for the purpose of establishing a mitigation site for permanent wetland and stream impacts that occurred during well pad construction for Marcellus well development.

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

Contact: Andrew Ross, Project Manager, 570-327-3565.

E5504222-002. Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602, Monroe Township, **Snyder County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 31, 2022.

The applicant proposes to reconstruct Sheetz Store # 235 Rebuild Project is located at 766 North Susquehanna Trail, in Monroe Township, Snyder County, PA. The project is located over a pre-existing stream enclosure, which carries a UNT to Penns Creek (CWF). The project proposes .05 acre of indirect watercourse impacts, and no permanent direct floodplain impacts. There will be no wetland impacts. Latitude: 40.82128°, Longitude: -76.84894°.

Contact: Jake Carson, Project Manager, 570-327-3565.

E5904122-009. Pennsylvania Department of Transportation Engineering District 3-0, P.O. Box 218, Montoursville, PA 17754-0218, Liberty Borough, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 9, 2022.

PA DOT Engineering District 3-0 proposes a roadway safety improvement project on SR 0414. The project consists of roadway resurfacing, replacing retaining walls, and drainage improvements. The drainage improvements include the replacement of 73 L.F. of 48-inch corrugated metal pipe with 66 L.F. of 48-inch reinforced concrete pipe, replacement of 44 L.F. of 6 x 6 Ft. Single cell concrete box culvert with 60 L.F. of 84-inch reinforced Concrete pipe. The project includes 600 L.F. of stream realignment of (Stream 4) an Unnamed Tributary to Block House Creek. The realignment includes a floodplain bench and three rock vanes with a portion of vegetated block mattress system. The project includes 222 L.F. of stream restoration of (Stream 1) an Unnamed Tributary to Block House Creek. The project will utilize detours and half width construction to convey traffic during construction. The project will utilize a sandbag diversion and clean water pump to convey the stream during construc-

tion. The project includes stormwater drainage pipe and outfall replacements throughout the project. The project does not propose any jurisdictional wetlands impacts. The Unnamed Tributary to Blockhouse Creek is classified as a Cold Water Fishery by 25 Pa. Code Chapter 93 Water Quality Standards and listed as a Wild Trout Stream by PA Fish and Boat Commission. Latitude: 41° 33' 30", Longitude: -77° 06' 31".

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

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

E1006222-010. John Jabaut, 330 Stanford Road, Prospect, PA 16052, Muddycreek Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 25, 2022.

The applicant is proposing to construct and maintain a 10 feet wide, private, residential driveway including two steel and timber bridges the first a 14 feet by 28 feet bridge across the main channel of Yellow Creek and the second a 14 feet by 12 feet bridge to cross an existing stormwater ditch and wetland to join with an existing dirt/gravel trail for the development of the 11-acre parcel. The project will also resurface the existing trail for a total of 0.006 acre of permanent stream impact, 0.062 acre of permanent floodway impact, and 0.032 acre of permanent wetland impact off of Stanford Road, in Muddy Creek Township, Butler County. Latitude: 40.907220°, Longitude: -80.120188°.

Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: D. J. Stevenson, 412-442-4281.

E6507222-010. Eastern Gas Transmission and Storage, Inc., 6603 West Broad Street, Richmond, VA 23230, Hempfield Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 25, 2022. Latitude: 40.304175°, Longitude: -79.613476°.

The proposed activities include the realignment and stabilization of a section the left bank of Trib 37608 to Little Sewickley Creek (a trout stocked fishery) by installation of gabion baskets to protect the integrity of the natural gas storage well, grade back the opposite stream bank to maintain the width of the stream channel, and replacement of the "top joint" valve assembly at the existing JW-477 natural gas storage well. Approximately 0.5 acre of earth disturbance is anticipated as a result of the total project. The project is located within Hempfield Township, Westmoreland County, Pittsburgh USACE District (40.304175, -79.613476), Sub-Basin 19D (Lower Youghiogheny River Watershed), Quad Name: Donora and McKeesport). The project will result in permanent impacts to 37 linear feet of stream channel and 0.005 acre of floodway. The project will temporarily impact 12 linear feet of stream and 0.2 acre of floodway. This is a Federal Energy Regulatory Commission (FERC) jurisdictional facility and the project falls under the 2.55(a) category, which is a non-reporting FERC maintenance activity.

<i>Resource</i>	<i>Coordinates</i>	<i>Permanent Direct</i>	<i>Permanent Indirect</i>	<i>Temporary</i>
Trib 37608 to Little Sewickley Creek (TSF)	40.304186, -79.613507	37 LF (0.005 ac)	n/a	12 LF (0.002 ac)
Trib 37608 to Little Sewickley Creek Floodway	40.304186, -79.613524	239 sq ft (0.005 ac)	n/a	8,892 sq ft (0.2 ac)

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the "Final Actions Report" on DEP's website at www.dep.pa.gov/CWPUBLICNOTICE.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dept. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dept of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0281859	CAFO Individual NPDES Permit	Issued	Barrick Dairy, LLC 2653 Walnut Bottom Road Carlisle, PA 17015-9329	Penn Township Cumberland County	SCRO
PA290001D	Chapter 102 Individual NPDES Permit	Issued	PA Turnpike Comm P.O. Box 67676 Harrisburg, PA 17106-7676	Taylor Township Fulton County	SCRO
PAD020050	Chapter 102 Individual NPDES Permit	Issued	Hawkins Co. 855 W Broad Street Boise, ID 83702-7153	Hampton Township Richland Township Allegheny County	SWRO
PAD060039	Chapter 102 Individual NPDES Permit	Issued	Orthaus Road, LLC 1470 Hendricks Road Pennsburg, PA 18073-2628	Hereford Township Berks County	SCRO
PAD060073	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 5 0 1002 Hamilton Street Allentown, PA 18101-1013	Maidencreek Township Berks County	SCRO
PAD100017	Chapter 102 Individual NPDES Permit	Denied	Laurel Hill Partners, LP 361 Mars Valencia Road Mars, PA 16046-2809	Buffalo Township Butler County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD100018	Chapter 102 Individual NPDES Permit	Issued	Twin Oaks Development, LLC P.O. Box 297 Wexford, PA 15090	Buffalo Township Butler County	NWRO
PAD140017	Chapter 102 Individual NPDES Permit	Issued	Glenn O Hawbaker, Inc. 1952 Waddle Road Suite 203 State College, PA 16803-1649	Potter Township Centre County	NCRO
PAD210012	Chapter 102 Individual NPDES Permit	Issued	Letort Estates, LLC 2 Ridge Drive Carlisle, PA 17015-9721	Middlesex Township Cumberland County	SCRO
PAD210073	Chapter 102 Individual NPDES Permit	Issued	Smith Farm Partners, LLC 430 N Front Street Wormleysburg, PA 17043-1114	South Middleton Township Cumberland County	SCRO
PAD380017	Chapter 102 Individual NPDES Permit	Issued	PPL Electric Utilities Corp 827 Hausman Road Allentown, PA 18104-9392	Lebanon County	SCRO
PAD480172	Chapter 102 Individual NPDES Permit	Issued	Rdd Apt, LLC 308 E Lancaster Avenue Wynnewood, PA 19096-2145	Bethlehem City Northampton County	NERO
PAD510219	Chapter 102 Individual NPDES Permit	Issued	University of PA 3101 Walnut Street Philadelphia, PA 19104-3437	Philadelphia City Philadelphia County	SERO
PAD540029	Chapter 102 Individual NPDES Permit	Issued	Versum Materials US, LLC 357 Marian Avenue Tamaqua, PA 18252-4762	Rush Township Schuylkill County	NERO
PAD650001	Chapter 102 Individual NPDES Permit	Issued	Barrington Heights, LLC 1209 Route 286 Export, PA 15632-1988	Murrysville Borough Westmoreland County	SWRO
PA0058882	Industrial Stormwater Individual NPDES Permit	Issued	Trans Fleet Concrete, Inc. P.O. Box 26483 101 1st Avenue Collegeville, PA 19426-0483	West Whiteland Township Chester County	SERO
PAS232212	Industrial Stormwater Individual NPDES Permit	Issued	Piramal Critical Care, Inc. 3950 Schelden Circle Bethlehem, PA 18017	Hanover Township Northampton County	NERO
1522817	Joint DEP/PFBC Pesticides Permit	Issued	Prettyman Ben 365 Indian Run Road Avondale, PA 19311-9360	London Grove Township Chester County	SERO
4013801	Joint DEP/PFBC Pesticides Permit	Issued	Blytheburn Lake Association 1725 Henry Drive Mountain Top, PA 18707-9020	Rice Township Luzerne County	NERO
5614801	Joint DEP/PFBC Pesticides Permit	Issued	Anglers Club of Clairton P.O. Box 235 Normalville, PA 15469	Lower Turkeyfoot Township Somerset County	SWRO
1505402	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Londonderry Township Chester County	SERO
1587416	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Longwood Gardens Inc. P.O. Box 501 Route 1 Kennett Square, PA 19348-0501	East Marlborough Township Chester County	SERO
PA0022292	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Ebensburg Borough Municipal Authority Cambria County 300 W High Street Ebensburg, PA 15931-1582	Cambria Township Cambria County	SWRO

NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0204935	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	New Enterprise Stone & Lime Co. Inc. P.O. Box 77 New Enterprise, PA 16664-0077	Cambria Township Cambria County	SWRO
PA0228206	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Clearfield Municipal Authority Clearfield County 107 E Market Street Clearfield, PA 16830-2405	Pike Township Clearfield County	NCRO
PA0255301	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Springdale Borough Allegheny County 325 School Street Springdale, PA 15144	Springdale Borough Allegheny County	SWRO
PA0044652	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	PA DCNR 28 Entrance Road Troy, PA 16947-8506	West Burlington Township Bradford County	NCRO
PA0064092	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Beach Lake Municipal Authority P.O. Box 151 Beach Lake, PA 18405	Berlin Township Wayne County	NERO
PA0276189	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Schuylkill County Municipal Authority 221 S Centre Street Pottsville, PA 17901-3506	Mahanoy Township Schuylkill County	NERO
PA0020745	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Nescopeck Borough Luzerne County 501 Raber Avenue Nescopeck, PA 18635-1101	Nescopeck Township Luzerne County	NERO
PA0087661	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Chestnut Ridge Area Joint Authority 320 Lane Metal Road New Paris, PA 15554-9238	East Saint Clair Township Bedford County	SCRO
3694404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Earl Township Sewer Authority Lancaster County 517 N Railroad Avenue New Holland, PA 17557-9758	Earl Township Lancaster County	SCRO
6415401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Newbury LLC 1340 Founders Lake Drive Athens, GA 30606-7641	Preston Township Wayne County	NERO
NOEXNW037	No Exposure Certification	Issued	Alpha Sintered Metals LLC 95 Mason Run Road Ridgway, PA 15853-6901	Ridgway Township Elk County	NWRO
PAR234816	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Altium Pkg LLC 910 Back Road Berwick, PA 18603-1146	Berwick Borough Columbia County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAR236120	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Altium Pkg LLC 601 Seldon Avenue Verona, PA 15147-1434	Verona Borough Allegheny County	SWRO
PAG040086	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Edward and Janeen McCann 2057 Buck Run Road Quakertown, PA 18951-3200	East Rockhill Township Bucks County	SERO
PAG040184	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Berg Kelly 218 Valley Green Drive Coatesville, PA 19320-1197	West Caln Township Chester County	SERO
PAG040199	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Jamison Baird and Kristina Dittbrenner 221 Valley Green Drive Coatesville, PA 19320-1198	West Caln Township Chester County	SERO
PAG100052	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	PECO Energy Co. 2301 Market Street N3-3 Philadelphia, PA 19103	West Conshohocken Borough Montgomery County	SERO
PAG133589	PAG-13 NPDES General Permit for MS4s	Waived	Hellam Township York County 44 Walnut Springs Road York, PA 17046-9000	Hellam Township York County	SCRO
PAG133682	PAG-13 NPDES General Permit for MS4s	Waived	Union Township Lebanon County 3111 State Route 72 Jonestown, PA 17038-8741	Union Township Lebanon County	SCRO
PAG133755	PAG-13 NPDES General Permit for MS4s	Waived	Tulpehocken Township Berks County P.O. Box 272 Rehrersburg, PA 19550-0272	Tulpehocken Township Berks County	SCRO
PAG133757	PAG-13 NPDES General Permit for MS4s	Waived	Butler Township Adams County 2379 Table Rock Road Biglerville, PA 17307	Butler Township Adams County	SCRO
PAG136157	PAG-13 NPDES General Permit for MS4s	Waived	Big Beaver Borough Beaver County 114 Forest Drive Darlington, PA 16115-3206	Big Beaver Borough Beaver County	SWRO
PAG136166	PAG-13 NPDES General Permit for MS4s	Issued	West Mifflin Borough MS4 Joint Client 1020 Lebanon Road West Mifflin, PA 15122-1036	West Mifflin Borough Allegheny County	SWRO
PAG136169	PAG-13 NPDES General Permit for MS4s	Waived	Fallston Borough Beaver County 158 Beaver Street New Brighton, PA 15066-2926	Fallston Borough Beaver County	SWRO
PAG136230	PAG-13 NPDES General Permit for MS4s	Waived	Versailles Borough Allegheny County 5100 Walnut Street McKeesport, PA 15132-6322	Versailles Borough Allegheny County	SWRO
PAG136237	PAG-13 NPDES General Permit for MS4s	Waived	Ben Avon Heights Borough Allegheny County 6 Lynton Lane Pittsburgh, PA 15202-1327	Ben Avon Heights Borough Allegheny County	SWRO
PAG136242	PAG-13 NPDES General Permit for MS4s	Waived	Mount Oliver Borough Allegheny County 150 Brownsville Road Pittsburgh, PA 15210-2165	Mount Oliver Borough Allegheny County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG136255	PAG-13 NPDES General Permit for MS4s	Waived	Rosslyn Farms Borough Allegheny County 200 Rosslyn Road Carnegie, PA 15106-1034	Rosslyn Farms Borough Allegheny County	SWRO
PAG136261	PAG-13 NPDES General Permit for MS4s	Waived	Ingram Borough Allegheny County 40 W Prospect Avenue Pittsburgh, PA 15205-2241	Ingram Borough Allegheny County	SWRO
PAG136264	PAG-13 NPDES General Permit for MS4s	Waived	Edgewood Borough Allegheny County 2 Race Street Pittsburgh, PA 15218-1445	Edgewood Borough Allegheny County	SWRO
PAG136295	PAG-13 NPDES General Permit for MS4s	Waived	Koppel Borough Beaver County P.O. Box 1 Koppel, PA 16136-0001	Koppel Borough Beaver County	SWRO
PAG136296	PAG-13 NPDES General Permit for MS4s	Waived	White Township Beaver County 2511 13th Avenue Beaver Falls, PA 15010-2457	White Township Beaver County	SWRO
PAG136304	PAG-13 NPDES General Permit for MS4s	Waived	Baden Borough Beaver County 149 State Street Baden, PA 15005-1937	Baden Borough Beaver County	SWRO
PAG136308	PAG-13 NPDES General Permit for MS4s	Waived	North Sewickley Township Beaver County 893 Mercer Road Beaver Falls, PA 15010-6815	North Sewickley Township Beaver County	SWRO
PAG136327	PAG-13 NPDES General Permit for MS4s	Waived	West Newton Borough Westmoreland County 112 South Water Street West Newton, PA 15089-1364	West Newton Borough Westmoreland County	SWRO
PAG136346	PAG-13 NPDES General Permit for MS4s	Waived	Eastvale Borough Beaver County 510 2nd Avenue E Beaver Falls, PA 15010-4808	Eastvale Borough Beaver County	SWRO
PAG136384	PAG-13 NPDES General Permit for MS4s	Waived	Smith Township Washington County 100 Courson Hill Road Washington, PA 15301	Smith Township Washington County	SWRO
PAG136395	PAG-13 NPDES General Permit for MS4s	Waived	Oklahoma Borough Westmoreland County 170 Thorn Street Apollo, PA 15613	Oklahoma Borough Westmoreland County	SWRO
PAG136398	PAG-13 NPDES General Permit for MS4s	Waived	Mt Pleasant Township Washington County 31 McCarrell Road Hickory, PA 15340-1147	Mount Pleasant Township Washington County	SWRO
3622407	Pump Stations Individual WQM Permit	Issued	Earl Township Sewer Authority Lancaster County 517 N Railroad Avenue New Holland, PA 17557-9758	Earl Township Lancaster County	SCRO
4622405	Pump Stations Individual WQM Permit	Issued	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976-1209	Upper Dublin Township Montgomery County	SERO
PA0284971	Single Residence STP Individual NPDES Permit	Issued	Hydro SC LLC 1500 Bay Road Apt 514 Miami Beach, FL 33139-3252	Murrysville Borough Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0290998	Single Residence STP Individual NPDES Permit	Issued	Mark and Sally Haeck 16542 Rogers Ferry Road Meadville, PA 16335-9500	Vernon Township Crawford County	NWRO
PA0291021	Single Residence STP Individual NPDES Permit	Issued	Kuzma Joseph 8550 Old French Road Erie, PA 16509-5458	Summit Township Erie County	NWRO
PA0291048	Single Residence STP Individual NPDES Permit	Issued	Marcinko Thomas 4221 South Hill Road McKean, PA 16426	McKean Township Erie County	NWRO
PA0291064	Single Residence STP Individual NPDES Permit	Issued	Zampogna Adolph J 1018 Edgewood Road New Kensington, PA 15068-5312	Burrell Township Armstrong County	NWRO
PA0291081	Single Residence STP Individual NPDES Permit	Issued	Hawkinson Charles 7210 Station Road Erie, PA 16510-4851	Harborcreek Township Erie County	NWRO
PA0291137	Single Residence STP Individual NPDES Permit	Issued	Cynthia & Norman Dougan 9579 Bliley Road Erie, PA 16510-5271	Greene Township Erie County	NWRO
PA0291251	Single Residence STP Individual NPDES Permit	Issued	Sparks Amanda 30375 State Highway 408 Townville, PA 16360-2313	Richmond Township Crawford County	NWRO
PA0291277	Single Residence STP Individual NPDES Permit	Issued	Stover Michael 4430 Route 59 Lewis Run, PA 16738-3216	Lafayette Township McKean County	NWRO
0322401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Zampogna Adolph J 1018 Edgewood Road New Kensington, PA 15068-5312	Burrell Township Armstrong County	NWRO
1500402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Berg Kelly 218 Valley Green Drive Coatesville, PA 19320-1197	West Caln Township Chester County	SERO
2022410	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Mark & Sally Haeck 16542 Rogers Ferry Road Meadville, PA 16335-9500	Vernon Township Crawford County	NWRO
2022413	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sparks Amanda 30375 State Highway 408 Townville, PA 16360-2313	Richmond Township Crawford County	NWRO
2522423	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kuzma Joseph 8550 Old French Road Erie, PA 16509-5458	Summit Township Erie County	NWRO
2522424	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Marcinko Thomas 4221 South Hill Road McKean, PA 16426	McKean Township Erie County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2522427	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hawkinson Charles 7210 Station Road Erie, PA 16510-4851	Harborcreek Township Erie County	NWRO
2522428	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Cynthia and Norman Dougan 9579 Bliley Road Erie, PA 16510-5271	Greene Township Erie County	NWRO
4222405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Stover Michael 4430 Route 59 Lewis Run, PA 16738-3216	Lafayette Township McKean County	NWRO
6522405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hydro SC LLC 1500 Bay Road Apt 514 Miami Beach, FL 33139-3252	Murrysville Borough Westmoreland County	SWRO
PA0238538	Small Flow Treatment Facility Individual NPDES Permit	Issued	Patricia and Robert Tuznik 8960 S Creek Road Girard, PA 16417-8808	Girard Township Erie County	NWRO
PA0291056	Small Flow Treatment Facility Individual NPDES Permit	Issued	Miller Donor Colleen P.O. Box 21 Wattsburg, PA 16442-0021	Wattsburg Borough Erie County	NWRO
2522425	Small Flow Treatment Facility Individual WQM Permit	Issued	Miller Donor Colleen P.O. Box 21 Wattsburg, PA 16442-0021	Wattsburg Borough Erie County	NWRO
WQG010073	WQG-01 WQM General Permit	Issued	Anolik Rachel 1436 Monk Road Gladwyne, PA 19035-1315	Lower Merion Township Montgomery County	SERO
WQG02232213	WQG-02 WQM General Permit	Issued	Bethel Township Delaware County 1082 Bethel Road Garnet Valley, PA 19060-1707	Bethel Township Delaware County	SERO
WQG02282202	WQG-02 WQM General Permit	Issued	Guilford Township Authority Franklin County 115 Spring Valley Road Chambersburg, PA 17202-9079	Guilford Township Franklin County	SCRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150313 A-1	PAG-02 General Permit	Issued	Thorndale Real Estate, LLC 230 North Dupont Highway New Castle, DE 19720	Caln Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC430076	PAG-02 General Permit	Issued	Warren Diesel 5968 Galmish Road Cochranton, PA 16314	French Creek Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC680047	PAG-02 General Permit	Issued	PA DEP Bureau of Abandoned Mine Reclamation 286 Industrial Park Road Ebensburg, PA 15931	Beaver Township Rose Township Jefferson County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC050058	PAG-02 General Permit	Issued	BT Snacks, LLC 116 Union Avenue Altoona, PA 16602	Bedford Township Bedford County	Bedford County Conservation District 702 W. Pitt St. Bedford, PA 15522 814-310-3279 RA-EPSCWWPABULL@ pa.gov
PAC340041	PAG-02 General Permit	Issued	Reinford Farms, Inc. 505 Cedar Grove Road Mifflintown, PA 17059	Walker Township Juniata County	Juniata County Conservation District 146 Stoney Creek Drive Suite # 4 Mifflintown, PA 17059 717-436-8953 ext. 5 RA-EPSCWWPABULL@ pa.gov
PAC560070	PAG-02 General Permit	Issued	Richard M. Schoedel 4411 Run Road New Tripoli, PA 18066	Allegheny Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652
PAC560069	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Somerset Borough Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652
PAC560066	PAG-02 General Permit	Issued	New Enterprise Stone & Lime Co Inc. P.O. Box 77 New Enterprise, PA 16664	Allegheny Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652
PAC560072	PAG-02 General Permit	Issued	New Enterprise Stone & Lime Co Inc. P.O. Box 77 New Enterprise, PA 16664	Allegheny Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652
PAC360241 A-3	PAG-02 General Permit	Issued	GRH Development Inc. 120 North Pointe Blvd Suite 101 Lancaster, PA 17601	Ephrata Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC360621 A-1	PAG-02 General Permit	Issued	Mike Rohrer 124 Charlestown Road. Washington Borough, PA 17582	Manor Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360557 A-2	PAG-02 General Permit	Issued	G Investments LP 520 East Oregon Road Suite 101 Lititz, PA 17543	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC360738	PAG-02 General Permit	Issued	Marvin Weaver P.O. Box 157 East Earl, PA 17519	East Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC360513 A-1	PAG-02 General Permit	Issued	BHWV Assoc. LLC 600 Olde Hickory Road Suite 100 Lancaster, PA 17601	Pequea Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC200090	PAG-02 General Permit	Issued	Allegheny College 520 North Main Street Meadville, PA 16335	City of Meadville Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC200088	PAG-02 General Permit	Issued	Hutton Meadville Conneaut Lake PA ST, LLC 736 Cherry Street Chattanooga, TN 37402	Vernon Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at 717-787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Greenfield Farms 16551 Route 35 South Port Royal, PA 17082	Juniata County	918	442.12	Poultry Sheep Goats	HQ	Approved
Mount Rock Dairy 473 Mount Rock Road Newville, PA 17241	Cumberland County	379	2,080.3	Dairy Cattle	NA	Approved
Mount View Swine Farm 160 Frystown Road Myerstown, PA 17067	Berks County	1	2,262.53	Swine	NA	Approved
Earl & Joanne Ebling 761 Airport Road Bethel, PA 19507	Berks County	45.7	136.11	Poultry	NA	Approved
Leonard Martin 105 Bordner Road Richland, PA 17087	Berks County	12	363.75	Poultry	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

SAFE DRINKING WATER

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

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

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

Construction Permit No. 1422512MA, Minor Amendment, Public Water Supply.

Applicant	Penn Township
Address	P.O. Box 164 Coburn, PA 16832
Municipality	Penn Township
County	Centre County
Consulting Engineer	Eric Lundy P.E. 2836 Earlstown Road Suite1 Centre Hall, PA 16828
Application Received	October 17, 2022
Permit Issued	November 9, 2022
Description	Penn Township Water District: Remove existing water storage tank and replace with a new 96,000-gallon water storage tank.

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

Contact: Darin Horst, Environmental Engineer, 717-705-4700.

Construction Permit No. 3622532, Major Amendment, Public Water Supply.

Applicant	Cocalico Manor Mobile Home Park
Address	P.O. Box 247 Silver Spring, PA 17575
Municipality	Warwick Township
County	Lancaster County

Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received	August 9, 2022
Permit Issued	November 4, 2022
Description	Installation of chlorine contact tanks, finished water storage tanks, and a booster pump.
Construction Permit No. 0722506 , Major Amendment, Public Water Supply.	
Applicant	Sproul Water Association
Address	134 Reed Street Sproul, PA 16682
Municipality	Greenfield Township
County	Blair County
Consulting Engineer	Stiffler McGraw and Associates, Inc. 1731 North Juniata Street Hollidaysburg, PA 16648
Application Received	September 2, 2022
Permit Issued	November 3, 2022
Description	Interconnect with Greenfield Township Municipal Authority
Construction Permit No. 0722505 MA , Minor Amendment, Public Water Supply.	
Applicant	Greenfield Township Municipal Authority
Address	P.O. Box 372 Claysburg, PA 16625
Municipality	Greenfield Township
County	Blair County
Consulting Engineer	Stiffler McGraw and Associates, Inc. 1731 North Juniata Street Hollidaysburg, PA 16648
Application Received	September 1, 2022
Permit Issued	November 3, 2022
Description	Installation of a backflow preventer on the interconnect with Sproul Water Association.

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

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

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

Transfer Permit 1996502-T2, MA-T2, & MA-GWR-T2 consolidated into **4190026**. PWSID No. **4190026**. **Guardian Elder Care at Bloomsburg, LLC d/b/a Sunset Ridge Healthcare and Rehabilitation**, 3298 Ridge Road, Bloomsburg, PA 17816, Scott Township, **Columbia County**. Application received: August 24, 2022. Permit Issued: November 9, 2022. The transfer of public water supply permit for operation of the Guardian Elder Care at Bloomsburg, LLC, public water system in Scott Township, Columbia County. The following permits have

been consolidated into one transferred system-wide permit no. 4190026: Permit Nos. 1996502-T1, MA-T1 and MA-GWR-T1.

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

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

Operation Permit 7220015. PWSID No. **7220015**. **Veolia Water Pennsylvania, Inc.**, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, Susquehanna Township, **Dauphin County**. Application received: October 31, 2022. Permit Issued: November 7, 2022. Replacement of underdrains and media for Filter Nos. 1—7.

Operation Permit 7010034. PWSID No. **7010034**. **Possum Valley Municipal Authority**, 609 Clearview Road, Aspers, PA 17304, Menallen Township, **Adams County**. Application received: October 21, 2022. Permit Issued: October 27, 2022. Rerating of the Labor Camp Well and use of the Alternate Labor Camp Well as a new source of supply.

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

Operation Permit 3061258. PWSID No. **3061258**. **Dunkin Donuts**, 60 Farmers Drive, Fleetwood, PA 19522, Richmond Township, **Berks County**. Application received: November 9, 2022. Permit Issued: November 10, 2022. Reissued comprehensive operation permit with certified water operator requirements.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of

regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

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

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

Thomas Kitchen Property, Primary Facility ID # **850480**, 6850 Hilday Church Road, Bloomsburg, PA 17815, Centre Township, **Columbia County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Thomas Kitchen, P.O. Box 183, Laporte, PA 18626, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

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

Contact: Eric Supey, Environmental Program Manager, 570-826-2511.

Saint Jerome Regional School, Primary Facility ID # **860310**, 50 Meadow Avenue, Tamaqua, PA 18252, Rush Township, **Schuylkill County**. JMT Industrial & Environmental, 710 Uhler Road, Easton, PA 18040, on behalf of Saint Jerome Regional School, 50 Meadow Avenue, Tamaqua, PA 18252, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

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

Giant Supermarket, Primary Facility ID # **858841**, 1403 and 1451 South Christopher Columbus Boulevard, Philadelphia, PA 19147, City of Philadelphia, **Philadelphia County**. Marc Chartier, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Tina Roberts, Giant Columbus, LLC, 1520 Locust Street, Suite 300, Philadelphia, PA 19102, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with VOCs, naphthalene and metals. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

229 Hunting Hill Road, Primary Facility ID # **861336**, 229 Hunting Hill Road, West Chester, PA 19382, East Bradford Township, **Chester County**. Rob Fowler, 177 Watsons Mill Road, Elmer, NJ 08318, on behalf of Staci Cottone, JnJ Environmental, P.O. Box 360, Fairview Village, PA 19409, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Residential Property, Primary Facility ID # **861336**, 108 North Madison Avenue, Upper Darby, PA 19082, Upper Darby Township, **Delaware County**. Thomas M. Hippensteal, PG, Envirosearch Consultants, Inc, P.O. Box 940, Springhouse, PA 19477, on behalf of Federal National Mortgage Association, 14221 Dallas Parkway # 1000, Dallas, TX 75265, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve

or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

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

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

Miller Chemical & Fertilizer, LLC, Primary Facility ID # **819375**, 120 Radio Road, Hanover, PA 17331, Conewago Township, **Adams County**. Ramboll US Corporation, 4350 North Fairfax Drive, Suite 300, Arlington, VA 22203, on behalf of Miller Chemical & Fertilizer, LLC, 120 Radio Road, Hanover, PA 17331, submitted a Final Report concerning remediation of groundwater contaminated with COCs. The Final Report demonstrated attainment of the Site-Specific, Statewide Health, & Background. Approved: November 9, 2022.

