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Agencies in this issue

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Department of Agriculture

Department of Banking and Securities

Department of Community and Economic
Development

Department of Environmental Protection

Department of Health

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Department of Labor and Industry

Department of Transportation

Insurance Department

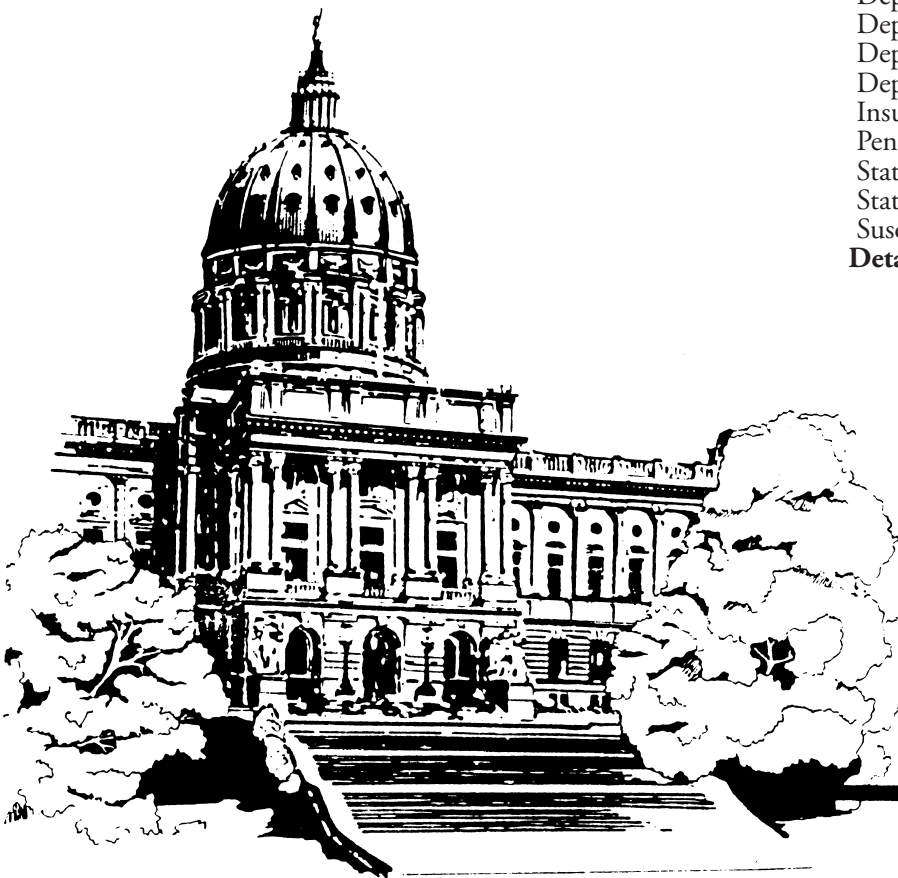
Pennsylvania Public Utility Commission

State Board of Nursing

State Conservation Commission

Susquehanna River Basin Commission

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

No. 581, April 2023

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2023.

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 81]

Order Amending Rule 1.19 of the Rules of Professional Conduct; No. 232 Disciplinary Rules Docket

Order

Per Curiam

And Now, this 11th day of April, 2023, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania, the proposal having been submitted without publication in the interests of justice and efficient administration pursuant to Pa.R.J.A. No. 103(a)(3),

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1.19 of the Rules of Professional Conduct is amended in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

Justice Donohue notes her dissent.

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

Deletions from the rules are shown in bold and in brackets.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

CLIENT-LAWYER RELATIONSHIP

Rule 1.19. Lawyers Acting as Lobbyists.

(a) A lawyer acting as lobbyist, as defined in any statute, resolution passed or adopted by either house of the Legislature, regulation promulgated by the Executive Branch or any agency of the Commonwealth of Pennsylvania, or ordinance enacted by a local government unit, shall comply with all regulation, disclosure, or other requirements of such statute, resolution, regulation or ordinance which are consistent with the Rules of Professional Conduct.

(b) Any disclosure of information relating to representation of a client made by the lawyer-lobbyist in order to comply with such statute, resolution, regulation or ordinance is a disclosure explicitly authorized to carry out the representation and does not violate Rule 1.6.

(c) A lawyer whose service as a public officer or public employee of a governmental body concludes on or after June 1, 2023, shall not act as a lobbyist, as defined in any statute, resolution passed or adopted by either house of the Legislature, regulation promulgated by the Executive Branch or any agency of the Commonwealth of Pennsylvania or ordinance enacted by a local government unit, on any matter before the governmental body with which the lawyer had been associated for one year after termination of the lawyer's service as a public officer or public employee.

* * * * *

[Pa.B. Doc. No. 23-530. Filed for public inspection April 21, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LUZERNE COUNTY

Criminal Division of the Courts Department of Probation Services Adult Division—DUI Treatment Court; No. CP-40-MD-0000264-2023

Administrative Order

And Now, this 3rd day of March, 2023, at 10:15 o'clock a.m., it is hereby *Ordered* and *Decreed* that effective March 3, 2023, in accordance with 18 P.S. § 11.1102(c) every defendant placed under supervision of the Department of Probation Services—Adult Division-specific acceptance and placement into DUI Treatment Court shall pay:

All defendants will also pay \$45.00 toward the costs of administrative fee with regard to the immediate criminal action which has resulted in acceptance into Luzerne County DUI Treatment Court. Monies will be paid directly to the Department of Probation Services.

○ Restitution to victim(s) in the criminal actions shall be paid by the offender on a plan set forth by the Department of Probation Services—Court Collections Division within the time frame allotted during DUI Treatment Court supervision. Restitution to victim(s) is considered a priority and the Court shall determine restitution to be imposed. The Court shall state in the sentencing order:

1. the amount of restitution ordered;
2. the details of any payment plan after evaluation of defendant income;
3. the identity, address and contact information of the payee(s);
4. that the restitution payment shall be made to the Department of Probation Services;
5. any on-going victim expenses that may need to be reviewed at a future time;
6. whether any restitution has been paid directly to the victim;

7. responsible for the fees to the electronic monitoring device used during the time in the DUI Treatment Court Program, the fee will be paid to the provider of the device.

- Defendants accepted into DUI Treatment Court will also be responsible for reimbursement of the costs of all positive drug testing and lab fees associated thereof. Fee schedule will be provided by the DUI Treatment Court Coordinator to the Courts Collection Division of the Department of Probation Services.

In accordance with the implementation and administration of Luzerne County DUI Treatment Court services, fees and costs may be adjusted hereto forward by Order of Court upon review of program requirements and services provided.

The defendant's financial obligations as ordered by the Court shall be considered a condition of sentencing and of supervision and failure to pay such shall be considered by the Court to be a violation of the Order and the defendant shall be exposed to the full Contempt power of the Court. At the time of sentencing, the current legal residence of the offender shall be established and made a part of the sentencing order along with personal identifiers for clear defendant tracking.

In those instances, where a defendant has multiple financial obligations owed to the Court, the defendant and the Department of Probation Services—Court Collection Division shall apportion the offender financial obligations in accordance with its existing practices and procedures. Treatment Court shall coordinate with the Court Collection Division of the Department of Probation Services regarding enforcement of policy and procedures, including liens, Court Compliance Enforcement Hearings, license suspensions, etc., and petitions for Contempt of Court.

Any defendant committed to, remanded to, or detained in a jail or prison for a violation of Luzerne County DUI Treatment Court—Order of Court, shall have his/her supervision fees accrue until such time as the Court makes determination as to his/her participation in the program. Upon release, supervision fees shall be reassessed by the Department of Probation Services—Court Collection Division, if the defendant will be under continued supervision.

Restitution as ordered by the Court shall not be waived and defendant will be responsible for payment until such time that it is paid in full. Mechanisms for monitoring defendant's compliance after the term of supervision shall be addressed by DUI Treatment Court and the Department of Probation Services—Court Collection Division.

It is further Ordered and directed that the Luzerne County District Court Administrator shall:

1. File seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts,
2. Two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,
3. One (1) certified copy to the Criminal Procedures Rules Committee,
4. One (1) copy to the *Luzerne Legal Register* for publication in the next issue,
5. One (1) copy to the Wilkes-Barre Law and Library Association,

6. Keep continuously available for public inspection copies of this Administrative Order in the Office of Court Administration, Office of Judicial Records and Services (Criminal Division),

7. This Order shall also be published on the web site of the Administrative Office of Pennsylvania Courts (www.aopc.org) as well as the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

By the Court

MICHAEL T. VOUGH
President Judge

[Pa.B. Doc. No. 23-531. Filed for public inspection April 21, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Harry Tun, (# 50775), having been disbarred in the District of Columbia Court of Appeals, the Supreme Court of Pennsylvania issued an Order April 6, 2023, disbaring Harry Tun, from the Bar of this Commonwealth, effective May 6, 2023.

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

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-532. Filed for public inspection April 21, 2023, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 39th Judicial District of the Commonwealth of Pennsylvania; No. 531 Magisterial Rules Docket

Order

Per Curiam

And Now, this 6th day of April 2023, upon consideration of the Petition to Reestablish the Magisterial Districts of the 39th Judicial District (Franklin and Fulton Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, to the extent it provides that the President Judge reevaluate the Franklin County magisterial districts in 2026 and submit a new proposal with respect to those districts to the Court no later than July 1, 2026, is granted; however, that new proposal shall use caseload, workload, and demographic data from January 1, 2022 through December 31, 2025 and comply with reestablishment guidelines.

It is further *Ordered and Decreed* that the Petition, to the extent it provides for the reestablishment of Fulton County Magisterial Districts 39-4-01, 39-4-02, and 39-4-03 to be effective immediately, is granted.

Said Fulton County Magisterial Districts shall be as follows:

Magisterial District 39-4-01 Magisterial District Judge Devin C. Horne	Dublin Township Licking Creek Township Taylor Township Wells Township
--	--

Magisterial District 39-4-02 Magisterial District Judge David A. Washabaugh	McConnellsburg Borough Ayr Township Todd Township
Magisterial District 39-4-03 Magisterial District Judge Tamela M. Heming	Valley-Hi Borough Belfast Township Bethel Township Brush Creek Township Thompson Township Union Township

[Pa.B. Doc. No. 23-533. Filed for public inspection April 21, 2023, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 123]

Impairment Ratings

The Department of Labor and Industry (Department), Bureau of Workers' Compensation (BWC) proposes to amend Subchapter B (relating to Impairment Ratings) of Chapter 123 (relating to General Provisions—Part II) in conformance with the act of October 24, 2018 (P.L. 714, No. 111) (Act 111 of 2018) and recent case law.

Statutory Authority

The Department proposes these amendments under the authority contained in sections 401.1 and 435(a) of the Workers' Compensation Act (act) (77 P.S. §§ 710 and 991(a)) and section 2205 of The Administrative Code of 1929 (71 P.S. § 565).

Background

In 2016, the Pennsylvania Supreme Court determined that the then-existing provisions of the act governing Impairment Rating Evaluations (IREs) was an unconstitutional delegation of legislative authority. *Protz v. Workers' Compensation Appeal Bd. (Derry Area School District)*, 161 A.3d 827 (Pa. 2016). In response, the General Assembly enacted Act 111 of 2018, which repealed section 306(a.2) of the act (77 P.S. § 511.2) and replaced it with section 306(a.3) (77 P.S. § 511.3), altering the statutory scheme governing the IRE process. Section 306(a.3) has been found constitutional. *Pennsylvania AFL-CIO v. Commonwealth of Pennsylvania et al.*, 219 A.3d 306 (Pa. Cmwlth. 2019) *aff'd per curiam* (Aug. 18, 2020).

Act 111 of 2018 changed the IRE process in two ways; it required IRE determinations to be made under the American Medical Association (AMA) "Guides to the Evaluation of Permanent Impairment," 6th edition (second printing April 2009) and it reduced the threshold impairment rating from 50% to 35%. See 77 P.S. § 511.3(1) and (2). The Department's existing regulations concerning impairment ratings are based on the now-repealed section 306(a.2) and are therefore inconsistent with the act.

The existing regulations do not specify the edition of the AMA Guides to the Evaluation of Permanent Impairment that must be used to conduct IREs. Additionally, the existing regulations provide that impairment rating of less than 50% is required to adjust the employee's benefit status from total to partial. See 34 Pa. Code § 123.105(d), (e) (relating to impairment rating determination). This is inconsistent with Act 111 of 2018, which provides that an employee is totally disabled if the impairment rating is equal to or greater than 35%.

In addition to the changes made in Act 111 of 2018, the IRE process has been the subject of a number of appellate court holdings. Cases decided since the regulations were enacted have addressed the timing of IREs and whether the relief, if appropriate, is automatic; whether an employer may designate the IRE physician for the second IRE; and the employee's basis for appeal of the adjustment of benefit status during employee's receipt of 500 weeks of partial disability benefits. Specifically, in *Gardner v. WCAB (Genesis Health Ventures)*, 888 A.2d 758, 759 (Pa. 2005), the Pennsylvania Supreme Court

clarified issues concerning the timing of IREs to obtain an automatic reduction in benefits. The Court held that "once a claimant receives, that is, comes into possession, of 104 weeks of total disability benefits, the insurer has sixty days from that date during which it must request that the claimant submit to an IRE for the purposes of obtaining the automatic relief set forth in 77 P.S. § 511.2(2)." *Id.* at 767-68. However, the failure to request submission to an IRE during this 60-day time limit does not preclude an insurer from requesting claimant submit to a later IRE, the results of which would not be self-executing, but rather subject to the "traditional administrative process." *Id.* at 768. The Court refers to the traditional administrative process in reference to the former subsection 306(a.2)(5) which, per the Court, "requires an adjudication or agreement under 77 P.S. § 512 before benefits may be modified. . ." *Id.* at 766; see also *Womack v. WCAB (School Dist. of Philadelphia)*, 83 A.3d 1139, 1146 (Pa. Cmwlth. 2014) (citing *Id.* at 768 (a utilization review matter which referenced the traditional administrative process as stated by Gardner as "an adjudication or agreement between the parties.")). In *Lewis v. WCAB (Wal-Mart Stores, Inc.)*, 856 A.2d 313, 317-18 (Pa. Cmwlth. 2004), Commonwealth Court held that the insurer has "the right to two IREs within a twelve-month period." Furthermore, the employer is not authorized to unilaterally designate an IRE physician; rather, "agreement of the parties or Bureau designation are the sole and exclusive avenues for physician selection." *Id.* at 319. Finally, in *Johnson v. WCAB (Sealy Components Group)*, 982 A.2d 1253, 1257, 1260 (Pa. Cmwlth. 2009), Commonwealth Court determined Claimant's appeal of the IRE determination (based on the lack of the doctor's qualifications) almost a year after she received a Notice of Change of Workers' Compensation Disability Status was prohibited because she "did not produce the determination mandated by Section 306(a.2)(4) of the Act showing that she met the threshold impairment rating. . ."

The proposed amendments adjust remaining regulatory sections to conform with Act 111 of 2018. They also address the appellate court holdings outlined previously and create a regulatory scheme consistent with the direction of the courts.

Compliance with Executive Order 1996-1

The Department engaged in public and stakeholder outreach during the drafting process. The Department sought comment from all participants in the workers' compensation system through its Workers' Compensation Automation and Integration System (WCAIS). WCAIS is the enterprise tool used regularly by every workers' compensation employer, insurer (or self-insurer) and legal practitioner to file and manage workers' compensation claims.

Four comments were received, which the Department has carefully reviewed. At least one comment dealt with a statutory provision that the Department does not have authority to alter. There was also a request to extend the comment period and a request for a copy of the regulation. An additional public comment period will follow publication of this proposed rulemaking. The Department will review all comments submitted in response to this proposed rulemaking.

Purpose

These proposed amendments seek consistency with Act 111 of 2018 and recent case law, thereby preventing confusion between the regulations and corresponding statute or case law. These changes will avoid unnecessary litigation resulting from outdated regulations which will prevent clogging of the dockets and result in cost savings to the courts and parties.

Affected Persons

The persons affected by the proposed amendments include the physicians performing IREs, workers' compensation judges and staff, Workers' Compensation Appeal Board and staff, appellate courts and administrators, attorneys practicing workers' compensation, the Department's BWC Health Care Services division, and parties seeking and defending against IREs. The parties in workers' compensation cases include injured employees, self-insured employers, employers, insurance companies issuing workers' compensation policies, and the Department's BWC representing special funds created under the act.

Fiscal Impact

The amendments will not result in increased costs to the public or private sectors. The proposed amendments are designed to conform the regulations to the act, as amended, which would reduce confusion and unnecessary litigation caused by outdated regulations. Because the workers' compensation system is funded through assessments on workers' compensation insurance carriers and self-insured employers, any savings realized in the administration of the system may result in savings to the regulated community through lowered assessments. See section 446 of the act (77 P.S. § 1000.2), creating the Workers' Compensation Administration Fund and providing for maintenance of the fund through an annual assessment.

*Summary of Proposed Rulemaking**§ 123.101. Purpose*

This section is proposed to be amended to delete an obsolete reference to section 306(a.2) of the act. Section 306(a.2), regarding IREs, was repealed by Act 111 of 2018 and replaced by section 306(a.3), regarding IREs.

§ 123.102. IRE requests

Subsection (a) is proposed to be amended to require the adjustment of an employee's benefits status be automatic and relate back to the expiration of the employee's receipt of 104 weeks of total disability benefits, if the evaluation is scheduled to occur during the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits. This subsection is further amended to indicate that if the evaluation is requested and occurs beyond the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits, then the adjustment of disability status must be achieved through litigation and, if successful, shall be effective as of the date of the evaluation or as determined by the evaluating physician.

The proposed amendments to subsection (c) confirm the adjustment of disability status shall be automatic and relate back to the expiration of the employee's receipt of 104 weeks of total disability benefits if the insurer requests the IRE during the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits and the employee fails, for any reason, to attend the IRE, resulting in the performance of the IRE more than 60 days beyond the expiration of the 104 week period.

Lastly, subsection (f) is proposed to be amended to refer to the correct section of the act based on Act 111 of 2018 and to again clarify that where an IRE is performed outside the 60-day window after the receipt of 104 weeks of total disability benefits because of the insurer's failure to timely request it must be subject to a modification or other appropriate petition before benefits can be reduced.

§ 123.103. Physicians

The proposed amendments to subsection (d), paragraphs (1) and (2), require physicians designated by the Department to perform IREs to attend a Departmentally approved training course on the performance of evaluations under the AMA "Guides to the Evaluation of Permanent Impairment," 6th edition (second printing April 2009) and provide certification upon passage of a Departmentally approved examination on the performance of evaluations under the AMA "Guides to the Evaluation of Permanent Impairment," 6th edition (second printing April 2009), to be consistent with the requirements of Act 111 of 2018 that impairment rating be determined under the AMA Guides 6th edition (second printing, April 2009).

§ 123.104. Initial IRE; designation of physician by Department

The title of this section is proposed to be amended to correctly identify that it deals with the designation of physicians by the Department, not limited to the initial IRE.

This section is proposed to be amended to delete the first sentence of subsection (b), which incorrectly indicates the Department's duty to designate an IRE physician pertains only to the initial IRE request.

§ 123.105. Impairment rating determination

Subsection (a) is proposed to be amended to conform with Act 111 of 2018 and require that IREs be performed using the 6th edition (second printing April 2009) of the AMA "Guides to the Evaluation of Permanent Impairment."

Proposed subsection (c) requires that the Face Sheet be attached to a Report of Medical Evaluation as specified in the AMA "Guides to the Evaluation of Permanent Impairment," 6th edition (second printing April 2009).

Subsection (d), including paragraph (1), is proposed to be amended to reflect the change in the threshold impairment rating required to adjust the employee's benefits status from total to partial from less than 50% to less than 35%. It also reflects the applicability of this section to those evaluations conducted during the 60-day period subsequent to the expiration of the 104-week period, to reflect the changes in case law described previously in the Background section. See also subsection (e) as follows.

Subsection (d.1) is proposed to be added to address the timing of IREs and, if appropriate, whether the results of the IRE are automatic thereby requiring use of Form LIBC-764, "Notice of Change in Workers' Compensation Disability Status" (Form LIBC-764) or can only be achieved through litigation. Specifically, this subsection is proposed to be amended to clarify that Form LIBC-764 shall be used when the IRE is requested and performed during the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits and results in an impairment rating of less than 35%. This subsection is also proposed to be amended to require the adjustment of the disability status be achieved through the traditional administrative process, not by completing Form LIBC-764, if the evaluation is requested and occurs beyond the 60-day period subse-

quent to the expiration of the employee's receipt of 104 weeks of total disability benefits and results in an impairment rating of less than 35%.

Subsection (e) is proposed to be amended to reflect the change the threshold impairment rating required to adjust the employee's benefits status from total to partial from less than 50% to less than 35%.

Lastly, subsection (f) is proposed to be amended to provide that the employee may appeal the adjustment of benefit status to a workers' compensation judge at any time during the employee's receipt of 500 weeks of partial benefits provided there is a determination that the employee meets the threshold rating that is equal to or greater than 35% impairment under the 6th edition (second printing April 2009) of the AMA "Guides to the Evaluation of Permanent Impairment."

Reporting, Record-Keeping and Paperwork Requirements

The existing forms used by the parties and the BWC have already been modified to be consistent with Act 111 of 2018. The proposed amendments do not require further modification to the existing forms, and thus do not impose any additional reporting, recording or paperwork requirements on either the Commonwealth or the regulated community.

Sunset Date

A sunset date is not appropriate for this proposed rulemaking. The BWC will periodically monitor this proposed rulemaking and submit amendments as needed.

Effective Date

This proposed rulemaking will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

Contact Person

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Marianne H. Saylor, Esquire, Director, Bureau of Workers' Compensation, 651 Boas Street, 8th Floor, Harrisburg, PA 17121, masaylor@pa.gov within 30 days after publication in the *Pennsylvania Bulletin*.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 12, 2023, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Labor and Industry Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

NANCY WALKER,
Acting Secretary

Fiscal Note: 12-117. No fiscal impact; recommends adoption.

Annex A

TITLE 34. LABOR AND INDUSTRY PART VIII. BUREAU OF WORKERS' COMPENSATION

CHAPTER 123. GENERAL PROVISIONS—PART II Subchapter B. IMPAIRMENT RATINGS

§ 123.101. Purpose.

This subchapter interprets section [306(a.2)] 306(a.3) of the act [(77 P.S. § 511.2)] (77 P.S. § 511.3) which provides for a determination of whole body impairment due to the compensable injury after the receipt of 104 weeks of total disability compensation, unless otherwise agreed to by the parties.

§ 123.102. IRE requests.

(a) During the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits, the insurer may request the employee's attendance at an IRE. If the evaluation is scheduled to occur during this 60-day time period, the adjustment of the benefit status shall **be automatic and** relate back to the expiration of the employee's receipt of 104 weeks of total disability benefits. **[In all other cases, the adjustment of the disability status shall be effective as of the date of the evaluation or as determined by the evaluating physician.]** **If the evaluation is requested and occurs beyond the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits, the adjustment of the disability status must be achieved through the traditional administrative process such as by filing a Petition for Modification and, if successful, the adjustment of the disability status shall be effective as of the date of the evaluation or as determined by the evaluating physician.**

(b) Absent agreement between the insurer and the employee, an IRE may not be performed prior to the expiration of the employee's receipt of 104 weeks of total disability benefits.

(c) When an insurer requests the employee's attendance at an IRE during the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits and the employee fails, for any reason, to attend the IRE, when the failure results in the performance of the IRE more than 60 days beyond the expiration of the 104-week period, the adjustment of disability status shall **be automatic and** relate back to the expiration of the employee's receipt of 104 weeks of total disability benefits.

(d) The employee's receipt of 104 weeks of total disability benefits shall be calculated on a cumulative basis.

(e) The insurer shall request the employee's attendance at the IRE in writing on Form LIBC-765, "Impairment Rating Evaluation Appointment," and specify therein the date, time and location of the evaluation and the name of the physician performing the evaluation, as agreed by the parties or designated by the Department. The request shall be made to the employee and employee's counsel, if known.

(f) Consistent with section [306(a.2)(6)] 306(a.3)(6) of the act [(77 P.S. § 511.2)] (77 P.S. § 511.3(6)), the insurer's failure to request the evaluation during the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits

[may] **does** not result in a waiver of the insurer's right to compel the employee's attendance at an IRE, **however the results of the evaluation may only be used to reduce benefits through the traditional administrative process such as by filing a Petition for Modification.**

(g) The insurer maintains the right to request and receive an IRE twice in a 12-month period. The request and performance of IREs may not preclude the insurer from compelling the employee's attendance at independent medical examinations or other expert interviews under section 314 of the act (77 P.S. § 651).

(h) The employee's failure to attend the IRE under this section may result in a suspension of the employee's right to benefits consistent with section 314(a) of the act.

§ 123.103. Physicians.

* * * * *

(d) In addition to the requirements of subsections (a) and (b), physicians designated by the Department to perform IREs shall meet training and certification requirements which may include, but are not limited to, one or more of the following:

(1) Required attendance at a Departmentally approved training course on the performance of evaluations under the American Medical Association "Guides to the Evaluation of Permanent Impairment[.]" **6th edition (second printing April 2009).**

(2) Certification upon passage of a Departmentally approved examination on the American Medical Association "Guides to the Evaluation of Permanent Impairment[.]" **6th edition (second printing April 2009).**

(3) Other requirements as approved by the Department.

§ 123.104. [Initial IRE; designation] **Designation** of physician by Department.

(a) The insurer is responsible for scheduling the initial IRE. Only the insurer may request that the Department designate an IRE physician.

(b) **[The Department's duty to designate an IRE physician pertains only to the initial IRE.]** A list of Departmentally approved IRE physicians will be available upon request.

(c) The request to designate a physician shall be made on Form LIBC-766, "Request for Designation of a Physician to Perform an Impairment Rating Evaluation."

(d) Within 20 days of receipt of the designation request, the Department will designate a physician to perform the IRE.