Former Rodeway Inn, Primary Facility ID # **859670**, 116 South 7th Street, Akron, PA 17501, Akron Borough, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Casey Ebersole, 725 Walnut Street, Lebanon, PA 17042, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: November 9, 2022.

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

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

Turner Lane Industrial Park, Primary Facility ID # **848627**, 310 Tuner Lane, West Goshen, PA 19380, West Goshen Township, **Chester County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426, on behalf of William S. Wood, III, Turner Lane Industrial Park G. P., William Wood Company, 120 West Market Street, West Chester, PA 19380, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: November 3, 2022.

Extra Space Storage, Primary Facility ID # **750470**, 4433 Wayne Avenue, Philadelphia, PA 19144, City of Philadelphia, **Philadelphia County**. Madalyn Kulas, The Vertex Companies, LLC, 3322 Route 22 West, Suite 90, Branchburg, NJ 08876, on behalf of Gwyn Goodson McNeal, Extra Space Properties 51 LLC, 2795 East Cottonwood Parkway, # 400, Salt Lake City, UT 84121, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of groundwater contaminated with TCE, PCE and chloromethane. The Final Report demonstrated attainment of the site-specific standards. Approved: November 3, 2022.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Contact: Mohamad Mazid, Chief, Technical Services, 484-250-5768.

101699. Waste Management of Fairless, LLC, 1000 New Ford Mill Road, Morrisville, PA 19067, Falls Township, **Bucks County**. This Major permit modification approves the use of Reclaimed Asphalt Pavement (RAP) material as an acceptable component within the Mechanically Stabilized Earth (MSE) berms and other perimeter berms. Also, it approves an alternative construction of an earthen berm on the eastern perimeter of Cells 10—13 and a modification in the permit boundary to accommodate the increased footprint of the exterior side of the earthen berm within the proposed Eastern Expansion area at the Fairless Landfill. Application received: April 13, 2022. Approved: November 7, 2022.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

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

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

AG5A-57-00002A: Certarus USA Ltd., 1362 Hayes Road, Dushore, PA 18614, Cherry Township, **Sullivan County**. Authorization for the construction and operation of a compressed natural gas production facility consisting of four 530 bhp INNIO Waukesha model H24SE, four-stroke rich burn, natural-gas-fired compressor engines, each equipped with a 3-way reduction catalyst; three 54 bhp Power Solutions International, Inc., model KPSIB04.3GLP, 4SRB, natural-gas-fired generator engines; one 2100-gallon brine tank, two natural-gas-fired gas production units (GPUs) equipped with one 1.0 MMBtu/hr burner and one 0.75 MMBtu/hr burner; venting/blowdowns; and site fugitives, pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Piggings Stations (BAQ-GPA/GP-5A) at the Mehalick Well Pad. Application received: September 16, 2022. Authorized: November 7, 2022.

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

Contact: Raymond Kempa, Environmental Group Manager, 570.826.2511.

GP3-35-004E: Bell Mountain Land Development Corp, 7 Oakwood Drive, Scranton, PA 18504, Dickson City Borough, **Lackawanna County**. For the installation and operation of a portable crushing operation with watersprays at the Bell Mountain Borrow Pit. Application received: October 24, 2022. Issued: November 10, 2022.

GP9-35-006E: Bell Mountain Land Development Corp, 7 Oakwood Drive, Scranton, PA 18504, Dickson City Borough, **Lackawanna County**. For the installation and operation of IC engines at the Bell Mountain Borrow Pit. Application received: October 24, 2022. Issued: November 10, 2022.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

04-00748: ARDEX LP, 400 Ardex Park Drive, Aliquippa, PA 15001, Center Township, **Beaver County**. For continued operation of the Aliquippa Plant to produce high performance dry and liquid flooring and tiling products. Application received: November 7, 2022. Approved: November 9, 2022. Expiration date: May 28, 2023.

65-00378: Buckeye Terminals, LLC, 134 BP Tank Lane, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**. To extend the period of temporary operation of one aboveground storage tank (Tank 1232—Source ID 109), gasoline or lower vapor pressure product storage, 2.2 MM gal capacity, controlled by internal floating roof (IFR) at the Greensburg Terminal. Application received: November 2, 2022. Issued: November 4, 2022. Expiration date: April 28, 2023.

Title V Operating Permit(s) Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

Contact: Norm Frederick, 570-826-2409.

13-00001: Befesa Zinc Inc. Palmerton, 900 Delaware Ave, Palmerton, PA 18071-2008, Palmerton Borough, **Carbon County**. The Department issued a renewal of the Title V Operating Permit for the manufacturing of secondary nonferrous metals facility located in Palmerton Borough, Carbon County. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G. The sources consist of kilns and receiving bins and silos. The sources are controlled by product collectors and baghouses. The Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: September 25, 2018. Renewal issued: November 4, 2022.

Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

41-00051: Wirerope Works, Inc., 100 Maynard Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Issuance of a renewal State Only (Synthetic Minor) Operating Permit for the Williamsport facility. The State Only (Synthetic Minor) Operating Permit contains requirements including testing, monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations. Application received: March 8, 2022. Effective: November 9, 2022. Renewed: November 9, 2022.

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.

62-00184: Allegheny Aggregate, Inc., Pittsfield, 34175 Route 6, P.O. Box 38, Pittsfield, PA 16340, Pittsfield Township, **Warren County**. The Department issued the renewal State Only Operating Permit for the sand and gravel processing plant. The facility consists of the mineral processing plant (crushers, conveyors, screening, roadways) and a 170-bhp diesel engine that powers the backup processing plant. The potential emissions of the primary pollutants from the facility are as follows: PM₁₀: 19.94 TPY, PM_{2.5}: 0.915 TPY, NO_x: 6.60 TPY, SO_x: 0.436 TPY, VOC: 0.535 TPY, and CO: 1.422 TPY; thus, the facility is a natural minor. The engine is subject to 40 CFR Part 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The processing facility is subject to 40 CFR 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants, as well as General Permit GP3 conditions. The permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: January 18, 2022. Issued: November 1, 2022.

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

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

38-03045: The Sherwin Williams Mfg. Co., 3050 Hanford Drive, North Lebanon Ind. Park, Lebanon, PA 17046, North Lebanon Township, **Lebanon County**. For the paint manufacturing facility. The State-Only Permit was renewed. Application received: June 10, 2022. Issued: November 8, 2022.

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

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

09-00068: Orchard Hill Memorial Park, 80 Kelly Road, Quakertown, PA 18951, Richland Township, **Bucks**

County. This action is for the renewal of a non-Title V Facility, State-Only Synthetic Minor Operating Permit. The permit will continue to contain monitoring, record-keeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements. Application received: May 2, 2022. Issued: November 9, 2022.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

CORRECTION—previously published on November 5, 2022.

08-00016: Dalrymple Gravel & Contracting Co., Inc., 2105 South Broadway, Pine City, NY 14871, Athens Township, **Bradford County.** Revision No. 1 was issued for the incorporation of a new countercurrent flow drum and a new dual-fuel (natural gas and No. 2 fuel oil) burner for the drum mix plant as well as to allow the use of waste oil (on-specification type) in the existing burner of the batch mix plant authorized via plan approvals 08-00016B and 08-00016C. This notice only reflects a correction in the date of the permit revision from October 24, 2022, to November 10, 2022. Application received: March 10, 2022. Revised: October 24, 2022. Revised: November 10, 2022.

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

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

OP22-000019: Philadelphia Water Department—Belmont WTP, 4300 Ford Road, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County.** The City of Philadelphia, Air Management Services (AMS) amended a Minor State Only Operating Permit to update the permit contact person, minor corrections to boiler manufacturer, and boiler placement in the facility into the existing Operating Permit for the operation of a water treatment plant (WTP). Application received: September 12, 2022. Issued: October 3, 2022.

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

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

50-05001: Texas Eastern Transmission LP, 915 N. Eldridge Parkway, Suite 111, Houston, TX 77079-2703, Carroll Township, **Perry County.** For the Shermansdale natural gas compressor station. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 50-05001A. Application received: July 26, 2022. Issued: November 8, 2022.

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

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

09-00110: Riverside Construction Materials, Inc., 7900 North Radcliffe Road, Bristol, PA 19007, Bristol Township, **Bucks County.** For the modification of State Only Operating Permit No. 09-00110. The conditions applicable to Source ID 102 (Pneumatic Unloading System), specifically those related to the restriction on hours of operation were modified pursuant to 25 Pa. Code § 127.461. To address a request, DEP changed the operation limitation from an hourly restriction to a throughput restriction. The modified State Only Operating Permit includes recordkeeping requirements designed to keep the facility operating in compliance with the new throughput limit. Application received: September 26, 2022. Issued: November 9, 2022.

15-00067: Herr's Foods, 273 Old Baltimore Pike, West Nottingham, PA 19362, West Nottingham Township, **Chester County.** In accordance with 25 Pa. Code § 127.450, Plan Approval 15-0067J has been incorporated into the State Only Operating Permit. Application received: October 7, 2022. Issued: November 9, 2022.

23-00040: Laurel Pipeline Co. LP/Boothwyn Break-out Station, 5002 Buckeye Road, Emmaus, PA 18049, Bethel Township, **Delaware County.** In accordance with 25 Pa. Code § 127.462, the minor TVOP modification is for the replacement of the sample wells for two (2) above-ground petroleum storage tanks (Tanks 15 and 16), each equipped with an external floating roof, with a new slotted guide poles. The modified TVOP incorporates the applicable requirements of 40 CFR 60, Subpart Kb for the modified tanks. Application received: September 12, 2022. Issued: November 9, 2022.

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

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

04-00723: McDanel Advanced Ceramic Technologies, LLC, 510 9th Avenue, Beaver Falls, PA 15010, City of Beaver Falls, **Beaver County.** For a change of ownership at a technical ceramics manufacturing facility. Application received: October 7, 2022. Administrative amendment issued: November 10, 2022.

63-00147: International Paper Company, 10 Wilson Road, Eighty Four, PA 15330, North Strabane Township, **Washington County.** To update the permit contact and responsible official. Application received: October 10, 2022. Administrative amendment issued: November 9, 2022.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

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

43-00310: NLMK PA, 15 Roemer Boulevard, Farrell, PA 16121, City of Farrell, **Mercer County.** The De minimis emission increase is for the proposed construction of an emergency generator and emergency water pump. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Operating Permit issuance on May 20, 2021.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
11-9-22	Emergency Generator			0.030	0.002	0.246
11-9-22	Emergency Water Pump			0.011	0.004	0.045
Total Reported Increases				0.041	0.006	0.291
Allowable		0.6 ton/ source 3 tons/ facility	1.6 tons/ source 8 tons/ facility	1 ton/ source 5 tons/ facility	1 ton/ source 5 tons/ facility	4 tons/ source 20 tons/ facility

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

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

11-00258: Texas Eastern Transmission, LP, 5400 Westheimer Court, Houston, TX 77056, Cresson Township, **Cambria County**. On November 9, 2022, received approval for de minimis emissions increases not to exceed approximately 0.001 tons of VOC, 0.1 tons of methane (CH₄), and 2.5 tons of carbon dioxide equivalent (CO₂e) per year, resulting from the installation and operation of additional piping components (four flanges for pull ports) in pressurized natural gas service. No prior de minimis increases have occurred at the facility during the term of its current Title V permit.

26-00413: Texas Eastern Transmission, LP, 5400 Westheimer Court, Houston, TX 77056, North Union Township, **Fayette County**. On November 9, 2022, received approval for de minimis emissions increases not to exceed approximately 0.001 ton of VOC, 0.1 ton of methane (CH₄), and 2.5 tons of carbon dioxide equivalent (CO₂e) per year, resulting from the installation and operation of additional piping components (four flanges for pull ports) in pressurized natural gas service. No prior de minimis increases have occurred at the facility during the term of its current Operating Permit.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Permits

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

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8200.

Mining Permit No. 17060107. RES Coal LLC, 51 Airport Road, Clearfield, PA 16830, Girard Township, **Clearfield County**. Permit renewal for a bituminous surface coal mine permit affecting 294.8 acres. The renewal is for reclamation only. Receiving stream(s): Deer Creek and UNT A to Deer Creek classified for the following use(s): CWF. Application received: May 17, 2022. Issued: November 9, 2022.

Mining Permit No. 17940107. PA0219801. River Hill Coal Company, Inc., P.O. Box 141, Kylertown, PA 16847, Karthaus Township, **Clearfield County**. Modification of a NPDES permit of a bituminous coal mine/coal refuse disposal affecting 531.0 acres. Three non-discharging canal coal treatment basins to collect and treat the stormwater are being proposed. Receiving stream(s): Unnamed tributaries to West Branch Susquehanna River, unnamed tributaries to Upper Three Runs and unnamed tributaries to Saltlick Run classified for the following use(s): HQ-CWF, MF. Application received: May 5, 2022. Issued: November 10, 2022.

Noncoal Permits

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

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

Mining Permit No. 37870303. RWE Holding Company, P.O. Box 144, Portersville, PA 16051, Taylor Township, **Lawrence County**. Revision to an existing bituminous surface mine to add 19.9 acres. Application received: March 31, 2022. Issued: November 10, 2022.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert or RA-EPNEWSTANTON@pa.gov.

Mining Permit No. 65930601. Hoover Stone Quarry LLC, 3497 Route 981, Saltsburg, PA 15681, Loyalhanna Township, **Westmoreland County**. Permit revision issued to add 13.3 acres to an existing non-coal surface mine. Receiving streams: unnamed tributary to Conemaugh River, classified for the following use: WWF. Application received: November 12, 2021. Issued: November 9, 2022.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

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

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8101.

Permit No. 17224001. RES Coal, LLC, 51 Airport Road, Clearfield, PA 16830, Chest Township, **Clearfield County**. Blasting Activity Permit for Contracting and Reclamation. Application received: November 7, 2022. Expiration date: December 31, 2023.

Permit No. 41224101. Wampum Hardware Co., 636 Paden Rd., New Galilee, PA 16141, Plunketts Creek Township, **Lycoming County**. Blasting for Commercial Development. Application received: November 2, 2022. Issued: November 9, 2022. Expiration date: December 31, 2022.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.