(e) The Department will provide the name and address of the physician designated to perform the IRE to the employee, the insurer and the attorneys for the parties, if known.

§ 123.105. Impairment rating determination.

(a) When properly requested under § 123.102 (relating to IRE requests), an IRE shall be conducted in all cases and an impairment rating determination must result under the **[most recent edition of the American Medical Association]** "Guides to the Evaluation of Permanent Impairment[.]" **6th edition (second printing April 2009).**

(b) To ascertain an accurate percentage of the employee's whole body impairment, when the evaluating physician determines that the compensable injury incorporates more than one pathology, the evaluating physician may refer the employee to one or more physicians specializing in the specific pathologies which constitute the compensable injury. Any physician chosen by the evaluating physician to assist in ascertaining the percentage of whole body impairment shall possess the qualifications as specified in § 123.103(a) and (b) (relating to physicians). The referring physician remains responsible for determining the whole body impairment rating of the employee.

(c) The physician performing the IRE shall complete Form LIBC-767, "Impairment Rating Determination Face Sheet" (Face Sheet), which sets forth the impairment rating of the compensable injury. The physician shall attach to the Face Sheet the "Report of Medical Evaluation" as specified in the American Medical Association "Guides to the Evaluation of Permanent Impairment[.]" **6th edition (second printing April 2009).** The Face Sheet and report shall be provided to the employee, employee's counsel, if known, insurer and the Department within 30 days from the date of the impairment evaluation.

(d) If the evaluation **is requested and performed during the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits and** results in an impairment rating of less than **[50] 35%**, the employee shall receive benefits partial in character. To adjust the status of the employee's benefits from total to partial, the insurer shall provide notice to the employee, the employee's counsel, if known, and the Department, on Form LIBC-764, "Notice of Change in Workers' Compensation Disability Status," of the following:

(1) The evaluation has resulted in an impairment rating of less than **[50] 35%**.

(2) Sixty days from the date of the notice the employee's benefit status shall be adjusted from total to partial.

(3) The adjustment of benefit status does not change the amount of the weekly workers' compensation benefit.

(4) An employee may only receive partial disability benefits for a maximum of 500 weeks.

(5) The employee may appeal the adjustment of benefit status to a workers' compensation judge by filing a Petition for Review with the Department.

(d.1) If the evaluation is requested and occurs beyond the 60-day period subsequent to the expiration of the employee's receipt of 104 weeks of total disability benefits, and results in an impairment rating of less than 35%, the adjustment of the employee's disability status can only be achieved through the traditional administrative process such as by filing a petition for modification. This adjustment cannot be achieved by completing Form LIBC-764, "Notice of Change in Workers' Compensation Disability Status."

(e) If the evaluation results in an impairment rating that is equal to or greater than **[50] 35%**, the employee shall be presumed to be totally disabled and shall continue to receive total disability compensation. The presumption of total disability may be rebutted at any time by a demonstration of earning power in accordance with section 306(b)(2) of the act (77 P.S. § 512(b)(2)) or by a subsequent IRE which results in an impairment rating of less than **[50] 35%**.

(f) At any time during the receipt of 500 weeks of partial disability compensation, the employee may appeal the adjustment of benefit status to a workers' compensation judge by filing a Petition for Review, **provided there is a determination that the employee meets the threshold impairment rating that is equal to or greater than 35% impairment under the American Medical Association "Guides to the Evaluation of Permanent Impairment," 6th edition (second printing April 2009).**

[Pa.B. Doc. No. 23-534. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

[55 PA. CODE CH. 15]

Protective Services for Adults

Statutory Authority

Notice is hereby given that the Department of Human Services (Department) under the authority of section 701 of the act of October 7, 2010 (P.L. 484, No. 70), known as the Adult Protective Services Act (Act 70 or the act) (35 P.S. §§ 10210.101—10210.704), intends to adopt this proposed rulemaking set forth in Annex A.

Effective Date

This proposed rulemaking will be effective 60 calendar days after publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

Purpose and Explanation of the Regulation

The purpose of this proposed rulemaking is to strengthen and clarify the Statewide system of protective services that prevent, reduce or eliminate the abuse, neglect, exploitation or abandonment of adults 18 years of age or older but under 60 years of age who have a physical or mental impairment that substantially limits one or more major life activities.

Act 70 was enacted to provide a system to address situations of abuse, neglect, abandonment and exploitation of adults 18 years of age or older but under 60 years of age with disabilities. Prior to that time, the Commonwealth lacked the authority to help those who needed temporary intervention to ensure their well-being and ability to live safe and productive lives. A third-party agency (agency), selected by the Department through a competitive bidding process, began to implement the Adult Protective Services (APS) program on April 1, 2015. The agency receives allegations of abuse, neglect, exploitation or abandonment, which are referred by a Statewide hotline that is operated and maintained by the Department.

Act 70 provides for the detection, prevention, reduction and elimination of abuse, neglect, exploitation and abandonment for adults who lack the capacity to protect themselves and are at imminent risk of abuse, neglect, exploitation or abandonment. In providing protective services, Act 70 declares that adults in need of protective services have the right to make choices, subject to the laws and regulations of this Commonwealth, regarding their lifestyles, relationships, bodies and health, even when those choices present risks to themselves or their property. Adults in need of protective services also have

the right to refuse protective services and the right to receive services in the most integrated settings and in the manner least restrictive of individual liberties.

Act 70 directed the Department to develop, in consultation with the adults it protects, their families and advocates, and all other departments that are affected by the act, the regulations necessary to implement Act 70. See 35 P.S. § 10210.701(a). The Department commenced 23 stakeholder meetings between January 2011 and September 2015. Participants included advocates for people with physical disabilities, intellectual disabilities, brain injuries, provider associations for in-home care, long-term living along with county commissioners, a mental health consumer's association, a planning and advisory group for people with disabilities, a university-based research and advocacy entity, representatives from Department programs that serve adults with physical or mental impairments, and adults with disabilities. The stakeholder group advised the Department on many of the novel features of Act 70 related to adults with disabilities and provided diverse perspectives on how this proposed rulemaking should be crafted. The Department has incorporated many of the stakeholder group's recommendations into this proposed rulemaking.

This proposed rulemaking will enhance the rights and protections of adults 18 years of age or older but under 60 years of age who have a physical or mental impairment that substantially limits one or more major life activities by augmenting the statutory requirements of Act 70. Since the implementation of Act 70, explanation and elaboration needed on the statutory language was accomplished only through contract or written policy memorandum. This proposed rulemaking adds transparency and specificity to the Act 70 requirements to ensure consistent and timely investigations of allegations of abuse, neglect, exploitation or abandonment, and when necessary, to provide services to prevent, reduce or eliminate the risk to person or property. This regulation will also aid stakeholders in understanding the law and how it works to mitigate or reduce the effects of abuse and neglect. The act of November 6, 1987 (P.L. 381, No. 79), known as the Older Adults Protective Services Act (OAPSA) (35 P.S. §§ 10225.101—10225.5102) was the starting point for Act 70. Moreover, the OAPSA regulations codified at 6 Pa. Code Chapter 15 (relating to protective services for older adults) were also the starting point for these regulations. This helps ensure consistency throughout the protective services processes in this Commonwealth.

Affected Individuals and Organizations

Individuals with disabilities, who are 18 years of age or older but under 60 years of age, and who are at imminent risk of danger to their person or property, are affected by this proposed rulemaking. This proposed rulemaking provides a system of temporary interventions to ensure individuals' well-being and ability to live safe and productive lives.

A person in the community concerned about an imminent risk of danger to an adult's person or property is also affected. Facilities that receive public funds to provide care and support to adults with disabilities, and employees of those facilities, are also affected by this proposed rulemaking. This is because facilities are now mandated to follow oral and written reporting procedures when they have reason to suspect that a recipient is the victim of abuse, neglect, exploitation or abandonment.

Commonwealth agencies are also affected by this proposed rulemaking because they are notified when an adult reported to need protective services is a recipient of

one of their programs or is living in a facility that the agency licenses or regulates. In addition, law enforcement is affected by this proposed rulemaking because, during the protective services process, mandatory reporters are required to submit written and oral reports to law enforcement when mandatory reporters suspect that a recipient is a victim of designated types of abuse that also may be crimes. Upon receipt of these reports, law enforcement may be required to notify facility administrators, conduct criminal investigations and make notifications regarding criminal charges. Further, during protective services investigations, law enforcement may be called upon to conduct welfare checks, by which the police legally enter a residence when there is no response at the door and there are reasonable grounds to believe that an inhabitant is endangered.

Accomplishments and Benefits

This proposed rulemaking supports the existing APS reporting system, particularly for adults substantially limited by a physical or mental impairment and at imminent risk to their person or property, and for providing temporary interventions to ensure their well-being and ability to live safe and productive lives. This proposed rulemaking protects health and safety, privacy, autonomy and individual choice by strengthening and clarifying the requirements of Act 70 and adding transparency to the existing systems.

Paperwork Requirements

Written reports of alleged abuse, neglect, exploitation or abandonment shall be submitted for every oral report made by facilities designated as mandatory reporters. When a mandatory reporter is not required to report to a Commonwealth licensing or regulating agency, the reporter shall use a two-page mandatory abuse report form. This form is a paperwork requirement, which takes approximately a half-hour or less to complete. The reporter is required to submit the form within 48 hours by e-mail or fax to the agency, and in certain cases, to law enforcement. The 48-hour, written reporting requirement is required by Act 70. This regulation emphasizes that requirement and adds information on what happens to the report after it is received by the agency.

Facilities subject to this paperwork requirement include hospitals, county mental health and crisis centers, domestic violence agencies and individuals authorized by a Commonwealth licensing agency or board to practice some component of the healing arts for adults. In addition, skilled nursing facilities licensed by the Department of Health are subject to this paperwork requirement.

This proposed rulemaking does not change the timeframes set forth in Act 70 for the completion of required paperwork. The paperwork consists of written reports to be submitted to the agency and, when applicable, to law enforcement. No new legal, consulting or accounting procedures are required by the regulation.

Proposed Rulemaking

Section 15.1 (relating to scope) clarifies the purpose of the act. This section explains how Chapter 15 applies to adults in need of protective service, parties who make and investigate reports, as well as families and facilities.

Section 15.2 (relating to definitions) proposes to include definitions for the following terms: "abandonment," "abuse," "act," "administrator," "adult," "adult in need of protective services," "agency," "assessment," "care," "care-giver," "case record," "court," "department," "desertion," "employee," "exploitation," "facility," "geographic area,"

"health care provider," "incident reporting system," "informed consent," "intimidation," "investigation," "law enforcement official," "least restrictive alternative," "major life activities," "mandatory reporting," "mental anguish," "most integrated setting," "neglect," "pain," "protective services," "public funds," "recipient," "report," "Secretary," "serious bodily injury," "serious injury," "service plan," "sexual abuse," "State-licensed facility," "State-operated facility" and "subject." Many of these definitions come from Act 70 and others are taken from the OAPSA and modified to be relevant to Act 70 and this proposed rulemaking. This allows for consistency in protective services. About one-third of the definitions in this proposed rulemaking are new.

Section 15.3 (relating to waivers) creates the process for facilities to provide a written request to the Department for unreasonable and undue hardship. These waivers would be provided to the Secretary of the Department or their designee for consideration.

Section 15.11 (relating to administrative functions and responsibilities of the Department) reiterates statutory requirements related to contracted agencies, education and coordination. The Department must contract with one or more agencies. The Department is to develop and maintain an ongoing program of public information and education. The Department is also responsible for providing coordination, to the extent permitted by law, with child protective and older adult protective services.

Section 15.12 (relating to administrative functions and responsibilities of agencies) elaborates on the statutory requirement for the agency to investigate and provide protective services to adults. This section also proposes the scenarios under which an agency shall refer a report of need to another agency of the Department to avoid a conflict.

The following sections are related to the reporting of suspected abuse, neglect, exploitation or abandonment.

Section 15.21 (relating to general reporting provisions) proposes to restate the important statutory provision that anyone having reasonable cause to suspect abuse or neglect may report this to APS.

Section 15.22 (relating to safeguards for those who make or receive reports) provides for clarification of the individuals protected from discriminatory, retaliatory or disciplinary action in Act 70 due to a report and reiterates which individuals may bring civil suit for an employer or any other person who takes discriminatory, retaliatory or disciplinary action in relation to a report.

Section 15.23 (relating to receiving reports; general agency responsibility) reiterates the statutory requirement that there must be 24-hours a day, 7-days a week capability of receiving reports of adults in need of protective services. This section also proposes how the agency is to be accessible by requiring, for example, that certain professional staff will be accessible and the public will have access to a toll-free hotline to make reports of need. This hotline must have a TTY voice relay system or similar technology. TTY is a special device that lets people who are deaf, hard of hearing or speech-impaired use the telephone to communicate, by allowing them to type messages. In addition, individuals with limited English proficiency may report using language resources.

Section 15.24 (relating to anonymity of reporters) allows for the anonymity of reporters except for mandatory reporters as defined by the act.

Section 15.25 (relating to report form and content) clarifies that reports are to be received in a manner

prescribed by the Department and provides the minimum content that should be contained in a report.