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

Contact: RA-EPEASTERNNOGPRG@pa.gov.

E5929222-007. Seneca Resources LLC, 2000 Westinghouse Drive, Suite 400, Cranberry Township, PA 16066, Covington Township and Richmond Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: June 30, 2022. Issued: November 9, 2022.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 3,409 square feet of a palustrine emergent (PEM) wetland (Crooked Creek, PA Quadrangle 41.761980° N, 77.131460° W);

2) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 760 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41.762894° N, 77.135091° W);

3) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 6,020 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41.762894° N, 77.135091° W);

4) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 2,704 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41.763932° N, 77.138263° W);

5) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 3,867 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 58 linear feet of an unnamed tributary to Elk Run (CWF) (Crooked Creek, PA Quadrangle 41.764108° N, 77.138986° W);

6) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 67 linear feet of an unnamed tributary to Elk Run (CWF) (Crooked Creek, PA Quadrangle 41.766711° N, 77.148605° W);

7) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 48 linear feet of an unnamed tributary to North Elk Run (CWF) (Crooked Creek, PA Quadrangle 41.768379° N, 77.150957° W);

8) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 67 linear feet of an unnamed tributary to North Elk Run (CWF) and 2,576 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41.768544° N, 77.151177° W);

9) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 83 linear feet of an unnamed tributary to North Elk Run (CWF) (Crooked Creek, PA Quadrangle 41.768960° N, 77.151675° W);

10) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 1,158 square feet of a palustrine emergent (PEM) wetland (Crooked Creek, PA Quadrangle 41.770360° N, 77.153192° W);

11) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 2,251 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41.770436° N, 77.154597° W);

12) A temporary road crossing using timber mats and a 12-inch diameter waterline impacting 89 linear feet of an unnamed tributary to North Elk Run (CWF) (Crooked Creek, PA Quadrangle 41.770564° N, 77.154891° W).

The project will result in 34 linear feet of temporary stream impacts and 22,745 square feet (0.522 acre) of temporary wetland impacts all for the purpose of installing a freshwater pipeline in Covington and Richmond Township, Tioga County.

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

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

E2506221-007. Gold Shield Realty, LLC, 1500 Wilmington Road, New Castle, PA 16405, Summit Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District.

To fill a total of 3.69 acres of wetlands for construction of an auto dealership facility located approximately 0.67 mile south of the intersection with Dorn Road and SR 19 (Erie South, PA Quadrangle N: 42.02320°; W: -80.05700) in Summit Township, Erie County. Project includes creation of a minimum of 5.33 acres of functional wetlands on-site as mitigation for project impacts. Latitude: 42.02320°, Longitude: -80.05700°. Application received: December 21, 2021. Issued: November 7, 2022.

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

Contact: Chris Kemple, Engineer, 717-705-4780.

E2103222-003. Silver Spring Township, 8 Flowers Drive, Mechanicsburg, PA 17055, Silver Spring Township, **Cumberland County**. U.S. Army Corps of Engineers Baltimore District.

The applicant proposed to construct a rain garden temporarily impacting 0.35 acre of the floodplain of Conodoguinet Creek (WWF, MF) and permanently impacting 0.54 acre of the floodplain of Conodoguinet Creek (WWF, MF) all for the purpose of providing stormwater management for the surrounding area. The project site is located along Willow Mill Park Road. There are no wetland, stream, or floodway impacts associated with this project. Latitude: 40.257404°, Longitude: -77.041042°. Application received: June 21, 2022. Issued: November 8, 2022.

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

Contact: Dana Drake, Program Manager.

E0205221-008. Duquesne Light Company, 841 New Beaver Avenue, Pittsburgh, PA 15223, City of Pittsburgh, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to construct, operate, and maintain: 1. Remove existing, overhead aerial utility line crossings and 100 associated utility towers, and construct and maintain 81 stream, 39 wetland and 3 floodway only, replacement aerial utility line crossings and associated 92 replacement steel monopoles. Watercourses impacted are the Ohio River (WWF) and Tributaries (WWF), and Chartiers Creek (WWF) and Tributaries (WWF); 2. Construct and maintain 54 stream 41 wetland and 28 floodway only, temporary road crossings. Watercourses impacted are the Ohio River (WWF) and Tributaries (WWF), and Chartiers Creek (WWF) and Tributaries (WWF); 3. Construct, operate, and maintain 2 permanent road stream crossings of Ohio River Tributaries (WWF) and 11 wetland permanent road crossings; 4. Construct, operate, and maintain 2 pipe outfall structures within Chartiers Creek Tributaries (WWF); 5. Cumulative, permanent impacts will be to 0.342 acre of streams, 0.104 acre of floodways, and 0.362 acre of wetlands. Temporary impacts are 0.455 acre to streams, 4.30 acres for floodways, and 1.424 acres to wetlands; 6. Mitigation is proposed through the purchase of 0.360 acre of wetland mitigation credits from the Enlow Fork Mitigation Bank. For the purpose of replacing aging electric transmission system infrastructure. Approximately 14.5 miles of overhead electrical transmission lines will be replaced, and 100 of the existing steel lattice transmission towers will be replaced with 92 new steel monopoles. The project site will extend between the Brunot Island Substation in the City of Pittsburgh (Pittsburgh West, PA USGS topographic quadrangle, (40.465462, -80.043903) Subbasin 20F and 20G; USACE Pittsburgh District) Allegheny County; across McKees Rocks Borough and Kennedy Township to the Montour Substation in Robinson Township (Oakdale, PA USGS topographic quadrangle, (40.498349, -80.135632) Subbasin 20G; USACE Pittsburgh District) Allegheny County; and across Moon Township to the Crescent Substation in Crescent Township (Ambridge, PA USGS topographic quadrangle, (40.566023, -80.234539) Subbasin 20G; USACE Pittsburgh District) Allegheny County. Latitude: 40.465462°, Longitude: -80.043903°. Application received: April 28, 2021. Issued: November 10, 2022.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Pro-

tection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

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

Former EBS Country Store, Storage Tank Facility ID # **57-14551**, 5816 Route 154, Forksville, PA 18616, Elkland Township, **Sullivan County**. Letterle & Associates Inc, 2022 Axemann Rd, Suite 201, Bellefonte, PA 16823, on behalf of Living Hope Fellowship, 5816 Route 154, Forksville, PA 18616, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

4260 West Tilghman Realty, Storage Tank Facility ID # **39-41532**, 4260 West Tilghman Street, Allentown, PA 18104, South Whitehall Township, **Lehigh County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of 4260 West Tilghman Realty, LLC, 4101 River Road, Allentown, PA 18104, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health and site-specific standards.

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

Contact: Ellen Roberts.

UNI MART 04077, Storage Tank Facility ID # **33-15325**, 512 E Mahoning Street, Punxsutawney, PA 15767, Punxsutawney Borough, **Jefferson County**. Pro-

fessional Service Industries, Inc. (PSI), 1748 33rd Street, Orlando, FL 32839, on behalf of National Retail Property Trust, 450 S. Orange Avenue, Suite 900, Orlando, FL 32801, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

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

Marathon McKeesport, Storage Tank Facility ID # **02-08839**, 710 West 5th Avenue, McKeesport, PA 15132, City of McKeesport, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Shiv Oil, Inc., 1101 Tall Trees Drive, Pittsburgh, PA 15241, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

BFS Brodhead, Storage Tank Facility ID # **04-14079**, 3608 Brodhead Road, Monaca, PA 15061, Center Township, **Beaver County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Bruceton Farm Service, Inc., 116 Shannon Drive, Morgantown, WV 26508, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

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

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

Sand Hill Term, Storage Tank Facility ID # **41-31701**, 130 Terminal Road, Montoursville, PA 17754, Loyalsock Township, **Lycoming County**. Aqua Technologies, Inc., 901 S. Bomar St, Suite 1A, West Chester, PA 19382, on behalf of Terminal Operations, a series of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the site-specific standards and was approved by DEP on November 9, 2022.

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

Contact: Ellen Roberts.

Ceriani Transp, Storage Tank Facility ID # **24-29293**, 1274 Toby Road, Brockport, PA 15823, Horton Township, **Elk County**. Gary C Calvert LLC, P.O. Box 504, Holidaysburg, PA 16648, on behalf of Ceriana Transp Inc., 1274 Toby Road, Brockport, PA 15823, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum Products. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on November 8, 2022.

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

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

Main Street Food Market, Storage Tank Facility ID # **63-80682**, 500 North Main Street, Washington, PA 15301, City of Washington, **Washington County**. Flynn Environmental, Inc., 5640 Whipple Avenue Northwest, North Canton, OH 44720, on behalf of Schneider Real Estate Company, 726 Frank Street, Pittsburgh, PA 15227, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report residential was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on November 10, 2022.

[Pa.B. Doc. No. 22-1832. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Grants through the Driving PA Forward Initiative; Medium and Heavy-Duty Zero-Emission Vehicle Fleet Pilot Grant Program

The Department of Environmental Protection (Department) announces an opportunity to apply for grants offered through the Driving PA Forward Initiative's Medium and Heavy-Duty (MHD) Zero-Emission Vehicle (ZEV) Fleet Pilot Grant Program (Program). This Program is expected to be transformational and incorporates information received in response to the Request for Information published at 52 Pa.B. 1323 (February 26, 2022). The awardees of this Program will drive reductions in diesel emissions from one or more medium or heavy-duty fleets, or both, operating in environmental justice (EJ) areas. The Department expects to make approximately \$13 million available for award and there is no maximum cap set on the award for any individual grantee.

The proposed project must include replacement of either 20% of the applicant's fleet or at least five diesel-powered, onroad MHD trucks with ZEVs. Projects may not propose fewer than three vehicle replacements. Funding is available for the vehicles as well as associated infrastructure, including chargers.

Applications for fleets which operate primarily in EJ areas will receive additional consideration in the application scoring process. Awardees will be required to provide detailed data and information to the Department following vehicle purchases to support Department case studies evaluating the environmental benefits of the Program.

Awards under this Program will fund up to 75% of total project costs for nongovernment applicants, 90% for government applicants and 100% for designated financially distressed municipalities under the Municipalities Financial Recovery Act (53 P.S. §§ 11701.101—11701.712) for the purchase of eligible MHD ZEVs and installation of related electric vehicle charging infrastructure. Organizations are required to participate in a virtual preapplication meeting with Department staff before submitting a project application.

This funding is available for eligible diesel emission reduction projects that will improve air quality and protect public health and the environment by reducing emissions from diesel-powered vehicles and engines. The Department is seeking applications for projects that will replace eligible diesel-powered Class 4—8 trucks with zero-emission trucks. The majority of the fleet's annual operation time must occur within this Commonwealth. Public and private entities that operate eligible diesel-powered fleets throughout this Commonwealth should apply. These entities may include municipal authorities, political sub-divisions, State agencies, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth, air quality or transportation organizations, and metropolitan or rural planning organizations.

The Department will not reimburse grant recipients for project costs incurred prior to the grant performance period set forth in the applicable grant agreement.

The Program guidelines and application instructions are available on the Department's Driving PA Forward webpage at <https://dep.pa.gov/DrivingPAForward> or by contacting the Department at ra-epvwmitigation@pa.gov or (717) 787-9495.

A recorded presentation providing an overview of the Program and application process will be available on the Department's Driving PA Forward web site during the application period. Applicants can contact the Department at ra-epvwmitigation@pa.gov or (717) 787-9495 with questions or to request clarification about the presentation or Program documents.

Preapplication meetings are required and can be requested by contacting the Department at ra-epvwmitigation@pa.gov or (717) 787-9495.

Applications must be submitted online through the Commonwealth's Electronic Single Application web site, eGrants at www.esa.dced.state.pa.us/Login.aspx. The application period is now open. Applications must be received by 11:59 p.m. on March 1, 2023, at which time the Department will review and score applications.

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 22-1833. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.depgreenport.state.pa.us/elibrary/. 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.

Draft TGD: Substantive Revision

DEP ID: 263-4500-601. **Title:** Closure Requirements for Underground Storage Tank Systems. **Description:** This guidance establishes the minimum standards that must be met to comply with the closure requirements for regulated underground storage tank systems. These procedures include closure notification, tank handling, waste management and disposal, site assessment, sampling

requirements, analytical requirements, release reporting and recordkeeping. This TGD also corrects sampling requirements to reflect regulatory requirements.

Written Comments: Interested persons may submit written comments on this draft TGD through Tuesday, December 27, 2022. Comments, including comments submitted by e-mail must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment. Written comments can also be submitted by e-mail to ecomment@pa.gov or by mail to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Danielle Mattive at dmattive@pa.gov or (717) 772-5830.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

Draft TGD: Correction

The Department published a notice at 52 Pa.B. 6932 (November 5, 2022) opening a public comment period for the TGD entitled "Small Flow Treatment Facility Manual" (DEP ID: 381-2188-005). The number was incorrect. The correct number is DEP ID: 385-2188-005 as listed as follows. The comment period is currently open and will end on January 3, 2022.

DEP ID: 385-2188-005. **Title:** Small Flow Treatment Facility Manual. **Description:** The purpose of this document is to provide guidance regarding the design, permitting, installation, operation and maintenance of domestic wastewater treatment facilities with flows not greater than 2,000 gallons per day.

Written Comments: Interested persons may submit written comments on this draft TGD through Tuesday, January 3, 2023. Comments, including comments submitted by e-mail must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment. Written comments can also be submitted by e-mail to ecomment@pa.gov or by mail to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Jay Patel at jaypatel@pa.gov or (717) 787-5017.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 22-1834. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Cleanup Standards Scientific Advisory Board Meeting Cancellation

The Cleanup Standards Scientific Advisory Board (Board) meeting scheduled for Wednesday, December 14, 2022, has been cancelled. The next Board meeting is not

yet scheduled. Information about the next meeting will be published in a future issue of the *Pennsylvania Bulletin*.

Information will also be provided on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields," then "Cleanup Standards Scientific 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 Board can be directed to Michael Maddigan at mmaddigan@pa.gov or (717) 772-3609.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-1566 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 22-1835. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Southmont of Presbyterian Seniorcare
835 South Main Street
Washington, PA 15301
FAC ID # 422902

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1836. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Recognized Lifeguard Certifying Authorities for 2023

The Department of Health (Department) has determined that the following lifeguard certifying authorities meet the requirements in 28 Pa. Code § 18.42 (relating to certified lifeguards) and are recognized by the Department as lifeguard certifying authorities for 2023: The American Red Cross; Jeff Ellis and Associates; Lifeguard-Pro; YMCA; The Boy Scouts of America; StarGuard ELITE; National Aquatic Safety Company; American Aquatics & Safety Training; United States Lifesaving Association (beach and open water); and the World Academy of Safety and Health.

For additional information or persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Limited English Proficiency Coordinator, Department of Health, Bureau of Community Health Systems, 30 Kline Plaza, Harrisburg, PA 17104, (717) 787-4366. Speech and/or hearing-impaired persons should call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1837. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Notice of Taxable and Exempt Property

The Department of Revenue (Department) is hereby giving notice to the public, in accordance with the provisions of 61 Pa. Code §§ 52.1 and 58.1 (relating to purchases of medicines, medical supplies, medical equipment and prosthetic or therapeutic devices; and publication of the list of taxable and exempt tangible personal property), of additions, deletions and revisions to the list of taxable and exempt property under the sales and use tax provisions of the Tax Reform Code of 1971 (72 P.S. §§ 7101—10004), published at 52 Pa.B. 3384 (June 11, 2022). Under 61 Pa. Code §§ 52.1 and 58.1, this list is required to be published by notice at least once every 3 years. In addition, quarterly the Department will publish notice of any additions, deletions or revisions to the list.

Copies of the Retailers' Information Booklet may be obtained by calling the 24-hour answering service numbers for forms ordering: Nationwide (800) 362-2050; and TT only (800) 447-3020.

Index to Categories

<i>Title</i>	<i>Category</i>
Books and Stationery	(1)
Business Supplies and Equipment	(2)
CBD and Hemp Products	(3)
Clothing and Accessories	(4)
Computer Hardware, Digital Products and Streaming Services	(5)

<i>Title</i>	<i>Category</i>
Consumer Fireworks Tax A. Aerial Devices, Individual B. Cake and Combination Devices C. Ground Devices, Individual D. Miscellaneous E. Novelties F. Reloadable Kits	(6)
Cosmetics and Toiletries	(7)
Farming Supplies and Equipment	(8)
Flowers, Seeds, Fertilizers, etc.	(9)
Food and Beverages Sold From a Caterer or Establishment Selling Ready-to-Eat Food	(10)
Food and Beverages Sold From a Vending Machine, Delicatessen, Grocery Store, Supermarket, Farmers Market, Bakery, Donut Shop, Pastry Shop, Convenience Store and Other Similar Establishments	(11)
Hair Goods and Notions	(12)
Hobby Supplies, Toys, Games, Radios, etc.	(13)
Home Sewing, Millinery and Craft Supplies	(14)
Household Goods and Supplies A. Soaps and Detergents B. Cleaning and Polishing Preparations C. Paper Goods D. Wrapping Supplies	(15)
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Luggage, Handbags, Carrying Bags, Wallets, etc.	(18)
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Miscellaneous	(20)
Optical Goods	(21)
Pets	(22)
Religious Articles	(23)
Restaurant Equipment and Supplies	(24)
Shoes and Shoe Accessories	(25)
Sporting Equipment, Clothing, Supplies and Recreational Equipment	(26)
Tobacco Products	(27)
Utilities and Fuel	(28)
Tires, Motor Vehicle Leases and Rental (PTA Tax)	(29)
Vehicle Rental Tax (VRT)	(30)

Listing of Taxable and Exempt Property

T—TAXABLE

NT—NONTAXABLE

***—INDICATES CHANGE OR CLARIFICATION**

****—INDICATES NEW ITEM**

(1) Books and Stationery

Tax is imposed on books, stationery and stationery supplies, including Bibles and religious publications sold by religious groups. Tax is imposed whether physically, electronically, or digitally delivered, streamed or accessed.

- T—Bibles
- T—Comic books
- T—Crossword, game books
- T—Dictionaries
- T—E-books
- T—Greeting Cards
- T—Instruction books for needle-craft, embroidery, knitting, etc.
- NT—Mail order catalogues
- NT—Newspapers of general circulation qualified to carry a legal advertisement
- T—Periodicals and magazines not purchased by subscription
- NT—Periodicals and magazines purchased by subscription
- T—Photographs
- T—School supplies, except when sold directly to a school district or qualified nonprofit educational institution
- T—Subscription to access e-books
- NT—Textbooks, when sold by a school or an authorized book store
- T—Yearbooks

(2) Business Supplies and Equipment

Generally, sales of business supplies and equipment used in construction, repair, etc., of real estate are taxable.

- T—Building materials, supplies and equipment used in construction, repair, etc., of real estate, except building machinery and equipment purchased by or for certain exempt entities
- T—Business forms such as invoices, order books, etc.
- T—Cash register receipt paper
- NT—Direct mail advertising materials, including calendars, matchbooks, etc.
- T—Display cases and merchandising equipment
- NT—Dry ice, when sold for internal packaging with the sale of property to others
- T—Fans
- T—Signs, circulars, show cards and posters
- T—Vending machines and equipment
- NT—Wrapping supplies used in connection with the sale of products

(3) CBD and Hemp Products

Cannabidiol (CBD) and hemp products are considered tangible personal property. These products are taxable unless they fall into a sales tax exemption category. Please note, this list is not a representation as to the legality of the products.

- NT—Clothing and Shoes
- NT—Edible
- NT—Gummies
- NT—Hemp Diapers
- NT—Inhaler
- NT—Nasal Spray
- NT—Oral Drops
- NT—Patch
- NT—Pills
- NT—Seed Milk
- NT—Tinctures
- NT—Superfood Supplement
- NT—Hemp Fuel (may be subject to alternative fuels)
- T—Rope
- T—CBD/Hemp mixed with beer
- T—CBD/Hemp to be vaped (also subject to Other Tobacco Tax)
- T—CBD/Hemp Flower for smoking

T—Hemp Paper
 T—Hempcrete
 T—Liquid CBD/Hemp premixed with water
 T—Lotions and Creams
 T—Post Recovery Drink
 NT—Protein Powder
 T—Soap
 T—Sunscreen
 T—Supplement (Pets)

(4) *Clothing and Accessories*

Generally, clothing is nontaxable except the following:
 (1) Formal day or evening apparel; (2) Articles made of real, imitation or synthetic fur, where the fur is more than three times the value of the next most valuable component material; and (3) Sporting goods and clothing normally worn or used when engaged in sports (See Category 26).

T—Accessories and ornamental wear
 NT—Aprons
 NT—Belts and suspenders
 T—Biking clothing
 NT—Boots and shoes, designed for everyday wear
 T—Bridal apparel and accessories
 NT—Compression clothing
 T—Corsages and boutonnieres
 T—Costumes—Halloween, Christmas, etc.
 NT—Dress shields
 NT—Face masks
 T—Formal clothing or clothing designed for formal functions and not normally worn except while attending a formal function, including mother of the bride dresses, flower girl dresses, tuxedos, dinner jackets, and formal ties.
 T—Fur, articles made of fur on hide or pelt, or any material imitative of fur, and articles of which fur, real, imitation or synthetic, is the component material of chief value; and fur trimmed articles, if the value of fur is more than three times the value of the next most valuable component material. Felt, wool or fabric is not taxable unless it resembles fur on the hide.
 NT—Garters and garter belts
 NT—Girdles
 T—Gloves, baseball, golf, racquet, etc.
 NT—Gloves, cloth and leather, for everyday wear
 NT—Gloves, gardening
 T—Gloves, sheepskin, fur, rubber
 T—Graduation caps and gowns
 NT—Gym suits
 T—Handkerchiefs
 NT—Headwear for everyday wear
 T—Helmets
 NT—Hosiery, pantyhose and peds
 NT—Hunting clothing, including camouflage and blaze orange
 NT—Leotards and tights
 NT—Leather wearing apparel
 NT—Lingerie
 NT—Maternity clothing for everyday wear
 NT—Neckwear, ties
 NT—Nightgowns
 T—Prom dresses
 NT—Rainwear
 NT—Receiving blankets
 NT—Repairing of wearing apparel
 T—Safety clothing
 NT—Scarves, for headwear and neckwear
 NT—Scout uniforms and camp clothes
 T—Sheepskin boots

T—Sheepskin coats
 NT—Stockings, including support-hose
 NT—Suspenders
 T—Swimming suits
 NT—T-shirts, imprinted
 T—Tuxedos
 T—Umbrellas
 NT—Underclothing
 NT—Work clothes, work uniforms
 NT—Yard goods (to make clothing)

(5) *Computer Hardware, Digital Products and Streaming Services*

Generally, tax is imposed upon the sale or use of computer hardware. Canned software is taxable including canned software products and services accessed by end users in Pennsylvania via computer devices, such as smartphones. Canned software is software that is not designed, created and developed for and to the specifications of an original purchaser. Additionally, sales and use tax applies to any transfer of a digital product where the purchaser pays a consideration, unless that transfer is otherwise exempt.

T—Canned computer software, whether accessed by physical medium such as a CD-ROM or accessed electronically
 T—Cellular telephones, smartphones, and accessories
 T—Computer tablets, e-readers, and accessories
 T—Desktop computer hardware and accessories such as monitors, keyboards, and mice
 T—GPS navigation equipment and services
 T—Laptop computers
 T—Mobile applications (apps); in-app purchases
 T—Non-fungible tokens
 T—Satellite radio equipment, services and subscriptions
 T—Updates and maintenance to support the above items
 T—Video and audio including downloads, subscriptions and streaming services, consoles and equipment
 T—Video games including downloads, subscriptions and streaming services, consoles and equipment

(6) *Consumer Fireworks Tax*

Retail sales of consumer fireworks are subject to the consumer fireworks tax. The imposed rate of 12% applies to the purchase price. 3 Pa.C.S. § 1112.

A. *Aerial Devices, Individual*

** T—Aerial Spinner
 ** T—Girandola
 ** T—Helicopter
 ** T—Mine and Shell Preloaded
 ** T—Mine Preloaded
 ** T—Missile—Fin Stabilized
 ** T—Missile—Spin Stabilized
 ** T—Rocket (Bottle)
 ** T—Roman Candle
 ** T—Shell Preloaded

B. *Cake and Combination Devices*

** T—Cake 200
 ** T—Cake 500
 ** T—Combination 200
 ** T—Combination 500

C. *Ground Devices, Individual*

** T—Chaser
 ** T—Crackling Ball
 ** T—Crackling Strip

- ** T—Crackling Tube
- ** T—Flasher/Strobe
- ** T—Flitter Sparkler
- ** T—Firecracker
- ** T—Fountain Cone
- ** T—Fountain Cylindrical
- ** T—Fountain Nitrocellulose
- ** T—Ground Spinner
- ** T—Illuminating Torch
- ** T—Smoke
- ** T—Snake
- ** T—Specialty Device
- ** T—Wheel
- ** T—Wire Sparkler or Dipped Stick

D. Miscellaneous

- ** T—Blank Requirements Table
- ** T—Fuse

E. Novelties

- ** T—Booby Trap/Pull Apart
- ** T—Novelty Flitter Sparkler
- ** T—Novelty Smoke Device
- ** T—Novelty Snake
- ** T—Novelty Wire Sparkler or Novelty Dipped Stick
- ** T—Party Popper
- ** T—Snapper

F. Reloadable Kits

- ** T—Aerial Shells, Reloadable Kit
- ** T—Fountains, Reloadable Kit
- ** T—Mines, Reloadable Kit

(7) Cosmetics and Toiletries

- T—After shave creams, lotions, powders
- T—Antiperspirants
- T—Aromatherapy products (candles, oils, washes, etc.)
- T—Atomizers containing perfume and other liquids
- T—Bath milks, oils, powders, salts, tablets, crystals, etc.
- T—Bath and shower gels and body shampoos
- T—Bleach creams and lotions
- T—Blush, rouges
- T—Body lotion and creams
- T—Breath fresheners and breath sprays
- T—Bubble bath preparations
- T—Cocoa butter, if advertised or labeled for cosmetic purposes
- T—Colognes
- T—Compacts containing blush or powder, compact refills
- T—Cosmetics
- T—Creams, cleansing, beauty or cold
- T—Creams, protective (having cosmetic claims or use as skin creams, antiperspirants)
- T—Cuticle softeners and removers
- T—Deodorants (even though having a medicinal or curative value, if advertised or labeled for use as a body deodorant)
- T—Deodorants (for use in closets, bureau drawers, etc., for imparting fragrance to clothing)
- NT—Deodorants, colostomy
- T—Dusting powders
- T—Eye shadows, eyeliner
- T—Eyebrow pencils
- T—Eyelash mascara and eyelash and brow dyes
- T—Face lotions, facial oils, face creams
- T—Face packs
- T—Face powders, in loose or cake and liquid form
- T—Foundation makeup

- T—Freckle removers, vanishing creams
- T—Hair conditioners and rinses
- T—Hair dyes, colorings, tints, rinses and bleaches
- T—Hair gels and mousse
- T—Hair oils
- T—Hair removers
- NT—Hair restorative medications
- T—Hair straighteners
- T—Hair straightening lotions, creams, conditioners and rinses
- T—Hairdressings, lotions, tonics and pomades (regardless of whether they are colored or scented)
- T—Hairsprays
- T—Hand lotions, creams and sanitizers
- T—Lip balm and ointments
- T—Lipsticks, lipstick refills, liquid lip color, lip liner and lip gloss
- T—Lotions, cleansing and beauty
- T—Makeup remover
- T—Manicure preparations and kits
- T—Mask preparations
- T—Massage creams
- T—Mouthwashes
- T—Nail bleaches
- T—Nail polish removers
- T—Nail polishes, nail lacquers, nail enamel
- T—Perfume novelties, containing perfume
- T—Perfumes and perfume ingredient kits
- T—Permanent waving creams, lotions, neutralizer and kits
- T—Powder bases (liquid, cream and pressed)
- T—Sachets containing powder or aroma producing materials
- T—Scalp lotions, which are used or intended for use as a treatment for dry or oily hair
- T—Shampoos
- T—Shaving preparations, creams, lotions, powders, including medicated preparations
- T—Skin balms, bleaches, creams, fresheners, lotions, oils, tonics or whiteners
- T—Sun allergy cream
- T—Sunburn preventives—suntan creams, lotions, oils, sunblock, etc.
- NT—Sunburn treatment, lotions or creams
- T—Talcum powder
- NT—Toothbrush, electric
- NT—Toothbrush, toothpaste, tooth cleaners, dental floss and replacement brushes for electric toothbrush
- T—Waterpiks and water flossers
- T—Wave set, paste, powder or lotion
- T—Wrinkle removing and concealing preparations

(8) Farming Supplies and Equipment

The tax is not imposed upon the sale of property to a farmer to be used or consumed directly in the business of producing agricultural products. Home gardening is not considered farming. See REV-1729, Tax Information for Farmers, for additional information.