Section 15.26 (relating to screening and referral of reports received) elaborates on the screening process in Act 70 and provides further clarification of the specific categorizations in which each report received can be placed. Each categorization (priority, non-priority, another geographic area, and no need or not eligible for protective services) must meet minimum requirements for initiation as well as minimum requirements for determining when reports are to be categorized as “no need” or “not eligible for protective services.”

Section 15.41 (relating to reports required to be investigated) reiterates Act 70's requirement that all reports are to be investigated by the agency and the timeline for initiation of the investigation. The regulation requires that only trained investigators may conduct investigations and when trained investigators are not available, the agency must contact the Department.

Section 15.42 (relating to standards for initiating and conducting investigations) elaborates on the standards and timelines for initiating, conducting and concluding an investigation when the report is a priority, nonpriority or categorized as no need or not eligible for protective services. This proposed rulemaking also provides for when the Department can conduct an investigation and requires the agency to refer an investigation if there is a conflict of interest.

In §§ 15.43 and 15.44 (relating to resolution of unsubstantiated reports; and resolution of substantiated reports), this proposed rulemaking provides for the steps to be followed after an investigation finds that a report is unsubstantiated or substantiated. These sections also reiterate the act's requirements for referral of needed services in an unsubstantiated report and the creation of a service plan for a substantiated report.

In § 15.45 (relating to State-licensed and State-operated facilities), the proposed rulemaking requires that when a report involves a State-licensed facility, the agency that provides APS is required to notify the State agency that licenses the facility. The agency is still responsible for investigating and providing protective services, if needed. The regulation also provides that the agency may seek judicial relief if it finds that the State-licensed facility is jeopardizing the adult's health and safety.

This proposed rulemaking requires that the agency notify the appropriate entity that has jurisdiction over a State-licensed facility of a report of need for an adult in that facility. The agency that provides APS may coordinate its investigation with the licensing agency's investigation to avoid duplication and develop remedies as permitted by law.

This proposed rulemaking also requires that, when an agency receives a report concerning a consumer who resides in a State-operated facility, the agency is to initiate the investigation by referring the report to the appropriate administrative or program office under its patient rights program. The agency must monitor the investigation, but the referral may suffice for the purposes of the agency's investigatory duties. The referral to the appropriate administrative or program office does not relieve the agency of its responsibility to provide protective services.

In § 15.46 (relating to law enforcement officials), this proposed rulemaking reiterates the necessity for cooperation between law enforcement officials and APS casework-

ers. This proposed rulemaking seeks to elaborate on what is needed for coordination, such as established points of contact with law enforcement officials and procedures for when to make reports. This proposed rulemaking also provides for parameters on simultaneous investigations and when a protective services caseworker may request the assistance of a law enforcement officer for safety purposes.

Section 15.47 (relating to emergency medical services) reiterates the act's requirement that a consumer has the right to normal protections of the emergency medical services or police protection that would be available to anyone, regardless of age, in similar circumstances.

Section 15.61 (relating to access to adults) reiterates the act's language regarding when agencies shall have access to the adult that may need protective services, and how agencies may proceed if access is denied. In conjunction with §§ 15.62, 15.63, 15.71 and 15.72, this proposed rulemaking, along with the act, establishes a framework for agencies to access adults in need and their confidential records that are necessary to complete an investigation.

Sections 15.73—15.76 of this proposed rulemaking track the act's language regarding actions taken when a court order for access or removal of a consumer is granted. This proposed rulemaking also requires that these emergency actions be documented in the case record.

Section 15.81 (relating to rights of adults reported to need protective services) was developed to clarify the rights that adults in need have under the act. The agency must ensure that these specific rights are protected. This section clarifies that these adults have the right to privacy and to additional information contained in the report, as well as the right to appeal, to request protection from abuse orders, to refuse protective services except as provided by court order, to obtain counsel if there are court proceedings and to have their personal information maintained in a confidential manner by the agency.

Sections 15.91—15.96 (relating to provision of services) provide clarification to the agency on the expectations of the Department on how to provide necessary services, how to determine what specific needs an adult has, how to develop a plan to identify the needed services and what may be included, how the delivery of the risk reducing services should take place, how to document in the case management system with what should be included, when case closure and termination are appropriate and how to complete such termination and closure.

Sections 15.101—15.105 (relating to confidentiality) provide how the agency is required to safeguard records to maintain confidentiality and prevent unauthorized access. This proposed rulemaking tracks the confidentiality requirements in the act and sets forth records retention requirements for unsubstantiated reports, proposes requirements regarding agency staff training and staff responsibilities, imposes penalties for violation of confidentiality requirements and imposes limits on access to records and disclosures of information.

Sections 15.111 and 15.112 (relating to financial obligations) clarify for the agency that funding authorized under the act may not be used for protective services when public or private entitlements or other resources are available to the adult. The agency shall determine if the adult is eligible for any public or private entitlements prior to authorizing protective service funding. Once eligibility is established and it is determined that re-

sources are not available, the agency may proceed with using protective service funding. The purchase of these services is limited to a 30-day period and may be renewed with the Department's approval.

In §§ 15.121—15.123 (relating to staff qualifications and training), this proposed rulemaking specifies the qualifications and training required for agency staff and the availability of the training provided by the Department.

In § 15.131 (relating to general reporting requirements), this proposed rulemaking specifies the general reporting requirements for mandatory reporters as required by the act. A mandatory reporter is required to make an immediate oral report to the APS Hotline, followed up within 48 hours with a written report to the appropriate protective services agency. In addition, as proposed by § 15.132 (relating to additional reporting requirements) and required by the act, if the allegation involves sexual abuse, serious injury, serious bodily injury or suspicious death, the administrator or employee shall also immediately make an oral report to local law enforcement and to the Department, followed up within 48 hours with a joint written report to law enforcement.

Section 15.133 (relating to contents of reports) clarifies that a report shall be made on a form prescribed by the Department and outlines the minimum content required in each report.

Section 15.134 (relating to reports to Department and coroner by agencies) restates the act's requirement of an agency to provide a report within 48 hours to the Department if the report involves sexual abuse, serious injury or serious bodily injury or suspicious death and provides for minimum reporting requirements. This section also restates the act's requirement for an agency to provide a report to a coroner or medical examiner if there is reasonable cause to suspect that the consumer died because of abuse or neglect.

Section 15.135 (relating to investigation) clarifies the requirements for the agency's response to receipt of a report under §§ 15.131 and 15.132.

Section 15.136 (relating to restrictions on employees) elaborates on the act's requirements for a facility to suspend an employee or implement an approved plan of supervision when the employee is alleged to have committed abuse.

Section 15.137 (relating to confidentiality of and access to confidential reports) reiterates the act's rules for confidentiality and exceptions to the rule for designated entities. This section also prohibits the release of information that would identify the individual who made a report under this chapter or an individual who cooperated in a subsequent investigation.

Section 15.138 (relating to penalties) clarifies the act's administrative penalties that will be imposed by the Department for violation of §§ 15.131—15.137, as well as the criminal penalties enacted in Act 70.

Section 15.139 (relating to immunity) restates the immunity provided by the act for an administrator or facility that acts in good faith.

Sections 15.150—15.153 (relating to appeals and fair hearings), in conjunction with § 15.81 and § 15.93 (relating to service plan) and the act, the regulation proposes how the agency shall safeguard the rights of adults in need of protective services, which include the right to refuse protective services. The Department is proposing to add an appeals procedure for the act's right to appeal the

denial of protective services. Under this appeals procedure, an adult or the adult's legal representative may file an informal complaint with the Department of Human Services, Adult Protective Services, 625 Forster Street, Room 631, Harrisburg, PA 17120. If the resolution of the informal complaint is not acceptable and the adult or the adult's legal representative timely notifies the Department in writing, the Department will submit a request for a formal hearing to the Department's Bureau of Hearings and Appeals.

Fiscal Impact

The total expenditures to the Commonwealth for operating APS was \$12,162,334.28 in Fiscal Year (FY) 2020-2021 and a similar amount is anticipated for FY 2021-2022 and FY 2022-2023.

Contact Persons

The primary contact for this proposed rulemaking is Brian Macdaid, Human Services Licensing, (717) 772-4982, bmacdaid@pa.gov.

The secondary contact for this proposed rulemaking is Laura E. Deitz, Director of Adult Protective Services, (717) 736-7050, ldeitz@pa.gov.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Brian Macdaid, Bureau of Human Services Licensing, Department of Human Services, Office of Administration, Health and Welfare Building, 625 Forster Street, Room 631, Harrisburg, PA 17120, RA-PWOLTLRegsPubCom@pa.gov within 30 calendar days after the date of publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference Regulation No. 14-543 when submitting comments.

Persons with a disability who require an auxiliary aid or service may submit comments by using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TTY users) or (800) 654-5988 (voice users).

Regulatory Review Act

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 30, 2023, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Human Services and the Senate Committee on Health and Human Services. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days after the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-543. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2021-22 is \$7,952,000; (3) 1st Succeeding Year 2022-23 is \$8,183,000; 2nd Succeeding Year 2023-24 is \$8,420,000; 3rd Succeeding Year 2024-25 is \$8,664,000; 4th Succeeding Year 2025-26 is \$8,915,000; 5th Succeeding Year 2026-27 is \$9,166,000; (4) 2020-21

Program—\$106,235,000; 2019-20 Program—\$107,884,000; 2018-19 Program—\$96,196,000; (7) General Government Operations; (8) recommends adoption. The General Government Operations appropriation is able to absorb this increase.

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

Annex A

TITLE 55. HUMAN SERVICES

PART I. DEPARTMENT OF HUMAN SERVICES

Subpart B. RIGHTS

CHAPTER 15. PROTECTIVE SERVICES FOR ADULTS

GENERAL PROVISIONS

- Sec.
- 15.1. Scope.
- 15.2. Definitions.
- 15.3. Waivers.

PROGRAM ADMINISTRATION

- 15.11. Administrative functions and responsibilities of the Department.
- 15.12. Administrative functions and responsibilities of agencies.

REPORTING SUSPECTED ABUSE, NEGLECT, ABANDONMENT OR EXPLOITATION

- 15.21. General reporting provisions.
- 15.22. Safeguards for those who make or receive reports.
- 15.23. Receiving reports; general agency responsibility.
- 15.24. Anonymity of reporters.
- 15.25. Report form and content.
- 15.26. Screening and referral of reports received.

INVESTIGATING REPORTS OF NEED FOR PROTECTIVE SERVICES

- 15.41. Reports required to be investigated.
- 15.42. Standards for initiating and conducting investigations.
- 15.43. Resolution of unsubstantiated reports.
- 15.44. Resolution of substantiated reports.
- 15.45. State-licensed and State-operated facilities.
- 15.46. Law enforcement officials.
- 15.47. Emergency medical services.

AGENCY ACCESS TO PERSONS AND RECORDS

- 15.61. Access to adults.
- 15.62. Access to records.
- 15.63. Access by consent.

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- 15.71. Involuntary intervention by emergency court order.
- 15.72. Petition.
- 15.73. Forcible entry.
- 15.74. Health and safety requirements.
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- 15.81. Rights of adults reported to need protective services.

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- 15.91. Protective services.
- 15.92. Assessment.
- 15.93. Service plan.
- 15.94. Service delivery.
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CONFIDENTIALITY

- 15.101. Confidentiality of records.
- 15.102. Maintenance of case records.
- 15.103. Responsibilities of staff with access to confidential information.
- 15.104. Penalties for violation of confidentiality requirements.
- 15.105. Limited access to records and disclosure of information.

FINANCIAL OBLIGATIONS

- 15.111. Coordination of available resources.
- 15.112. Time limitation on service purchases.

STAFF QUALIFICATIONS AND TRAINING

- 15.121. Protective services staff qualifications.
- 15.122. Protective services staff training curriculum.
- 15.123. Availability of training.

MANDATORY REPORTING OF SUSPECTED ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT

- 15.131. General reporting requirements.
- 15.132. Additional reporting requirements.
- 15.133. Contents of reports.
- 15.134. Reports to Department and coroner by agencies.
- 15.135. Investigation.
- 15.136. Restrictions on employees.
- 15.137. Confidentiality of and access to confidential reports.
- 15.138. Penalties.
- 15.139. Immunity.

APPEALS AND FAIR HEARINGS

- 15.150. Right to appeal and fair hearing.
- 15.151. Notice of adverse action.
- 15.152. Informal complaints.
- 15.153. Formal hearings.

GENERAL PROVISIONS

§ 15.1. Scope.

(a) This chapter governs the administration and provision of protective services for adults under the act, and the mandatory reporting of the abuse, neglect, exploitation or abandonment of adults.

(b) This chapter applies to adults in need of protective services, their families, agencies selected to provide protective services for adults in need of protective services, parties who make and investigate reports of a need for protective services for adults and facilities.

§ 15.2. Definitions.

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

Abandonment—The desertion of an adult by a caregiver.

Abuse—The occurrence of one or more of the following acts:

(i) The infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical harm, pain or mental anguish.

(ii) The willful deprivation by a caregiver of goods or services which are necessary to maintain physical or mental health.