- NT—Artificial breeding equipment and supplies
- NT—Blacksmith/farrier services for commercial racehorses or horses used directly in farming
- NT—Building supplies and materials used to build and repair a roofed structure or facility, or a portion of the facility, used for occupation by livestock or poultry
- T—Building supplies and materials used to build and repair a shed or other structure not used for occupation by livestock or poultry

NT—Cleaners and disinfectants used in cleaning milking equipment and to sterilize milk cans to prevent spoilage. (Property used for general farm cleaning and maintenance is taxable)

NT—Equipment used to extract a product from productive animals or from the soil, such as harvesters, combines, binders, forage blowers, milking equipment, egg collecting equipment, corn shuckers, threshers, manure handling equipment

NT—Equipment such as barn shovels, ensilage forks, wheelbarrows and feed carts

NT—Feed and feed additives for productive animals

T—Feed for the raising of non-productive animals for hunting or zoos

T—Fencing

NT—Fertilizer and chemical additives to be added to soil

T—Fire prevention and safety equipment

NT—Fuel for use in heating poultry brooder and greenhouses

NT—Fumigation services upon agricultural commodities or containers used for agricultural commodities

T—Greenhouses and mushroom houses (if permanently installed to the real estate)

NT—Grooming materials, equipment and supplies when necessary for the health of productive animals

NT—Harnesses used to control productive animals on the farm

NT—Ice

NT—Livestock equipment to dispense chemicals, medicines and feed additives

NT—Livestock feeding equipment such as tubs, buckets, cans, etc., feed scoops and portable watering devices

T—Maintenance facilities including tools, machinery and equipment to maintain machinery, equipment or building property, such as chain hoists, tire spreaders, drills, sanders, lumber, nails, wrenches, brooms, welding equipment, paint brushes and sprayers

NT—Milk strainers and strainer discs and towels (dispensars to store and dispense the discs are taxable)

T—Motor vehicles, if required to be licensed by the Pennsylvania Department of Transportation

NT—Multipurpose agricultural vehicle (ATV), when used for farming

NT—Pest control services for agricultural purposes

NT—Property which becomes an ingredient or constituent of a farm product or is consumed by productive animals or plant growth, such as seeds, fertilizer, chemical additives, etc., and property such as seeders, planters, plows, harrows, cultivators, sprayers and similar equipment used to till soil, plant, seed and care for productive plants

NT—Property used to handle, store or preserve farm products or productive animals on farm premises such as chemicals, grooming equipment (dehorners, debeakers, hoof trimmers, calf weaners, etc.)

T—Property used to transport or convey the farm product after the final farming operation

NT—Refrigeration or cooling equipment used to store and preserve farm products

NT—Replacement parts such as tires, motors, belts, cutting edges, air filters, gears and similar replacement parts installed on exempt equipment. Motor fuels, lubricants, compressed air, distilled water, abrasives and similar supplies when used in operating exempt machinery are not taxable. Tools and equipment to apply parts and supplies are taxable.

NT—Seeds

NT—Silos

T—Water heater for cleaning dairy equipment and supplies

NT—Water pump for farm use

NT—Wrapping supplies and containers which are non-returnable to deliver self-produced farm products

(9) *Flowers, Seeds, Fertilizers, etc.*

The tax is imposed upon the sale of property which is purchased by persons not engaged in the business of farming.

T—Fertilizer, sprays, insecticides

T—Gardening supplies

T—Seeds and bulbs

T—Vegetable seeds, vegetable plants, flowers and fruit trees

NT—Vegetable seeds, vegetable plants and fruit trees purchased with food stamps

(10) *Food and Beverage Sold From a Caterer or Establishment Selling Ready-to-Eat Food*

Generally, tax is imposed on food and beverages sold from a caterer or an establishment selling ready-to-eat food and beverages for consumption on or off the premises, on a take-out or to-go basis, or delivered to the purchaser or consumer. An establishment selling ready-to-eat food and beverages is defined by law to include a restaurant, cafe, lunch counter, private or social club, tavern, dining car, hotel, night club, fast food operation, pizzeria, fair, carnival, lunch cart, ice cream stand, snack bar, lunch truck, cafeteria, employee cafeteria, theatre, stadium, arena, amusement park, juice stand, carryout shop, coffee shop, popcorn stand and other establishments, whether mobile or immobile. The law specifically excludes certain businesses from this definition and these establishments are discussed in Section 11.

T—All food and beverages, in any quantity, including both food and beverages prepared on the premises and prepackaged food and beverages, unless specifically exempt

NT—Candy and gum

T—Food supplements and substitutes

NT—Ice

T—Nonalcoholic beverages

NT—Water

T—Wine, sold for consumption off-premises or on a to-go basis

(11) *Food and Beverages Sold From a Vending Machine, Delicatessen, Grocery Store, Supermarket, Farmers Market, Bakery, Donut Shop, Pastry Shop, Convenience Store and Other Similar Establishments*

Generally, tax is not imposed on food and beverages sold from other than a caterer or establishment selling ready-to-eat food and beverages. However, tax is imposed upon selected food and beverage items listed as taxable as follows, when sold from the establishments previously listed.

NT—Beer, six packs (unless sold by a distributor)

NT—Bitters and grenadine

T—Breath mints

T—Brewed coffee

NT—Candy apples

NT—Candy and gum

NT—Caramel corn

NT—Coffee beans, whole or ground

NT—Coffee, cold bottled and flavored
 T—Coffee, hot
 NT—Deli items such as meats and cheeses, potato salad, macaroni salad, etc.
 T—Energy drinks or shots 4 ounces or greater
 NT—Energy drinks or shots less than 4 ounces
 NT—Food, fruit drinks, soft drinks and sandwiches purchased with food stamps
 NT—Food supplements in any form
 NT—Fruit drinks, noncarbonated or reconstituted, containing at least 25% natural fruit juice
 T—Fruit drinks, noncarbonated or reconstituted, containing less than 25% natural fruit juice
 T—Hot beverages
 T—Hot food items
 T—Hot soup
 T—Hot pizza
 NT—Ice
 T—Ice cream, yogurt and other ice based products when hand dipped or hand served
 T—Kool-Aid
 T—Meals—not including prepackaged frozen meals or meals requiring additional preparation
 NT—Milk
 T—Nonalcoholic beverages unless specifically exempt
 NT—Party trays, vegetable, cheese, seafood, meat
 NT—Power/Energy Bars
 NT—Pretzels and chips
 NT—Protein Bars
 T—Pumpkins—for decoration
 NT—Pumpkins—for food
 T—Salad bars, self-service
 T—Sandwiches
 T—Soft drinks, bottled and non-bottled (including soft drink mixes in powder, liquid or tablet form)
 NT—Soy milk
 T—Sports drinks
 T—Sushi
 NT—Sweeteners, artificial
 NT—Tea, all forms including liquid and powdered tea, except hot tea
 NT—Water, including nonflavored mineral water
 T—Water, flavored, including vitamin water

(12) *Hair Goods and Notions*

Generally, hair goods are taxable unless the item qualifies as clothing.

T—Blow-dryers
 T—Hair goods and notions, such as barrettes, hair pins, hair nets, curlers, clips, hair bow holders, combs, brushes, chignons, bandeaux
 T—Irons, curling and flat
 T—Shower caps
 T—Wigs and toupees (the service of cleaning, styling, etc., also is taxable)

(13) *Hobby Supplies, Toys, Games, Radios, etc.*

T—Amusement rentals
 T—Audio players, components and accessories, records, compact discs
 T—Baseball, football cards, etc.
 T—Bicycles and parts
 T—Boats and equipment
 T—Bounce house rentals
 T—Games
 T—Hobby supplies
 T—Musical instruments and sheet music
 T—Photographic and projection equipment and supplies

T—Photographic services, film developing, printing, processing, mounting, coloring, etc.
 T—Playing cards
 T—Pocket knives
 T—Radios, TV sets, receiving equipment
 T—Tape recorders and tapes
 T—Toys
 T—Video cassettes and discs, recorders, players, components and accessories and cameras

(14) *Home Sewing, Millinery and Craft Supplies*

Clothing is defined as articles designed for everyday wear. Goods and items which are to become a component part of clothing are not taxable. Goods and items which become a component of articles other than clothing, such as formal wear and crafts, are taxable. Equipment and supplies used in sewing are taxable.

T—Artificial flowers
 T—Buckles for articles other than clothing
 NT—Buckles for clothing
 T—Buttons for articles other than clothing
 NT—Buttons for clothing
 T—Dress forms
 NT—Dress patterns
 NT—Dye, clothing fabric
 T—Elastics for articles other than clothing
 NT—Elastics for clothing
 T—Embroidery hoops
 NT—Embroidery of clothing
 T—Embroidery of formal wear and other items
 T—Fabrics for articles other than clothing
 NT—Fabrics for clothing
 T—Hooks and eyes for articles other than clothing
 NT—Hooks and eyes for clothing
 T—Knitting yarn for articles other than clothing
 NT—Knitting yarn for clothing
 T—Laces, ribbons, edgings, trimmings for articles other than clothing
 NT—Laces, ribbons, edgings, trimmings for clothing
 T—Needle-craft instruction books
 T—Needles
 T—Rug yarns
 T—Scissors
 T—Sewing kits
 NT—Shoulder pads
 T—Tape measures
 T—Thimbles
 T—Thread for articles other than clothing
 NT—Thread for clothing
 T—Yarn goods for articles other than clothing
 NT—Yarn goods for clothing
 T—Yarn holders
 T—Zippers for articles other than clothing
 NT—Zippers for clothing

(15) *Household Goods and Supplies*

T—Air fresheners
 T—Ant traps
 T—Basin stoppers
 T—Batteries
 T—Bedding
 T—Books
 T—Boot caddy
 T—Brooms
 T—Buckets
 T—Candles
 T—Charcoal
 T—Cloth laundry bags

T—Cloth towels, dish, bath and hand
 T—Clothesline
 T—Clothespins
 T—Coat hangers
 T—Cookware, pots and pans
 T—Cutlery
 T—Decorations, household and yard
 T—Dinnerware
 T—Dishpans
 T—Door mat
 T—Drinking glasses
 T—Easter egg color/paint
 T—Extension cords
 T—Filters, disposable air
 T—Fire extinguishers
 T—Fly swatters
 T—Fly tapes
 T—Furnishings, appliances, fittings, ornaments, furniture, equipment and accessories. Furnishings including bedding, rugs, lamps, hardware, electrical goods, mirrors, pillows, scarves for furniture, bookends, clocks, glassware, crockery, silverware, flatware and other household wares.
 T—Fuses
 T—Glue
 T—Grills, and replacement parts, utensils and scrapers
 T—Hardware and tools
 T—Household linens, blankets
 T—Insecticide sprays
 T—Ironing board and covers
 T—Jars for canning and jar lids
 T—Light bulbs
 T—Lubricating oils
 T—Matches
 T—Metal and plastic cooking utensils and flatware
 T—Mops
 T—Moth balls and moth flakes
 T—Mouse traps
 T—Needles
 T—Notebooks
 T—Oilcloth
 T—Paints, brushes and painting equipment
 T—Paint removers
 T—Plants, vegetable and flower (see Category 8)
 T—Polishing cloths
 T—Refrigerator deodorants
 T—Rubber gloves
 T—Rug shampoo applicators
 T—Salt, water softeners
 T—Sandpaper
 T—Scrub brushes
 T—Seeds, vegetable and flower (see Category 8)
 T—Shoe brushes
 T—Sponges
 T—Stationery
 T—Static control spray, sheets
 T—Thermometers
 T—Thermoses
 T—Thimbles
 T—Tie racks
 T—Toothpicks
 T—Turpentine and paint thinner
 T—Vacuum cleaners, and disposable bags, parts
 T—Ventilating fans and equipment
 T—Water filters, replacement
 T—Wax applicators
 T—Wax paraffin

A. Soaps and Detergents

T—Bleaches
 T—Cleaner, septic tank, hand, oven, toilet bowl or tile
 T—Cleansers
 T—Detergents
 T—Drain opener
 T—Dry cleaning kits
 T—Pre-soaks
 T—Rug shampoo
 T—Soaps, scented and unscented
 T—Softeners (fabric)
 T—Spot removers and stain treatments
 T—Starch
 T—Whiteners

B. Cleaning and Polishing Preparations

T—Car cleaners and waxes
 T—Glass cleaner
 T—Polishes, floor, furniture, silver and similar items
 T—Removers, rust or wax
 T—Scouring pads
 T—Steel wool

C. Paper Goods

T—Cups, paper, plastic or Styrofoam
 NT—Disposable diapers and incontinence products
 T—Drop cloths, paper and plastic
 T—Facial tissue
 T—Filters, coffee
 T—Napkins
 T—Place mats
 T—Plates, paper, plastic, or Styrofoam
 NT—Sanitary napkins, tampons or similar items used for feminine hygiene
 T—Shelf paper, liners
 T—Straws for drinking
 T—Tablecloths
 T—Toilet seat covers
 NT—Toilet tissue
 T—Towels
 NT—Wet-wipes

D. Wrapping Supplies

T—Aluminum foil
 T—Food bags
 T—Plastic wraps
 T—Tape, masking, scotch, plastic, freezer, duct
 T—Trash bags, paper and plastic
 T—Twine
 T—Wax paper
 T—Wrapping paper, including gift wrapping, ribbons, etc.

(16) Infant Supplies

T—Accessories, nursing bottles, nipples, teething beads, teethers
 NT—Bibs
 T—Car seats, infant
 T—Crib blankets
 T—Diaper bags
 NT—Diaper cream
 NT—Diaper pins
 NT—Diapers, cloth and disposable
 NT—Diaper service
 NT—Formula
 T—Furniture including cribs, high chairs and booster seats
 T—Liners, (nursing bottles)
 T—Monitors

NT—Receiving blankets for infants
 NT—Rubber pants
 T—Swim diapers
 NT—Wipes, baby

(17) *Jewelry*

T—Beads—materials used in jewelry-making
 T—Earring backs
 T—Jewelry, including those with religious symbols incorporated
 T—Jewelry, used for body piercing
 T—Jewelry repair services
 T—Ornaments and pins for hats and dresses

(18) *Luggage, Handbags, Carrying Bags, Wallets, etc.*

T—Bags, carrying, athletic, book, etc.
 T—Handbags, pocketbooks and purses
 T—Knitting bags
 T—Leather goods, except clothing
 T—Luggage, briefcases
 T—Wallets and billfolds

(19) *Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices*

The tax is not imposed on prescription or nonprescription medicines and drugs or medical supplies, crutches and wheelchairs for the use of people with disabilities, artificial limbs, artificial eyes and artificial hearing devices, when designed to be worn on the person of the purchaser or user, false teeth and materials used by a dentist in dental treatment, eyeglasses, when especially designed or prescribed by an ophthalmologist, oculist or optometrist for the personal use of the owner or purchaser, and artificial braces and supports designed solely for the use of people with disabilities, or any other therapeutic, prosthetic or artificial device designed for the use of a particular individual to correct or alleviate a physical incapacity, including, but not limited to, hospital beds, iron lungs and kidney machines.

T—Acne cleaners and acne pads
 NT—Acne treatments, lotions, creams
 T—Adhesive removers
 NT—Adhesives used for medical treatment
 T—Air cleaners and electrostatic machines
 NT—Alcohol, rubbing, swabs and wipes
 NT—Analgesics
 NT—Antacids
 NT—Antiseptics, for external use only
 NT—Applicators (See “Cotton applicators”)
 NT—Arch supports
 NT—Arm slings
 NT—Artificial eyes
 NT—Artificial limbs
 NT—Aspirin
 T—Autoclave
 NT—Automobile accessories, when noted by the Department of Transportation upon the motor vehicle operator’s license of the purchaser that such accessories are necessary, and when charges for accessories are stated separately by the vendor on the sales invoice.
 NT—Automobile wheelchair lifts
 T—Baby powder
 NT—Bandages, dressings, gauze and cotton
 T—Bath tub and bathroom safety devices
 T—Batteries, unless purchased for use in medical equipment and from a medical supply house
 NT—Bed boards
 NT—Bed drain bags

NT—Bed pans
 NT—Bed trapeze bars
 NT—Benzoin
 T—Bidet toilet seats
 T—Blankets
 T—Blood agar plates
 NT—Blood glucose monitors used to treat diabetes (therapeutic devices)
 NT—Blood pack units
 T—Blood pressure testing apparatus
 NT—Bone pins
 NT—Braces and supports worn on the body to correct or alleviate a physical incapacity
 NT—Braille teaching texts
 NT—Breast pumps
 NT—Breathing units, intermittent positive pressure
 NT—Burn ointment and lotion
 NT—Calamine lotion
 NT—Canes
 NT—Cardiac emergency kit
 NT—Cardiac pacemakers and electrodes
 NT—Castor oil
 NT—Catheters and accessories
 T—Chemical agents and related supplies for analysis of patients’ specimens
 NT—Cod liver oil
 NT—Colostomy appliances
 NT—Colostomy deodorants
 NT—Commodes, chair bedside
 NT—Commode seats, elevated for use by incapacitated persons
 NT—Contact lenses and wetting solutions
 T—Contact lenses cleaning solutions
 NT—Corn pads and plasters for the removal of corns
 NT—Cotton applicators, cotton rolls, cotton balls and cotton swabs
 NT—Cough and cold items, cough drops, cough syrups
 NT—Crutches
 NT—Crutch pads
 NT—Defibrillators
 T—Dehumidifiers
 NT—Dental floss
 NT—Dental materials which are transferred to the patient, including dentures, fillings, crowns, inlays, bridges and lingual or palatal bars
 NT—Dental supplies used in dental treatment, including x-ray film, cotton, impression and materials
 T—Dentist chair
 NT—Dentist drills, disposable
 T—Dentist replacement burs, drills, reusable
 NT—Denture products, including denture cleaners and adhesives
 T—Deodorants, personal and room
 T—Diagnostic equipment
 T—Diagnostic glassware and diagnostic testing materials
 NT—Dialysis machines
 NT—Diathermy machines
 NT—Dietary supplements and substitutes, in any form
 NT—Diet pills
 T—Disinfectants
 NT—Drapes, paper
 T—Ear plugs
 T—EKG mounts and EKG paper
 NT—Elastic bandages and braces
 T—Electrocardiocorder
 NT—Emesis basins or pans

- NT—Epsom salts
 T—Esophageal dilator
 T—Eucalyptus oil
 NT—Examining table paper
 T—Exercise equipment, including exercise bikes and treadmill exercisers
 NT—Eye ointment
 NT—Eye pads
 NT—Eye washes
 NT—Eyeglasses, prescription
 NT—False teeth
 NT—First aid kits
 NT—Fluidic breathing assistor
 NT—Food substitutes
 NT—Foot pads, insoles, all types
 NT—Foot products for treatment of infections
 NT—Gauze
 NT—Gloves, surgical, disposable
 NT—Glucose tablets
 NT—Glycerin
 NT—Gowns, medical
 NT—Hearing aids and batteries
 T—Heaters, portable, room
 NT—Heating pads
 NT—Hospital beds, having side rails, electric and non-electric with attachments
 NT—Hot water bottles
 T—Humidifiers
 NT—Hygienic needs, douche powder, vaginal preparations
 NT—Hydrocortisone cream
 NT—Hydrogen peroxide
 NT—Ice bags
 NT—Ileostomy bags
 NT—Incontinence products, including incontinence pants
 NT—Infusion pumps
 NT—Inhalation therapy equipment and equipment used to provide emergency breathing assistance
 NT—Insulin
 NT—Insulin pumps
 T—Intravenous stand
 NT—IUD devices
 T—Laboratory testing and analysis equipment and supplies
 NT—Lactose intolerance medication
 NT—Lamps, ultraviolet and infrared
 NT—Lancets
 NT—Laxatives and cathartics
 NT—Lice shampoo
 NT—Lifters, patient
 NT—Lubricating jelly
 NT—Lymphedema pumps
 T—MRI equipment
 T—Mattresses, air
 NT—Mattresses, alternating positive pressure
 NT—Mattresses and covers for hospital beds
 T—Medical alert cards
 T—Medical alert systems
 NT—Medicated powder
 NT—Medicine cups, disposable
 T—Microscopes
 NT—Milk of magnesia
 T—Mouthwashes
 NT—Muscle stimulator, electronic for physical therapy
 NT—Nasal cannula
 T—Nasal speculum
 T—Needle holder
 NT—Needles and syringes, disposable
 T—Needles and syringes, reusable
 NT—Orthodontic brackets
 T—Orthodontic trays
 NT—Orthopedic splints
 T—Overbed tables
 NT—Oxygen and oxygen equipment, when used for medical treatment
 NT—Pads, moist heat pad, alternating positive pressure pad, flotation pad, lamb's wool pad
 NT—Paraffin bath units, standard or portable
 T—Percussors
 NT—Pet medicines
 NT—Petroleum jelly
 NT—Physical therapy equipment, when designed exclusively for use in correcting or alleviating a physical incapacity
 T—Plaque remover
 T—Pore cleaners, medicated, pore strips
 NT—Postural drainage boards
 NT—Postural support chairs
 NT—Prefilled syringes for injection
 NT—Pre-moistened wipes
 NT—Prophylactics
 NT—Prostheses (mammary, malar, chin, urinary, incontinence, etc.)
 T—Pumice powder
 NT—Pump, diaphragm, pressure vacuum
 T—Razor blades, unless disposable and used for medical procedure preparation
 NT—Rectal preparations
 T—Safety grab bars
 NT—Sanitary napkins, tampons and similar items
 T—Sanitizer, air
 T—Sauna baths
 T—Scissors
 T—Shaving products
 T—Sheets, cloth
 NT—Sheets, disposable
 NT—Shoe insoles, orthopedically designed
 NT—Sitz bath
 NT—Smoking deterrents, gum and patch
 T—Soaps
 NT—Specimen containers, disposable
 T—Sphygmomanometer
 T—Sphygmostat
 NT—Stair gliders for persons having a physical disability, installed in the purchaser's home and pursuant to a physician's prescription
 T—Stethoscope
 NT—Styptic pencils
 T—Suction machines and pumps
 NT—Sunburn treatment lotions or creams
 T—Sunglasses (unless prescription)
 T—Suntan lotion, sunblock
 NT—Suppositories
 T—Surgical instruments
 NT—Surgical instruments and supplies, single use disposable
 NT—Surgical masks, disposable
 NT—Sutures
 T—Tables, bedside
 T—Tables, examining
 T—Talcum powder
 T—Teeth whitening strips
 T—Telecaption equipment
 NT—Test strips used in treatment of diabetes
 T—Testing kits, pregnancy, UTI
 NT—Thermal pads, disposable
 T—Thermometer, medical
 NT—Thermometer covers, disposable

NT—Tongue depressor, disposable
 T—Tooth whitening kits
 NT—Toothache drops
 NT—Toothbrushes
 NT—Toothpaste
 NT—Tourniquets
 NT—Trachea tubes
 NT—Traction units, including bed stand, anklet, extension, pelvic or cervical units, head holder, fracture unit with trapeze bar set, weights, weight bags, pelvic lacing belt, and over door traction equipment
 NT—Tubing, intravenous
 NT—Urine drain bag
 T—Vacutainers
 NT—Vaginal diaphragms
 T—Vapona strips
 T—Vaporizers
 NT—Vitamins
 NT—Walking bars and walkers
 NT—Wheelchairs, manual and motorized, scooters and batteries
 T—Whirlpool baths and whirlpool pumps
 T—Wigs
 T—X-ray equipment and machines
 T—X-ray film and chemicals not used by dentists

(20) *Miscellaneous*

NT—Acupuncture and massage services
 T—Antiques
 NT—Body tattooing and piercing services
 NT—Bullion, investment metal
 T—Car wash, automated or self-serve
 NT—Caskets, burial vaults, markers, interred cremation urns and tombstones for human graves, including foundations
 T—Christmas trees
 T—Coin banks and coin holders
 NT—Coins, investment (numismatic coins and legal tender)
 T—Compressed air, dispensed
 T—Corkage fee
 NT—Coupon books sold to individual consumers
 T—Cremation urns, not interred
 T—Dry ice, except when sold as an internal packaging material to retailer, manufacturer or processor
 NT—Safety equipment and devices designed and worn by production personnel employed in manufacturing, processing, mining, public utility, farming and dairying. Examples: asbestos suits, gloves, aprons, boots, masks, helmets, goggles and similar items
 T—Equipment and devices worn by nonproduction personnel
 T—Fencing materials
 NT—Flags of the United States and Commonwealth. Bunting and other flags are taxable.
 T—Flag kits, that include poles or brackets
 T—Fuel for motor vehicles, except when subject to Liquid Fuel or Fuel Use Tax
 NT—Gift cards
 NT—Golf green fees
 NT—Health club membership fees
 T—Hot tubs and spas, regardless of physician recommendation
 T—Lunch kits, thermoses and replacement parts
 T—Motor vehicle repair services (including labor), accessories, parts, supplies, lubricants, equipment, vehicle and emission inspection
 T—Paper money, which is not legal tender in the United States, is taxable on full purchase price

T—Paper money, which is legal tender in the United States, is taxable on amount in excess of face value
 NT—Parking fees (may be subject to Hotel Occupancy Tax)
 T—Party favors
 NT—Pony rides and trail rides
 T—Prepaid telephone cards
 NT—Retail club memberships
 T—Scout supplies and training manuals, except when sold to a scout troop
 T—Sheds, unless purchaser has a building permit
 T—Souvenirs
 T—Stamps, cancelled United States stamps and all foreign stamps are taxable on the full purchase price
 T—Stamps, uncanceled United States stamps are taxable on amount in excess of face value
 NT—Tanning booth fees
 NT—Tickets for admission to the theater, concerts, sporting events, amusement parks, and amusement or activity complexes
 T—Trading stamp redemption for taxable property

(21) *Optical Goods*

NT—Contact lenses, prescription, and wetting solutions
 T—Contact lenses cleaning solutions
 NT—Eyeglasses, prescription
 T—Magnifying glasses
 T—Opera glasses and field glasses
 T—Sunglasses (prescription sunglasses are exempt)

(22) *Pets*

NT—Boarding, sitting or walking
 T—Clippers and clipper lubricants
 T—Clothing
 T—Equipment (collars, leashes, etc.)
 T—Farrier services for pet horses
 NT—Flea collars, flea powder, flea and tick soap and tick sprays for use on pets
 T—Food, including food supplements and prescription food
 T—Grooming, unless performed by a veterinarian for the purpose of or incidental to medical treatment
 NT—Medicines and medical supplies
 T—Pet caskets and urns
 NT—Pet cremation and burial services
 T—Sale or rental of pets, or adoption from shelters, which includes fees for shots and spaying or neutering
 T—Shampoo
 T—Veterinarian equipment
 NT—Veterinarian services
 T—Vitamins

(23) *Religious Articles*

Bibles, religious publications and religious articles are subject to tax unless purchased by organizations qualifying as institutions of purely public charities which hold an exemption number prefixed by the number 75, and government entities.

T—Bibles
 T—Candles used in religious worship
 T—Clergy vestments and choir and altar server clothing
 T—Holy water bottles
 T—Nativity scenes
 T—Religious publications sold by religious groups
 T—Religious statues, medals and symbols used in religious worship
 T—Rosaries
 T—Wines used in religious services

(24) *Restaurant Equipment and Supplies*

Equipment, implements and similar property for use in the preparation and service of food is taxable.

- NT—Carbon dioxide for soda fountain
- T—Carbonator for soda fountain operation
- NT—Chef hats
- T—Disposable trays
- T—Equipment used to prepare and serve food and beverages
- T—Ice making equipment
- T—Latex gloves
- T—Napkins, wooden or plastic spoons, forks, straws and similar articles for use in restaurants, vending machines and other eating places
- T—Placemats
- T—Toothpicks
- T—Vending machines and equipment
- NT—Work uniforms
- NT—Wrapping supplies, paper or plastic plates, cups and similar articles for the delivery of food, used by restaurants or in vending machines

(25) *Shoes and Shoe Accessories*

Generally, shoes designed for everyday wear are exempt. However, shoes designed for formal wear or sporting activities are taxable.

- T—Bathing (swimming) shoes
- NT—Overshoes
- NT—Safety shoes
- T—Shoe brushes, applicators, and shoe trees
- T—Shoe clips
- NT—Shoe dye
- NT—Shoe laces
- NT—Shoe polish
- NT—Shoe repairs
- NT—Shoe soles and heels for shoe repair
- T—Shoes for baseball, bowling, football, golf, soccer, hockey, dance, etc.
- T—Shoes for formal wear, such as metallic cloth, brocade, satin or silver leather, primarily for formal wear
- NT—Shower clogs
- NT—Slippers
- NT—Sneakers, jogging, tennis and aerobic shoes
- NT—Toe sneakers

(26) *Sporting Equipment, Clothing, Supplies and Recreational Equipment*

Tax is imposed on sporting and recreational equipment, clothing and supplies which are designed to be worn and are normally worn only when engaged in sports.