(iii) Sexual harassment, rape or abuse as the term is defined in 23 Pa.C.S. § 6102 (relating to definitions).

The term does not include environmental factors which are beyond the control of an adult or a caregiver, including, but not limited to, inadequate housing, furnishings, income, clothing or medical care.

Act—The Adult Protective Services Act (35 P.S. §§ 10210.101—10210.704).

Administrator—The person responsible for the administration of a facility. The term includes a person responsible for employment decisions or an independent contractor.

Adult—A resident of this Commonwealth 18 years of age or older but under 60 years of age who has a physical or mental impairment that substantially limits one or more major life activities.

Adult in need of protective services—An adult who needs the assistance of another person to obtain protective services to prevent imminent risk to person or property.

Agency—A local contracted provider of protective services.

Assessment—Social, physical and psychological findings along with a description of the person's current resources and needs.

Care—Services provided to meet an adult's need for personal care or health care. The following apply:

(1) Services may include homemaker services, assistance with activities of daily living, physical therapy, occupational therapy, speech therapy, social services, home-care aide services, companion-care services, private duty nursing services, respiratory therapy, intravenous therapy, in-home dialysis and durable medical equipment services, which are routinely provided unsupervised and which require interaction with an adult.

(2) The term does not include durable medical equipment delivery.

Caregiver—An individual or institution that has assumed the responsibility for the provision of care needed to maintain the physical or mental health of an adult. This responsibility may arise voluntarily, by contract, by receipt of payment for care, as a result of family relationship or by order of a court of competent jurisdiction. It is not the intent of the act to impose responsibility on any individual if the responsibility would not otherwise exist in law.

Case record—A complete account of the information received and the actions taken by the agency on each report received. This includes documentation of informed consent provided or agency efforts to obtain consent. When applicable, it shall include the following elements:

- (i) The report of a need for protective services.
- (ii) The record of investigation.
- (iii) The written findings of the assessment.
- (iv) The service plan.
- (v) Notes of contact with the adult and others involved with the case.
- (vi) Court documents.
- (vii) Letters of notification to the adult.
- (viii) Reassessments when applicable.

Court—A court of common pleas or a magisterial district court, where applicable.

Department—The Department of Human Services of the Commonwealth.

Desertion—The willful failure, without just cause by the responsible caregiver, to provide for the care and protection of an adult.

Employee—An individual who is employed by a facility, including employees of affiliated corporate entities. The term includes:

- (i) A contract employee who has direct contact with residents or unsupervised access to their personal living quarters.
- (ii) A person who is employed or who enters into a contractual relationship to provide care to an adult for monetary consideration in the adult's place of residence.

Exploitation—An act or course of conduct by a caregiver or other person against an adult or an adult's resources, without the informed consent of the adult or with consent obtained through misrepresentation, coercion or threats of force, that results in monetary, personal or other benefit, gain or profit for the caregiver or monetary or personal loss to the adult.

Facility—The term means:

(i) An assisted living residence as defined in section 1001 of the Human Services Code (62 P.S. § 1001).

(ii) A domiciliary care home as defined in section 2202-A of The Administrative Code of 1929 (71 P.S. § 581-2).

(iii) A home health care agency as defined in section 802.1 of the Health Care Facilities Act (35 P.S. § 448.802a).

(iv) An intermediate care facility for individuals with an intellectual disability.

(v) A long-term care nursing facility as defined in section 802.1 of the Health Care Facilities Act.

(vi) An older adult daily living center as defined in section 2 of the Older Adult Daily Living Centers Licensing Act (62 P.S. § 1511.2).

(vii) A personal care home as defined in section 1001 of the Human Services Code.

(viii) An organization or group of people that uses public funds and is paid, in part, to provide care and support to adults in a licensed or unlicensed setting. This shall include but is not limited to health care providers and organizations or groups of people that are regulated under 55 Pa. Code Chapters 2380, 2390, 5200, 5300, 6400 and 6500 and any other organization regulated under Chapter 6100 (relating to services for individuals with an intellectual disability or autism).

(ix) A residential treatment facility.

Geographic area—The geographic unit, or planning and service area, within this Commonwealth, for the allocation of funds for the delivery of services to adults residing in that unit.

Health care provider—A licensed hospital or health care facility or person who is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth, including but not limited to a physician, podiatrist, optometrist, psychologist, physical therapist, certified nurse practitioner, registered nurse, nurse midwife, physician's assistant, chiropractor, dentist or pharmacist or an individual accredited or certified to provide behavioral health services.

Incident reporting system—The Enterprise Incident Management System or its successor.

Informed consent—Consent obtained for a proposed course of protective service provisions. The consent shall be based on a reasonable attempt to provide information which conveys, at a minimum, the risks, alternatives and outcomes of various modes of protective service provision available under the circumstances.

Intimidation—An act or omission by a person or entity toward another person which is intended to or with knowledge that the act or omission will obstruct, impede, impair, prevent or interfere with the administration of the act or any law intended to protect adults from mistreatment.

Investigation—A systematic inquiry conducted by the agency to determine if allegations made in a report for

protective services can be substantiated, if the adult needs protective services, or both.

Law enforcement official—The term includes:

- (i) A police officer of a municipality.
- (ii) A district attorney.
- (iii) The Pennsylvania State Police.
- (iv) A county sheriff.
- (v) The Attorney General.

Least restrictive alternative—The least intrusive service or environment that can effectively and safely address the adult's needs and preferences.

Major life activities—As defined in section 12102(2) of the Americans with Disabilities Act of 2008, including any amendments (42 U.S.C. § 12102(2)).

Mandatory reporting—The requirement that an employee or an administrator who has reasonable cause to suspect that a recipient is a victim of abuse or neglect shall immediately make an oral report to an agency.

Mental anguish—Emotional disturbances such as distress, anxiety, depression, grief or psychosomatic physical symptoms.

Most integrated setting—A setting that enables individuals with disabilities to interact with individuals who do not have disabilities to the fullest extent possible.

Neglect—The failure to provide for oneself or the failure of a caregiver to provide goods, care or services essential to avoid a clear and serious threat to the physical or mental health of an adult. The term does not include environmental factors that are beyond the control of an adult or the caregiver, including, but not limited to, inadequate housing, furnishings, income, clothing or medical care.

Pain—Physical suffering or discomfort caused by illness or injury.

Protective services—Those activities, resources and supports provided to adults under the act to detect, prevent, reduce or eliminate abuse, neglect, exploitation and abandonment.

Public funds—The term includes Federal, State, county or other governmental funding sources.

Recipient—An adult who receives care, services or treatment in or from a facility.

Report—The written report regarding an adult in need of protective services received under § 15.23 (relating to receiving reports; general agency responsibility) and recorded on the standardized protective services report form.

Secretary—The Secretary of Human Services of the Commonwealth.

Serious bodily injury—Injury that does one of the following:

- (i) Creates a substantial risk of death.
- (ii) Causes serious permanent disfigurement or protracted loss or impairment of the function of a body member or organ.

Serious injury—Injury that does one of the following:

- (i) Causes a person severe pain.
- (ii) Significantly impairs a person's physical or mental functioning, either temporarily or permanently.

Service plan—A written plan that:

(i) Is cooperatively developed by agency staff, an adult in need of protective services and the adult's appointed guardian, if any, and other family members and advocates when appropriate.

(ii) Where possible, is based on multidisciplinary, comprehensive written assessments conducted by professionals who have met with the adult in need of protective services and are familiar with the adult's situation.

(iii) Provides for services in the most integrated setting and utilizes least restrictive alternatives.

(iv) Describes identified needs, goals to be achieved and specific services to support goal attainment, with regular follow-up and predetermined reassessment of client progress.

(v) Is updated as needed.

Sexual abuse—Intentionally, knowingly or recklessly causing or attempting to cause rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault or incest, as defined by 18 Pa.C.S. (relating to crimes and offenses).

State-licensed facility—A facility licensed by a State agency.

State-operated facility—A facility operated by a State agency through individuals employed by the Commonwealth.

Subject—An individual identified in the report or during the investigation as the adult in need of protective services.

§ 15.3. Waivers.

(a) The Department may grant a waiver to a facility of a provision of this chapter which is not otherwise required under Federal and State law and does not jeopardize the health, safety or well-being of adults 18 years of age or older but under 60 years of age who have a physical or mental impairment that substantially limits one or more major life activities.

(b) The waiver request must be on a form prescribed by the Department.

(c) The waiver request must explain how the provision creates an unreasonable and undue hardship on the facility requesting the waiver.

(d) The waiver request will be reviewed by the Secretary of the Department or their designee.

PROGRAM ADMINISTRATION

§ 15.11. Administrative functions and responsibilities of the Department.

The Department will establish and maintain a State-wide system of protective services for adults. These services will be available and accessible through agencies with which the Department contracts to perform the service. In maintaining this system of protective services, the Department's functions and responsibilities include the following:

(1) Administering the adult protective services program in a manner designed to utilize least restrictive alternatives and to ensure services are provided in the most integrated setting.

(2) Developing and maintaining an ongoing program of public information and education to promote general awareness of and informed responses to the needs of adults for protective services available under this chapter.

This ongoing program shall require facilities to post notice of the availability of protective services and to provide notice to recipients and their families.

(3) Working with the Department of Aging, as permitted by law, to provide coordination with the older adult protective services system to ensure that when adults in need of protective services reach 60 years of age, they have continuity in the delivery of protective services.

(4) Providing coordination with the child protective services system, as permitted by law, to ensure that children who are the subject of a protective services report at 18 years of age have continuity in the delivery of protective services.

(5) Ensuring the agency has access to the incident reporting system for adult protective services.

(6) Using a competitive bidding process to contract with an agency.

§ 15.12. Administrative functions and responsibilities of agencies.

(a) An agency shall administer the delivery of protective services under this chapter in its geographic area.

(b) An agency shall be separate from entities providing direct services to adults, county mental health and intellectual disabilities service providers. An agency shall refer a report to the Department for investigation by another agency or the Department if one of the following applies:

(1) The adult reported to need protective services or perpetrator is a staff member of the agency or is related to a staff member of the agency.

(2) The adult reported to need protective services or perpetrator is affiliated with the agency as a volunteer, board member or advisor of the agency.

(3) The adult reported to need protective services or perpetrator is related to an immediate family member who is a volunteer, board member or advisor of the agency.

(4) The adult reported to need protective services or perpetrator has a financial relationship with the agency either as receiving or providing financial compensation to the agency.

(5) The report presents a conflict of interest or the appearance of a conflict of interest that may call into question the objectivity of the investigation, if investigated by the agency.

(c) The agency shall adhere to the contract standards and work statement contained in the agreement with the Department to perform the duties of an adult protective services agency.

(d) To the extent permitted by law, an agency shall collaborate with the Department or its designee in the exercise of its investigation and development of the service plan. The agency will maintain responsibility for acceptance of the final investigation and determination, as well as the development of the service plan.

REPORTING SUSPECTED ABUSE, NEGLECT, ABANDONMENT OR EXPLOITATION

§ 15.21. General reporting provisions.

(a) A person who has reasonable cause to believe that an adult is an adult in need of protective services may submit a report to the established Statewide toll-free hotline for adult protective services or to the agency.

(b) Reports shall comply with §§ 15.131—15.137.

§ 15.22. Safeguards for those who make or receive reports.

(a) *Protection from retaliation.* An employer, or any other person or entity who takes discriminatory, retaliatory or disciplinary action against the following individuals commits a violation of the act and may be subject to a civil action:

(1) An employee or other person who makes a report.

(2) A person who cooperates with the agency or the Department to provide testimony or other information about a report.

(3) An adult reported to need protective services.

(b) *Damages.* The employer or any other person who takes the discriminatory, retaliatory or disciplinary action may be subject to a civil action by the person who made the report, the adult named in the report or the person who cooperated with the agency or the Department.

§ 15.23. Receiving reports; general agency responsibility.

(a) *Twenty-four-hour capability.* The agency shall be capable of receiving reports of adults in need of protective services 24 hours a day, 7 days a week, including holidays.

(b) *Accessibility of professional staff.* The agency shall provide protective services caseworker accessibility 24 hours a day, 7 days a week, including holidays, to respond to referrals under § 15.26 (relating to screening and referral of reports received) that require immediate attention.

(c) *Toll-free public telephone or other communication access.* To facilitate reporting of adults in need of protective services, the Department shall provide toll-free telephone access to all persons, including persons who are deaf or hard of hearing and persons with limited English proficiency. Individuals who are deaf, hard of hearing or who have speech barriers may report using a Text Telephone (TTY) through voice relay or other similar technology. Individuals with limited English proficiency may report using language resources that the Department shall ensure are in place.

(d) *Reports from outside the geographic area.* If the adult reported to need protective services does not reside in the geographic area of the agency or, at that time, is not in the geographic area, the agency shall notify the agency which provides protective services in the geographic area where the adult is located and relay to that agency the information received in the report. Agencies shall cooperate and share information with such other entities, as needed.

§ 15.24. Anonymity of reporters.

(a) Except for reports made under § 15.131 (relating to general reporting requirements), a person who reports an alleged adult in need of protective services may remain anonymous. A person who receives an anonymous report shall inform the reporter of the statutory protection from retaliation and liability.

(b) An alleged adult in need of protective services is a person who is alleged to need the assistance of another person to obtain protective services to prevent imminent risk to person or property.

§ 15.25. Report form and content.

(a) *Standardized reports.* The person receiving a report shall record information from the reporter on a form prescribed by the Department.

(b) *Handling oral reports.* When a report is made orally, the person receiving the report shall immediately record the report on the form prescribed in subsection (a).

(c) *Minimum contents.* The person receiving a report shall make every effort to obtain the following information:

- (1) The date and time of the report.
- (2) The name, home address and preferred and secondary contact information for the person making the report, unless withheld under § 15.24 (relating to anonymity of reporters).
- (3) The name, address and, if available, age, gender and phone number of the adult reported to need protective services.
- (4) The name and phone number of the guardian, attorney-in-fact or next of kin for the adult reported to need protective services.
- (5) The nature of the incident which precipitated the report, including the date, time and location, if known.
- (6) The nature and extent of the need for protective services. The person receiving the report shall indicate whether the reporter perceives that the adult reported to need protective services is in a life-threatening situation.
- (7) The physical and mental condition of the adult reported to need protective services, if known.
- (8) The nature of the physical or mental impairment, if known.
- (9) Current location of the adult reported in need of protective services, if known.

§ 15.26. Screening and referral of reports received.

(a) *Screening.* A person who met the qualifications in § 15.121(b) (relating to protective services staff qualifications) and completed the training in § 15.122 (relating to protective services staff training curriculum) who receives a report shall screen the report immediately and assign it to one of the following referral categories:

- (1) Priority.
- (2) Non-priority.
- (3) Another geographic area.
- (4) No need or not eligible for protective services.

(b) *Referral categories and actions.*

(1) *Priority.* A report placed in this category requires immediate attention because specific details in the report indicate the possibility that the adult reported to be in need of protective services is at imminent risk of death or serious injury or serious bodily injury. The person receiving a priority report shall immediately contact a protective services caseworker and provide that caseworker with the information contained in the report.

(2) *Non-priority.* A report shall be placed in this category when it does not appropriately fall within the priority category and, therefore, does not require immediate attention by the agency. A report in this category shall be referred to a protective services caseworker of the agency within the normal business hours of the agency's current or next day of business under the agency's established procedures for referring these reports.

(3) *Another geographic area.* A report that meets the criteria under § 15.23(d) (relating to receiving reports; general agency responsibility) shall be placed in this category. The report shall be referred to the agency which has the designated responsibility for protective services in

the planning and service area in which the adult reported to need protective services is located at the time of the report. A report in this category will also meet the criteria for placement in one of the other categories in this subsection. The provisions for referral for the other category shall apply to a referral to another planning and service area. Agencies shall cooperate and share information with other agencies, as needed.

(4) *No need or not eligible for protective services.*

(i) A report shall be placed in this category when the adult reported to need protective services meets one or more of the following criteria:

(A) Is not a resident of this Commonwealth.

(B) Is under 18 years of age or 60 years of age or older. Reports received for these identified age groups shall be immediately referred by the person who takes the report to either child protective services or older adult protective services.

(C) Does not have a physical or mental impairment that substantially limits one or more major life activity.

(D) Has the capacity to perform or obtain, without help, services necessary to maintain physical or mental health.

(E) Is not at imminent risk of danger to his person or property.

(ii) A report in this category shall be referred to a protective services caseworker of the agency within the normal business hours of the agency's current or next day of business. The protective services caseworker shall review the details of the report and take all necessary steps to confirm or reject the categorization of no need for protective services within 72 hours of receipt. If the caseworker confirms the screening categorization and upon the request of any interested party and without objection by the adult reported to need protective services, appropriate referrals shall be made to another community service provider within 72 hours of receipt. In the event the caseworker determines the allegations pertain to a person under 18 years of age or 60 years of age or older, the caseworker shall notify child protective services or older adult protective services immediately. The protective services case shall then be closed. If the caseworker rejects the categorization, the report shall be placed in the appropriate category and handled accordingly within 72 hours.

(iii) A report may not be placed in this category solely because the adult is temporarily relocated to a safe environment and will return to the original abusive situation or to a new location which has not been determined to be safe.

INVESTIGATING REPORTS OF NEED FOR PROTECTIVE SERVICES

§ 15.41. Reports required to be investigated.

(a) *General.* The agency shall provide for an investigation of a report received under § 15.23 (relating to receiving reports; general agency responsibility) and referred under § 15.26 (relating to screening and referral of reports received) to determine if the report can be substantiated and, if so, determine immediate steps that are necessary to remove or reduce an imminent risk to person or property. The investigation shall include sufficient collateral information provided by interviews, documents, reports or other methods to make the determination.

(b) *Trained and identified investigators.* Only a person who has completed the minimum departmental training required for protective services caseworkers under §§ 15.122 and 15.123 (relating to protective services staff training curriculum; and availability of training) and met the qualifications in § 15.121(b) (relating to protective services staff qualifications) may conduct investigations under this section. The following apply:

(1) When, for reasons unexpected and beyond the agency's control, a trained staff person is not available to conduct investigations, the agency shall notify the Department and seek the Department's approval for its proposed plan for carrying out its investigation responsibilities under this section.

(2) The agency shall provide each investigator with official credentials that document the identity of the investigator and the legal authority to implement this chapter.

(c) *Agency responsibility.* The agency is responsible for assuring that an investigation under this section can be conducted whenever circumstances require it. This responsibility includes the provision of standby capability for use if the agency's regularly assigned staff is not available.

§ 15.42. Standards for initiating and conducting investigations.

(a) *Requirements by report category.*

(1) *Priority report.*

(i) The investigation of a report categorized as a priority shall be initiated immediately following the referral of the report. The protective services caseworker shall make every effort to ensure the immediate safety of the adult in need of protective services and, to the extent feasible, a face-to-face visit shall be conducted within 24 hours after the report is received.

(ii) When the protective services caseworker makes every effort to gain access to the adult in need of protective services, and the protective services caseworker is denied access, the caseworker shall document the efforts made and act, as appropriate, under § 15.61 or § 15.71 (relating to access to adults; and involuntary intervention by emergency court order).

(2) *Non-priority report.*

(i) The investigation of a report categorized as non-priority shall be initiated in a timely manner, but no later than 72 hours after the report was received. The investigation of a non-priority report shall include a face-to-face visit to the adult in need of protective services no later than 72 hours after the report was received.

(ii) When the protective services caseworker makes efforts to gain access to the adult in need of protective services, and the protective services caseworker is denied access, the caseworker shall document the efforts made and take action, as appropriate, under § 15.61 or § 15.71.

(3) *No need or not eligible for protective services report.*

(i) The investigation of a report categorized as no need or not eligible for protective services shall consist of the protective services caseworker's review of the report categorization.

(ii) If the caseworker agrees with the initial categorization, appropriate referrals shall be made within 72 hours after the report was received, to another community service provider, if appropriate. If the allegations pertain to a person under 18 years of age or 60 years of age or

older, the caseworker shall immediately refer the report to child protective services or older adult protective services. If the caseworker does not agree with the initial categorization, the caseworker shall place the report in another category in this subsection and the report shall be addressed under the applicable provisions for investigating a report in that category.

(b) *Reports involving conflict of interest.* In the event a conflict of interest arises or is identified as described in § 15.12 (relating to administrative functions and responsibilities of agencies), the agency shall immediately refer the case for investigation by the Department or for referral to another agency for investigation.

(c) *Written records of investigative activities.* The caseworker shall document, in the case record, investigative activities, including home visits and other contacts with the adult in need of protective services, and other persons or organizations needed to facilitate the investigation. Documentation may include, but is not limited to, dated and signed photographs and statements related to suspected abuse, neglect, exploitation or abandonment.

(d) *Completing investigations of reports.* The agency shall make all reasonable efforts to complete an investigation of a report for protective services under this section as soon as possible but no later than 20 days after the receipt of the report. The investigation of the report is completed only when the report has been determined to be substantiated or unsubstantiated, and if substantiated, after necessary steps have been taken to reduce or eliminate the imminent risk to the person or property of the adult in need of protective services.

(e) *Department conducting its own investigation.* If the Department determines that the agency is unable to conduct, or has not conducted, what the Department considers an acceptable protective services investigation, the Department may intervene in the agency's investigation, provide direct instruction to the agency regarding the investigation or conduct its own investigation.

§ 15.43. Resolution of unsubstantiated reports.

(a) When, upon investigation of a report, the agency determines that there is no need for protective services, the report shall be classified as unsubstantiated.

(b) An unsubstantiated report, and all information obtained in investigating the unsubstantiated report, shall be maintained for a period of 1 year. The agency shall maintain the information in a manner that prevents unauthorized access, including electronic files. Paper files shall be maintained in a separate and locked file accessible only to authorized agency staff under § 15.102 (relating to maintenance of case records).

(c) When the subject of an unsubstantiated report has needs for other services, the subject shall be informed of the availability of services provided by other appropriate community service providers.

§ 15.44. Resolution of substantiated reports.

(a) When an investigation confirms the details of a report made under § 15.23 (relating to receiving reports; general agency responsibility) or the agency determines that the subject of the report is in need of protective services, the report shall be classified as substantiated.

(b) Prior to substantiating the report, the agency shall attempt to assess the adult in need of protective services under § 15.92 (relating to assessment). An adult in need of protective services may refuse the assessment. If an adult in need of protective services refuses the assess-

ment, the agency may seek, when appropriate, a court order under § 15.61 (relating to access to adults).

(c) On the basis of the assessment, the agency shall provide for the development of a service plan of recommended actions that reflect the least restrictive alternatives for removing or reducing imminent risk to person or property and promote self-determination and continuity of care being provided at the time of the agency's intervention. The service plan may include, when appropriate, the pursuit of civil or criminal remedies. The service plan shall be developed in accordance with § 15.93 (relating to service plan).

(d) After the service plan is developed, the agency shall implement the service plan under § 15.94 (relating to service delivery).

§ 15.45. State-licensed and State-operated facilities.

(a) *General.* The following paragraphs apply to investigations of reports concerning adults reported to need protective services, who receive care in State-licensed facilities:

(1) The agency maintains general responsibility to investigate and provide protective services when there is an allegation of abuse, neglect, exploitation or abandonment of an adult who receives care in a State-licensed facility.

(2) The agency continues to maintain its general responsibility to investigate and provide protective services when there is an allegation of abuse, neglect, exploitation or abandonment of an adult who receives care in a State-licensed facility that is concurrently being investigated by another entity that has jurisdiction to investigate.

(3) The agency may seek judicial relief to require the State-licensed facility to protect the health and safety of the adult in need of protective services when the State-licensed facility is found to jeopardize the health and safety of the adult in need of protective services and this finding is supported by evidence of substantiated risk.

(4) The agency shall notify the area agency on aging ombudsman of reports and investigations concerning adults residing in State-licensed facilities for which the area agency on aging provides ombudsman services. In situations that ombudsman services, as established by section 712(g) of the Older Americans Act of 1965 (42 U.S.C. § 3058g) and section 2207-A of The Administrative Code of 1929 (71 P.S. § 581-7(d)), are determined to be appropriate, the agency shall request those services from the ombudsman.

(b) *Agency coordination with entities that have jurisdiction over State-licensed facilities.*

(1) Except as provided under subsection (c), the agency shall notify the appropriate entity that has jurisdiction over a State-licensed facility of a report for an adult receiving care in a State-licensed facility. The following apply:

(i) Notification shall identify the facility, the adult reported to need protective services and the nature of the report.

(ii) Notification shall be made immediately to the State agency that has jurisdiction over a State-licensed facility that a report has been received by the agency about an adult receiving services in a State-licensed facility.

(2) When an investigation is concurrently investigated by the agency and a State agency that has jurisdiction over a State-licensed facility, this investigation may suffice for the agency investigation. The agency will main-

tain responsibility for acceptance of the final investigation and determination, as well as the development of the service plan. The agency shall make every effort to coordinate its investigative activities and findings with the State agency that has jurisdiction over a State-licensed facility to avoid duplication of effort and to foster jointly developed remedies to situations requiring protective services intervention.

(c) *State-operated facilities.* If the agency receives a report concerning an adult in need of protective services who resides in a State-operated facility, the agency shall provide for an investigation of that report as follows:

(1) The agency shall initiate the investigation by referring the report to the appropriate administrative or program office for investigation under its patient rights program.

(2) The agency shall closely monitor an investigation referred under paragraph (1) to determine that the investigation is effectively implemented and that remedies have been implemented to correct the situation which led to the making of the report.

(3) The referral of an investigation to the Department may suffice for the agency investigation. The agency will maintain responsibility for acceptance of the final investigation and determination, as well as the development of the service plan. This does not relieve the agency of its authority and responsibility to provide protective services.

§ 15.46. Law enforcement officials.

(a) *General.* This chapter may not be interpreted to deny an adult in need of protective services access to the normal protections available from the police and other law enforcement officials as appropriate.

(b) *Interagency coordination.* To facilitate the cooperation of law enforcement officials with the provision of protective services, when necessary, the agency shall fulfill the following minimum coordinating activities:

(1) Coordination with the following:

(i) Police departments in the geographic area.