- T—Accessories such as ammunition belts, hip waders and fly vests
- T—Ballet shoes
- NT—Baseball caps and tee shirts

- T—Bathing caps
- T—Bathing suits
- T—Beach coats
- T—Bicycles, parts, accessories and supplies
- T—Boats, pleasure boats and equipment and parts
- NT—Bowling shirts
- T—Bowling shoes, purchase and rental
- T—Equipment and supplies for baseball, football, hockey, basketball and other sports
- T—Exercise equipment
- T—Guns and ammunition
- NT—Gym suits, outfits
- T—Helmets
- T—Hunting accessories
- NT—Hunting clothing, including camouflage and blaze orange
- NT—Jogging outfits, running shoes
- T—Mats, floor
- T—Protective equipment, knee pads, elbow pads, forearm pads, etc.
- T—Sleeping bags
- NT—Sneakers, jogging, tennis and aerobic shoes, etc.
- NT—Snowmobile suits
- T—Uniforms, baseball, football, soccer, basketball, hockey, etc.
- NT—Warm-up suits, cloth sweat suits
- T—Weights
- T—Skates, ice, roller, in-line and sharpening and rental

(27) *Tobacco Products*

- T—Chewing tobacco, all types
- T—Cigarettes, little cigars
- T—Cigars, all types
- T—Electronic cigarettes and vaporizers, and accessories
- T—Smoking accessories, including lighters
- T—Tobacco, all types

(28) *Utilities and Fuel*

- T—Cellphone services
- NT—Coal
- NT—Coin-operated telephone charges
- T—Corn and corn pellets
- T—Fire logs, processed
- NT—Firewood, kindling and wood pellets or bricks made from pure sawdust for residential use
- T—Fuel oil, gas, steam or electricity purchased for commercial use
- NT—Fuel oil, gas, steam or electricity purchased for residential use
- T—Interstate and intrastate telephone services for residential or commercial use
- T—Basic telephone service and subscriber line charges for commercial use
- NT—Basic telephone service and subscriber line charges for residential use
- T—Utilities for office or business within home

(29) *Tires and Motor Vehicle Leases and Rentals Subject to Public Transportation Assistance Fund Taxes and Fees (PTA) (61 Pa. Code § 47.19)*

The following items are subject to a Public Transportation Assistance Fund Taxes or Fees as indicated. The tax or fee is in addition to any Sales or Use Tax which may be due. However, the Sales, Use, PTA Taxes or PTA Fees shall not be included within the tax base when imposing such taxes or fees.

<i>Item</i>	<i>PTA Tax / Fee</i>	<i>Exemption</i>
Tires, new tires for highway use (used tires and tires for off highway use are not subject to the fee)	\$1 fee upon the sale of each new tire	Exempt only if purchased by a government entity

<i>Item</i>	<i>PTA Tax / Fee</i>	<i>Exemption</i>
Rentals of Motor Vehicles (the term rental shall mean the transfer of the possession of a motor vehicle for a period of less than 30 days)	\$2 fee upon each rental day or part thereof	Exempt, if lessee qualifies for sales tax Exemption
Leases of Motor Vehicles (the term lease shall mean the transfer of the transfer of possession of a motor vehicle for a period of 30 or more days)	3% tax upon the total lease payment including down payment and accelerated lease payments	Exempt, if lessee qualifies for sales tax Exemption

(30) *Vehicle Rental Tax (VRT) (61 Pa. Code § 47.20)*

Rental companies that have available for rental, 5 or more motor vehicles designed to carry 15 or less passengers, or a truck, trailer or semi-trailer used in the transportation of property, other than commercial freight that is rented without a driver, are responsible for collecting an additional 2% tax. This tax is imposed on the purchase price, as calculated for Sales Tax purposes, of each rental contract for a period of 29 consecutive days or less. The VRT is separate from, and in addition to, any applicable state or local Sales Tax or the \$2 daily PTA fee.

Effective October 30, 2017, a prorated partial day fee for carsharing services was provided as a clarification to the current vehicle rental fee.

The fee schedule is as follows:

<i>Rental Interval</i>	<i>Fee</i>
Less than 2 hours	25¢
2 to 3 hours	50¢
More than 3 hours	\$1.25
4 or more hours	\$2

Rental companies may claim a refund up to the amount of tax remitted for licensing and titling fees paid to the Commonwealth during a previous calendar year.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1838. Filed for public inspection November 23, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Advisory Committee Meeting

The State Transportation Advisory Committee will hold a meeting on Tuesday, December 6, 2022, from 10 a.m. to 12 p.m. This meeting will be held in the Keystone Building, 8N1, 400 North Street, Harrisburg, PA and by means of Microsoft Teams. The meeting information including the agenda is available at <https://bit.ly/3gUAAoF>.

For more information, contact the Office of the State Transportation Commission, (717) 787-2913, RA-PennDOTSTC@pa.gov.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-1839. Filed for public inspection November 23, 2022, 9:00 a.m.]

Unless formal administrative action is taken prior to February 10, 2023, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over the word "Consumers," then select "Pending Long Term Care Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-1840. Filed for public inspection November 23, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Assurity Life Insurance Company; Rate Increase Filing for AL2100P-PA and AL2102P-PA (LFCR-133460458); Rate Filing

Assurity Life Insurance Company is requesting approval to increase the premium 95.31% on 12 policyholders with individual LTC forms AL2100P-PA and AL2102P-PA.

INSURANCE DEPARTMENT

CMFG Life Insurance Company; Rate Increase Filing for 2006-LTC-COMP(PA) (CUNA-133455533); Rate Filing

CMFG Life Insurance Company is requesting approval to increase the premium 8.5% on 849 policyholders with individual LTC form 2006-LTC-COMP(PA).

Unless formal administrative action is taken prior to February 10, 2023, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over the word "Consumers," then select "Pending Long Term Care Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-1841. Filed for public inspection November 23, 2022, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a public meeting of the Authority's Board to be held virtually by means of the Authority's webinar platform Zoom on Thursday, December 8, 2022, at 1 p.m. and is open to the general public.

There will be Zoom capabilities to attend the Board meeting remotely, so registration is required.

Individuals can register by going to <https://us06web.zoom.us/meeting/register/tZwucOCqT0rE9JyLDeAsQkESmGqpfBR-eMQ>.

After registering, individuals will receive a confirmation e-mail containing information about joining the public meeting.

Individuals who are unable to sign in with the previously listed link may dial-in by using the following information:

Meeting ID: 883 7927 6196

Passcode: 6aW49t

One tap mobile:

+1-301-715-8592, 88379276196# US (Washington DC)
+1-312-626-6799, 88379276196# US (Chicago)

Dial by individual's location:

+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 720 707 2699 US (Denver)

Meeting ID: 883 7927 6196

Find individual's local number: <https://us06web.zoom.us/j/krNuPjYyK>

Individuals with questions regarding this public meeting should contact the Authority at (717) 346-0469.

A closed executive session of the Authority's Board of Directors will be held on December 8, 2022, at 12:30 by means of Zoom. The purpose of the executive session is for consideration of personnel matters and to engage in nondeliberative informational discussions regarding various actions and matters which have been approved at previous public meetings.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,
Executive Director

[Pa.B. Doc. No. 22-1842. Filed for public inspection November 23, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Certificates of Public Convenience

A-2022-3036744 and A-2022-3036745. Community Utilities of Pennsylvania, Inc. Application of Community Utilities of Pennsylvania, Inc. for certificates of public convenience under 66 Pa.C.S. §§ 1102(a)(3) and 1103 (relating to enumeration of acts requiring certificate; and procedure to obtain certificates of public convenience) and all other approvals necessary under the Public Utility Code for approval of a merger of equals transaction.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 12, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Community Utilities of Pennsylvania, Inc., 570 Hallet Road, East Stroudsburg, PA 18301

Through and By Counsel: Whitney E. Snyder, Esquire, Thomas J. Sniscak, Esquire, Phillip D. Demanchick Jr., Esquire, Hawke McKeon & Sniscak, LLP, 100 North Tenth Street, Harrisburg, PA 17101, (717) 236-1300, tjsniscak@hmslegal.com, wesnyder@hmslegal.com, pddemanchick@hmslegal.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1843. Filed for public inspection November 23, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellation of a Company with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held
November 10, 2022

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; Stephen M. DeFrank, Vice Chairperson; Ralph V. Yanora; Katheryn L. Zerfuss; John F. Coleman, Jr.

Electric Generation Supplier License Cancellation of a Company with an Expired Financial Security, Insufficient Financial Security Amount or Language; M-2022-3030286

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on

the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferably in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of November 1, 2022, the EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

Supplier Table

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2017-2585765	ENERGY PARADIGM, LLC	10/25/2022	Yes

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to the entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to the entity's security expiration date. The company listed in the Supplier Table did not provide the required documentation.

Based on the above facts, we tentatively conclude that the EGS listed in the Supplier Table is not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of the company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of the company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and the Electric Generation Supplier listed in the Supplier Table; (ii) publish a copy of this Tentative Order

in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at the Electric Generation Supplier's assigned docket number.

3. To the extent the Electric Generation Supplier listed in the Supplier Table challenges the cancellation of its license, it must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2022-3030286 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

4. Alternatively, the Electric Generation Supplier listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of the Electric Generation Supplier for failing to respond.

6. Upon entry of the Final Order, if the Electric Generation Supplier that remains listed is not in compliance with 52 Pa. Code § 54.40(a) and (d) it will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Supplier is licensed to do business.

7. Upon entry of the Final Order, if the Electric Generation Supplier fails to respond, it will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, the electric distribution companies in which the Electric Generation Supplier is licensed to do business, shall return the customers of the Electric Generation Supplier to default service.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: November 10, 2022

ORDER ENTERED: November 10, 2022

[Pa.B. Doc. No. 22-1844. Filed for public inspection November 23, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Findings; Telephonic Prehearing Conference

P-2022-3036554. Mid-Atlantic Interstate Transmission, LLC and Metropolitan Edison Company. Joint petition of Mid-Atlantic Interstate Transmission, LLC and Metropolitan Edison Company for findings that structures to shelter control equipment at the proposed Klecknersville Substations in Moore Township, Northampton County, are reasonably necessary for the convenience or welfare of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 12, 2022. 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 applicant. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address.

Applicants: Mid-Atlantic Interstate Transmission, LLC; Metropolitan Edison Company

Through and By Counsel: Garrett Lent, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, glent@postschell.com

Telephonic Prehearing Conference

A telephonic prehearing conference on the previously captioned case will be held as follows:

<i>Date:</i>	Friday, December 16, 2022
<i>Time:</i>	10 a.m.
<i>Presiding:</i>	Administrative Law Judge Gail M. Chiodo (717) 787-1399, fax (717) 787-0481

At the previously listed date and time, individuals must call into the prehearing conference. Individuals will not be called by the Presiding Officer.

To participate in the telephonic prehearing conference, individuals must:

- Dial the following toll-free number.
- Enter the PIN number when instructed to do so, listed as follows.
- Speak the individual's name when prompted.
- The telephone system will connect individuals to the telephonic prehearing conference.

Toll-free bridge number: (877) 929-1529

PIN number: 27666478

To become a party of record, individuals must file a protest or petition to intervene with the Commission's Secretary's Bureau on or before Monday, December 12, 2022, and serve a copy on Administrative Law Judge Gail M. Chiodo at the previously provided address.

Individuals who require an interpreter to participate in the telephonic prehearing conference, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the telephonic prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1845. Filed for public inspection November 23, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 21, 2022. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by December 12, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary author-

ity application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2022-3036430. Limo Bros, LLC (503 Saxa Way, Harrisburg, Dauphin County, PA 17112) persons in limousine service, between points in Pennsylvania, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Kenneth R. Stark, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

A-2022-3036629. Kree Transportation, LLC (3580 Indian Queen Lane, # 11A, Philadelphia, Philadelphia County, PA 19129) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, between points in the Counties of Chester, Delaware and Montgomery, and the City and County of Philadelphia.

A-2022-3036661. Golden Years Concierge Service, LLC (5231 Euclid Street, Philadelphia, Philadelphia County, PA 19131) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia to points in Pennsylvania, and return.

Applications 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 each application.

A-2022-3036210. New Beginning's Moving & Hauling, LLC (611 Foxcroft Circle, Royersford, Montgomery County, PA 19468) household goods in use between points in Pennsylvania. *Attorney:* Andrew J. Horowitz, 525 William Penn Place, Suite 1710, Pittsburgh, PA 15219.

A-2022-3036576. Packhorse Moving, LLC (2820 Audubon Village Drive, Suite 225, Audubon, Montgomery County, PA 19403) to transport, as a common carrier, 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 convenience as described under each application.

A-2022-3035854. KDDS Services, LLC (2576 East Valley Road, Loganton, Clinton County, PA 17747) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Centre, Clinton, Lycoming and Union, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority, as originally docketed at A-2015-2473370.

A-2022-3036204. Health Star Personal Care Transportation, LLC (13049 Frankstown Road, Penn Hills, Allegheny County, PA 15235) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in paratransit

service, as more thoroughly described in the original ordering paragraphs at A-2017-2621825 and 2019-2031436. *Attorney:* Kayla M. Zizzi, Esquire, 300 Corporate Center Drive, Suite 200, Camp Hill, PA 17050.

A-2022-3033160. J. Clyde Smith, III, t/a J.C. Smith Travel (5263 Spring Road, Shermans Dale, Perry County, PA 17090) for the discontinuance and the cancellation of the individual's right, to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Cumberland and Perry to all airports in Pennsylvania, and vice versa.

A-2022-3036678. Tzadik Multiservice & Transportation, LLC (283 Fairfield Circle West, Royersford, Montgomery County, PA 19468) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6424374, persons in limousine service, from points in Schuylkill 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. 22-1846. Filed for public inspection November 23, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer of Electrical Facilities

A-2022-3036740. West Penn Power Company. Application of West Penn Power Company for approval to transfer certain electrical facilities to a customer, Perryman Company, in Washington County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, December 12, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120 or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: West Penn Power Company

Through and By Counsel: Angelina Umstead, Attorney, FirstEnergy Service Company, 2800 Pottsville Pike, P.O. Box 16001, Reading, PA 19612-6001, (610) 921-6658, aumstead@firstenergycorp.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1847. Filed for public inspection November 23, 2022, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Sunny Hill Acres—Broiler Farm Operator: Allen S. Weaver 158 Lohr Road Mifflinburg, PA 17844	Union County/ Buffalo Township and West Buffalo Township	197.66	Broilers	Amended	Approved
Matthew S. Martin— Kenbrook Road Farm 1830 Kenbrook Road Lebanon, PA 17046	Lebanon County/ Swatara Township and North Lebanon Township	330.22	Broilers/ Sheep	Amended	Approved
Schrack Farms—Home Farm James Harbach 860 West Valley Road Loganton, PA 17747	Clinton County/ Greene Township	600	Cattle	Amended	Approved
Aaron Hawbaker 6842 Buttermilk Road Waynesboro, PA 17268	Franklin County/ Quincy Township	114.79	Duck	Existing	Rescind
Lamar Brubacker 294 Sawmill Road Liverpool, PA 17045	Snyder County/ Chapman Township	193.6	Broiler	Existing	Rescind
Clark Crest Farm, Inc. Ronald Clark 754 Solanco Road Quarryville, PA 17566	Lancaster County/ East Drumore Township	63.7	Swine	Existing	Rescind

RAMEZ ZIADEH, P.E.,
Chairperson

[Pa.B. Doc. No. 22-1848. Filed for public inspection November 23, 2022, 9:00 a.m.]