(ii) The district attorney's offices in the geographic area.

(iii) Pennsylvania State Police barracks in the geographic area.

(iv) Officials of the court system.

(v) Legal assistance services.

(vi) The county coroners in the geographic area.

(2) Establish designated points of contact with law enforcement officials to facilitate coordination when necessary.

(3) Establish basic procedures to be followed when the agency makes reports of criminal conduct or requests for special assistance to law enforcement officials, and when the law enforcement officials report the need for protective services to the agency.

(4) Provide for the necessary exchange of information about protective services for adults and the role of law enforcement officials in the provision of those services.

(5) Establish procedures for notifying the Department, upon notification by law enforcement officials, of any decision regarding criminal charges.

(c) *Role of law enforcement officials in protective services.* The agency's protective services caseworkers shall receive training as required under §§ 15.122 and 15.123

(relating to protective services staff training curriculum; and availability of training), which shall incorporate training in relevant areas of criminal law and the role of law enforcement officials when criminal conduct is encountered or suspected.

(d) *Civil and criminal information.* The agency shall take steps to inform adults in need of protective services of access to civil or criminal remedies and how to access them, as possible resolutions to situations of risk to person or property. If an adult in need of protective services requests the agency to contact law enforcement officials, the agency shall respond to that request immediately.

(e) *Police assistance to protective services caseworker.* A protective services caseworker may, as appropriate, request the assistance of a police officer when investigating a report which may pose a possible danger to the caseworker. As provided under § 15.73 (relating to forcible entry), forcible entry may be made only by a police officer after obtaining a court order. The police officer may be accompanied by a representative of the agency.

(f) *Simultaneous investigations.* When both a report for protective services and a police report have been filed, the protective services investigation shall continue simultaneously with the police investigation. The agency may take steps to coordinate its investigation with the police investigation and, if applicable, the investigation by the State agency that has jurisdiction over the State-licensed facility. The agency shall make available to law enforcement, as provided under § 15.105 (relating to limited access to records and disclosure of information), relevant information from the case record.

(g) *Report of death.* If the death of an adult in need of protective services occurs prior to the agency's investigation of the report, during the investigation or at any time prior to the closure of the protective services case, the agency shall immediately report that death to the police and the county coroner if it is suspected there is a connection between the death and the need for protective services.

§ 15.47. Emergency medical services.

This chapter may not be interpreted to deny an adult in need of protective services access to the normal protections of the emergency medical services or police protection that would be available to anyone, regardless of age, in similar circumstances.

AGENCY ACCESS TO PERSONS AND RECORDS

§ 15.61. Access to adults.

(a) *Access ensured by law.* The agency shall have access to adults reported to need protective services for the purpose of fulfilling its responsibility to do the following:

- (1) Investigate reports received under this chapter.
- (2) Assess the needs of the adult reported to need protective services and develop a service plan for addressing determined needs.

(3) Provide for the delivery of services by the agency or other service provider arranged for under the service plan developed by the agency.

(b) *When access is denied.*

(1) The agency shall make good faith efforts to clearly inform a party denying access to an adult of the legal authority for access and the available recourse through a court order in the following circumstances:

(i) When access is necessary to complete the investigation or the assessment and service plan.

(ii) To deliver needed services to prevent further abuse, neglect, exploitation or abandonment of the adult in need of protective services.

(2) If the party continues to deny the agency access to the adult in need of protective services, the agency may petition the court for an order to require the appropriate access when one of the following conditions applies:

(i) A caregiver or a third party has interfered with the completion of the investigation, the assessment and service plan or the delivery of services.

(ii) The agency can demonstrate that the adult in need of protective services was denied access because of coercion, extortion or justifiable fear of future abuse, neglect, or exploitation or abandonment.

§ 15.62. Access to records.

(a) *Access ensured by law.* The agency shall have access to records relevant to the following purposes:

(1) Investigations of reports received under this chapter.

(2) The assessment of need and the development of a service plan when an adult's need for protective services has been or is being established.

(3) The delivery of services arranged for under the service plan developed by the agency to respond to an adult's assessed need for specific services.

(b) *When access to records is denied.*

(1) The agency shall clearly inform the party denying access to the records of the legal authority for access by the agency and the available recourse through a court order if the agency is denied access to necessary records in one of the following circumstances:

(i) To complete a proper investigation of a report for an assessment or a service plan.

(ii) To deliver needed services to prevent further abuse, neglect, exploitation or abandonment of the adult reported to need protective services.

(2) If the party continues to deny access to relevant records, the agency may petition a court for an order requiring the appropriate access when one of the following conditions applies:

(i) The adult has provided written consent for confidential records to be disclosed and the keeper of the records denies access.

(ii) The agency is able to demonstrate that the adult in need of protective services is denying access to records because of incompetence, coercion, extortion or justifiable fear of future abuse, neglect, exploitation or abandonment.

(c) *Request of certain records.* Records of State agencies, private organizations, financial institutions, fiduciaries, medical institutions and practitioners, and persons reasonably suspected of engaging in or facilitating the abuse, neglect, exploitation or abandonment of an adult, which the agency reasonably believes to be necessary to complete an investigation or assessment and service plan, shall be requested in written form and made available to the agency unless the disclosure is prohibited by any other provision of Federal or State law.

§ 15.63. Access by consent.

The agency's access to confidential records held by other entities or individuals and the agency's access to an adult in need of protective services shall require the consent of the adult or a court-appointed guardian except as provided under §§ 15.61, 15.62 and 15.71 (relating to access to adults; access to records; and involuntary intervention by emergency court order).

EMERGENCY INTERVENTION

§ 15.71. Involuntary intervention by emergency court order.

(a) *General.*

(1) When there is clear and convincing evidence that an adult in need of protective services is at imminent risk of death, serious injury or serious bodily injury the agency may petition the court for an emergency order to provide the necessary services.

(2) Only the agency, through its official representative, may bring a petition for involuntary intervention by emergency court order.

(3) Notice of petition shall be provided to the adult in need of protective services, or the adult's legal representative, when filed.

(b) *Limited order.* The court, after finding clear and convincing evidence of the need for an emergency order, shall order only such services as are necessary to remove the conditions creating the established need.

(c) *Legal representation.* When the agency petitions the court for emergency involuntary intervention, the agency shall inform the adult of the right to be represented by legal counsel at all stages of the proceedings.

(1) *Notification.*

(i) If the adult in need of protective services has legal counsel known to the agency, the agency shall attempt to notify that legal counsel before it files a petition for emergency involuntary intervention.

(ii) If the agency has no knowledge of a legal counsel who represents the adult in need of protective services, the agency shall inform the adult or the adult's legal representative about other legal services that they may be able to access.

(iii) The notification shall contain enough information about the risk to the adult in need of protective services and the proposed remedy to enable counsel to determine if representation is necessary at the emergency hearing.

(iv) Notification to legal counsel shall include a copy of the petition with the affidavits attached, as well as the time, date and place of presentation of the petition except when § 15.72(b) (relating to petition) applies.

(2) *Right to counsel.* To protect the rights of an adult in need of protective services, an emergency court order shall provide that the adult has the right to legal counsel, which shall be appointed by the court at public expense.

§ 15.72. Petition.

(a) *Contents.* The petition which the agency files for an emergency court order of involuntary intervention shall state the following information:

(1) The name, age and physical description of the adult in need of protective services, insofar as these facts have been ascertained.

(2) The address or other location where the adult in need of protective services can be found.

(3) The name and relationship of a guardian, caregiver or other responsible party residing with the adult in need of protective services, when applicable.

(4) A description of how the adult in need of protective services is at imminent risk of death or serious injury or serious bodily injury.

(5) The physical and mental status, to the extent known, of the adult in need of protective services.

(6) The attempts made by the agency to obtain the informed consent of the adult in need of protective services or the adult's court-appointed guardian, when applicable, for the agency to provide protective services.

(7) The specific short-term, least restrictive, involuntary protective services that the agency is requesting.

(8) A description of how the proposed services would remedy the situation or condition which presents an imminent risk of death or serious injury or serious bodily injury.

(9) A description of how the agency will ensure the health and safety needs of any of the dependents of the adult in need of protective services, and that the personal property and the dwelling occupied by the adult in need of protective services are secure.

(10) A statement showing why the proposed services are not overbroad in extent or duration and why less restrictive alternatives as to their extent or duration are not adequate.

(11) A statement that other voluntary protective services have been offered, attempted or have failed to remedy the situation.

(12) A statement that reasonable efforts have been made to communicate with the adult in a language and manner the adult understands.

(13) Other relevant information deemed appropriate by the agency.

(b) *Oral petitions.* Nothing in this chapter precludes or prohibits the oral presentation of a petition for emergency involuntary intervention.

(c) *Affidavits.* Allegations shall be supported by affidavits provided by persons having that knowledge. The affidavits shall be attached to the petition.

(d) *Emergency order duration.* In the petition, the agency shall request an emergency order of a specific duration as may be warranted by the circumstances. The agency shall request the court to hold a hearing when the initial emergency order expires to review the need for an additional emergency court order or other continued court and protective services involvement, or both. The issuance of an emergency order is not evidence of the competency or incompetency of the adult.

§ 15.73. Forcible entry.

Where it is necessary to forcibly enter a premise, law enforcement officials shall obtain a court order and may be accompanied by a representative of an agency.

§ 15.74. Health and safety requirements.

The agency shall take reasonable steps to assure that while an adult in need of protective services is receiving services under an emergency court order, the health and safety needs of any of the dependents of the adult in need of protective services are met and that the personal property and the dwelling occupied by the adult in need of protective services are secure.

§ 15.75. Non-restrictive setting.

In those cases, in which an adult in need of protective services must be relocated, the agency shall request the court to order the adult in need of protective services to be relocated to the most integrated setting and the least restrictive alternative that ensures the health and safety of the adult in need of protective services.

§ 15.76. Documentation.

The agency shall document in the case record the emergency intervention actions that the agency takes.

INDIVIDUAL RIGHTS

§ 15.81. Rights of adults reported to need protective services.

The agency shall observe the following minimum requirements to safeguard the rights of an adult in need of protective services:

(1) During the investigation, the agency shall privately notify the adult that a report for protective services has been made. The agency shall provide the adult with a brief summary of the nature of the report.

(2) If the adult in need of protective services requests additional information contained in the record, the agency shall provide the information, subject to the requirements in § 15.105 (relating to limited access to records and disclosure of information).

(3) A denial of services by the Department or an authorized agency under this chapter may be appealed as provided under §§ 15.150—15.153 (relating to appeals and fair hearings).

(4) Nothing in this chapter limits the rights of an adult in need of protective services to file a petition with a court of competent jurisdiction requesting a protection from abuse order.

(5) An adult in need of protective services has the right to refuse protective services or withdraw consent for protective services, except as provided under a court order or as requested by a legal guardian. The agency shall obtain, when possible, the adult's signed statement refusing protective services or document unsuccessful efforts to obtain a signed statement.

(6) An adult in need of protective services has the right to legal counsel when the agency petitions the court for emergency or other orders to provide protective services. The act provides that to protect the rights of an adult in need of protective services, an emergency court order shall provide that the adult has a right to legal counsel which shall be appointed by the court at public expense.

(7) As provided under §§ 15.101—15.105 (relating to confidentiality), an adult has the right to the confidentiality of information received and maintained by the agency in reports, investigations, service plans and other elements of a case record.

PROVISION OF SERVICES

§ 15.91. Protective services.

(a) *Protective services.* Protective services are activities, resources and supports provided when the agency determines that an adult needs protective services after the initiation of an investigation to detect, prevent, reduce or eliminate abuse, neglect, exploitation and abandonment. Protective services activities include the following:

- (1) Administering protective services plans.
- (2) Receiving and maintaining records of reports of abuse, neglect, exploitation or abandonment.
- (3) Conducting investigations of reported abuse, neglect, exploitation or abandonment.
- (4) Conducting assessments and developing service plans.
- (5) Petitioning the court.
- (6) Providing emergency involuntary intervention.
- (7) Arranging for available services needed to fulfill service plans, which may include, as appropriate, arranging for services for other household members to reduce, correct or eliminate abuse, neglect, exploitation or abandonment of an adult. A listing of examples of types of services that may be made available to reduce, correct or eliminate abuse, neglect, exploitation or abandonment of an adult in need of protective services is provided under § 15.93(d) (relating to service plan).
- (8) Purchasing, on a temporary basis, services determined by a service plan to be necessary to reduce, correct or eliminate abuse, neglect, exploitation or abandonment of an adult in need of protective services when the services are not available within the existing resources of the appropriate provider.

(b) *Availability of protective services.* The agency shall offer protective services under one or more of the following conditions:

- (1) An adult in need of protective services requests the services.
- (2) Another interested person requests the services on behalf of an adult in need of protective services.
- (3) If, after investigation of a report, the agency determines the adult needs the protective services.

(c) *Voluntary consent.* The agency shall provide protective services to adults in need of protective services unless the adult in need of protective services refuses or withdraws consent.

(d) *Consent exemptions.* Protective services may be provided to adults in need of protective services without consent only in the following situations:

- (1) When provided under § 15.71 (relating to involuntary intervention by emergency court order).
- (2) When requested by a legal guardian that has appropriate decision-making authority.

(e) *Interference with services.* If a person interferes with the provision of services or interferes with the right of an adult in need of protective services to consent to the provision of services, the agency may petition the court for an order enjoining the interference.

§ 15.92. Assessment.

(a) When a report is substantiated by the agency, or if an assessment is necessary to determine whether the report is substantiated, the agency shall conduct an assessment. If the adult reported to be in need of protective services refuses to participate in the assessment, the agency may petition the court as provided under §§ 15.61 or 15.71 (relating to access to adults; and involuntary intervention by emergency court order).

(b) The agency, to the extent feasible, shall make face-to-face contact with the adult reported to need protective services to evaluate and document information, including the following:

- (1) Personal appearance.
- (2) Physical environment.
- (3) Physical health.
- (4) Mental functioning.
- (5) Activities of daily living.
- (6) Instrumental activities of daily living.
- (7) Mobility.
- (8) Social environment.
- (9) Economic status, including incomes, resources and receipts of public and private benefits.
- (10) Nutrition.
- (11) Recent experiences, such as losses, separations and major changes in relationships or environments.
- (12) The need for a formal medical or psychiatric evaluation.

(c) The assessment shall be multidisciplinary, comprehensive and written by professionals who have met with the adult in need of protective services and are familiar with the adult's situation. Whenever possible, it shall include information given by the adult for each area of functioning.

(d) The assessment shall be written so that the reader can determine which information came from the adult and which constitutes the worker's or other professional's judgment.

(e) The assessment shall be written in a standard format as prescribed by the Department. Data entries shall be based on commonly accepted and defined nomenclature to make the data more usable across and within the Department to ensure that adults are evaluated uniformly according to the standardized definitions.

§ 15.93. Service plan.

(a) When a report is substantiated, a service plan shall be prepared for the adult in need of protective services.

(b) The service plan shall be cooperatively developed by agency staff, the adult in need of protective services, unless the adult refuses, and if applicable, the appointed guardian, caregiver and other appropriate individuals.

(c) The service plan shall include a recommended course of action which utilizes the least restrictive alternative, encourages self-determination and ensures continuity of care. The recommended course of action may also include pursuit of civil or criminal remedies.

(d) The service plan shall describe the identified needs, the goals to be achieved, the specific services which will be used to support attainment of the goal and the procedures to be followed with regard to regular follow-up and assessment of progress. Specific services which may be used to implement the service plan include the following:

- (1) Medical services.
- (2) Psychiatric or psychological services.
- (3) Legal services.
- (4) Public or private entitlements or resources.
- (5) Financial management.
- (6) Personal or environmental safety.
- (7) Emergency shelter or temporary housing.
- (8) Transportation.

- (9) Home-delivered meals.
- (10) Attendant care.
- (11) Homemaker services.
- (12) Guardianship services.

(e) The service plan shall also address, if applicable, special needs of other dependents in the household unit, as they may affect the adult in need of protective services. The identification in a service plan of service needs of other dependents in the household does not obligate the agency to pay the costs of the services.

(f) The service plan shall describe the plan to transition the adult to long-term supports and services, if needed.

(g) The service plan shall be updated as the goals are met, or as new needs are identified, and to reflect how the risk was reduced or eliminated and reviewed with the supervisor. Refusal of any part of the service plan by the adult in need of protective services is documented on the service plan.

§ 15.94. Service delivery.

(a) The agency shall provide for the timely implementation of the course of action recommended in the service plan unless the adult in need of protective services refuses. The implementation may be provided by direct provision of services by the agency, purchase of services from another service provider, referral to another entity, provision of services by family and friends or a combination of these or other methods.

(b) Protective services shall not be provided to an adult in need of protective services who refuses or withdraws consent, unless the services are requested by a guardian of the adult in need of protective services or provided under § 15.71 (relating to involuntary intervention by emergency court order).

(c) Prior to purchasing the service, the agency shall first determine if the adult in need of protective services is eligible for any public or private entitlements or resources.

§ 15.95. Case management.

(a) *Coordination of services.* The agency is responsible for coordination of services being provided to the adult in need of protective services. The agency shall also ensure that services necessary to achieve the goals in the service plan are being provided.

(b) *Case records.* A separate record shall be established to contain information on protective services cases. Confidentiality of the protective services case record shall be maintained by the agency as set forth in §§ 15.101—15.105 (relating to confidentiality). The protective services case record shall include the following:

- (1) The report of a need for protective services.
- (2) The record of investigation.
- (3) The written findings of the assessment.
- (4) The service plan.
- (5) Notes of contact with the adult and others involved with the case.
- (6) Court documents.
- (7) Letters of notification to the adult.

(c) *Reassessment.* Protective services caseworkers shall conduct reassessments for adults in need of protective services. The following apply:

(1) Reassessment shall be written in the standardized format established by the Department.

(2) Reassessment shall be conducted before a protective services case is terminated or transferred or if there is a change in condition that affects the adult in need of protective services.

§ 15.96. Termination of protective services.

(a) The agency shall terminate protective services when the adult no longer meets the definition of an adult in need of protective services as defined under § 15.2 (relating to definitions).

(b) Except when the adult in need of protective services withdraws consent to the delivery of protective services, the agency may terminate protective services in one of the following ways:

(1) By closing the case when no further service intervention is required by the adult.

(2) By closing the case when a court order for services has terminated and the adult in need of protective services is refusing further service intervention.

(3) By transferring the adult in need of protective services to another appropriate organization for appropriate supports.

(c) When the agency terminates protective services, the agency shall inform the adult in need of protective services and, if applicable, the appointed guardian, caregiver and other individuals, if appropriate, of this action and its rationale and shall attempt to secure a signed statement of understanding concerning the action from the adult in need of protective services or their authorized representatives, if applicable.

(d) When the agency transfers a protective services case, the case record shall reflect the transfer of the adult in need of protective services to another entity, the specific entity to which the referral was made and the acceptance of the referral by the other entity.

CONFIDENTIALITY

§ 15.101. Confidentiality of records.

Information contained in the agency's protective services case records shall be considered confidential and shall be maintained as set forth under this chapter.

§ 15.102. Maintenance of case records.

(a) Information contained in reports, records of investigation, assessments and service plans shall be considered confidential and shall be maintained under policies and procedures promulgated by the agency and approved by the Department to safeguard confidentiality.

(b) Protective services case records that are not stored electronically shall be kept in a locked storage cabinet when not in use by authorized persons.

(c) Except as provided under § 15.105 (relating to limited access to records and disclosure of information), only staff with direct responsibility for protective services functions may be authorized by the agency to have access to the protective services case records. General access is restricted to agency protective services supervisors, agency protective services caseworkers and clerical staff assigned to maintain case records.

(d) *Records retention for unsubstantiated reports.* As provided under § 15.43 (relating to resolution of unsubstantiated reports), when the agency cannot substantiate a report of a need for protective services, the case opened by the unsubstantiated report shall be closed and the

name of the adult reported to need protective services and other information collected shall be maintained for 1 year and shall be made accessible only to authorized staff for review when necessary to establish that a previous report was made.

(1) At the end of 1 year, case records maintained under this subsection shall be deleted or expunged, unless additional reports lead to the case records being reopened.

(2) The agency shall develop written procedures for the deletion or expungement of information in case records so that unauthorized persons are not able to gain access to information from case records. The procedures shall be submitted to the Department for approval.

(e) As provided under § 15.44 (relating to resolution of substantiated reports), when the agency is able to substantiate a report for protective services, and services are either provided, refused or not needed, the agency shall maintain the information for 3 years or as specified by the Department both electronically and in a separate locked file accessible only to authorized staff for review when necessary.

§ 15.103. Responsibilities of staff with access to confidential information.

(a) The agency shall ensure that staff with access to case record information is trained regarding the confidentiality provisions of this chapter.

(b) A staff person who is authorized to have access to case record information is required to safeguard the confidentiality of that information. This requirement extends to known information related to a case but not recorded in writing.

(c) A staff person who is to be authorized to have access to confidential information related to protective services cases shall sign a statement provided by the Department, assuring knowledge of applicable confidentiality requirements and the penalties for violating them.

§ 15.104. Penalties for violation of confidentiality requirements.

(a) If a staff person, who is authorized to have access to confidential information under this chapter, is suspected of violating the requirements in the signed confidentiality statement under § 15.103(c) (relating to responsibilities of staff with access to confidential information), that person shall be immediately suspended from protective services duties, pending an investigation and determination of culpability.

(b) If a staff person, who is authorized to have access to confidential information under this chapter, is determined upon investigation to have violated the requirements in the signed confidentiality statement under § 15.103(c), that person shall be subject to disciplinary action.

§ 15.105. Limited access to records and disclosure of information.

Information in a protective services case record may not be disclosed, except as provided in this section.

(1) Protective services records may be provided to a court of competent jurisdiction or to another party pursuant to a court order. A subpoena shall not be a court order for purposes of this section.

(2) Protective services records may be provided to law enforcement officials or a coroner if the information is relevant to the official's or coroner's investigation of abuse, neglect, exploitation, abandonment or death of the

adult. The protective services records shall not be subject to the Right-to-Know Law (65 P.S. §§ 67.101—67.3104).

(3) In arranging specific services to carry out service plans, the agency may disclose information to appropriate service providers as may be necessary to initiate the delivery of services.

(4) The adult who is the subject of a report or the adult's guardian, if the guardian is not named as a perpetrator in the report, may receive, upon written request, a copy of the report except information that would identify the individual who made a report of suspected abuse, neglect, exploitation or abandonment or persons who cooperated in a subsequent investigation.

(5) An individual who makes a report of suspected abuse, neglect, exploitation or abandonment may receive, upon written request, confirmation from the Department that the report was received, and the agency is acting in accordance with this chapter.

(6) For the purposes of monitoring agency performance or conducting other official duties, appropriate staff of the Department, as designated by the Secretary, may access protective services records.

(7) To deliver protective services, records may be provided to a health care provider who is examining or treating the adult in need of protective services under this chapter.

FINANCIAL OBLIGATIONS

§ 15.111. Coordination of available resources.

(a) The agency shall ensure that funding authorized under the act is not used to supplant public and private entitlements or resources for which adults in need of protective services are, or may be, eligible.

(b) For all adults in need of protective services, the agency shall attempt to establish the eligibility for appropriate public and private entitlements and resources and shall exhaust the eligibility for benefits prior to the utilization of funds authorized under the act for the provision of services.

(c) The agency is required to coordinate the utilization of public and private entitlements and resources. This chapter does not establish a means test for the provision of protective services.

§ 15.112. Time limitation on service purchases.

(a) After exhausting available steps to provide necessary services through existing agency resources, utilization of other providers and the coordination of public and private entitlements and resources, the agency may purchase services on a time-limited basis.

(b) The purchase of services under this section is limited to a 30-day period which may be renewed only with approval by the Department. The agency shall consider the 30-day period to be a maximum time limit for the purchase of services and not a standard time allotment. After the decision to purchase services has been made, the agency shall continue the pursuit of alternate ways to provide the services and terminate the purchase of services as soon as possible.

(c) If at the end of 30 days of continuous service purchase on behalf of an adult in need of protective services, the services are still necessary and still available only through purchase, complete justification of the need for services and documentation of the unavailability of the services shall be made a part of the record as required by § 15.95(b) (relating to case management).

STAFF QUALIFICATIONS AND TRAINING

§ 15.121. Protective services staff qualifications.

(a) *General.* The agency shall ensure that staff directly involved with the protective services meets the minimum standards of training and experience in this chapter. The minimum standards apply to staff assigned to protective services on a full-time basis, a part-time basis or as standby staff.

(b) *Staff training and experience requirements.* Protective services staff shall meet the following:

(1) Have a Bachelor of Arts or Bachelor of Science degree or equivalent life experience as approved by the Department.

(2) Have work experience with persons with a physical or mental impairment, have worked as an investigator in child welfare or older adult protective services, or have demonstrated knowledge of investigative experience.

(3) Complete the curriculum described in § 15.122 (relating to protective services staff training curriculum).

(4) Receive in-service training in protective services annually as required by the Department.

§ 15.122. Protective services staff training curriculum.

The protective services staff training curriculum shall consist of a minimum of 30 hours of training, including the following topics:

(1) The act and other laws related to abuse, neglect, exploitation and abandonment.

(2) Americans with Disabilities Act (42 U.S.C. §§ 12101—12213), including the principles of the most integrated setting.

(3) Disability competence, including issues and barriers faced by adults with disabilities.

(4) Independent living.

(5) Individual choices in services and the rights of an adult to refuse services.

(6) The criminal and civil justice systems in the Commonwealth.

(7) Investigation process and techniques.

(8) Interviewing and observation techniques.

(9) Techniques to obtain documentary evidence.

(10) Personal safety for those conducting investigations.

(11) Cultural competence.

(12) Positive behavior approaches.

(13) Information and referral resources.

(14) Domestic violence and sexual assault.

(15) Experience of trauma.

(16) Confidentiality and protected information.

(17) Communication skills, including complex communication needs.

(18) Coordination with other State licensing departments and program offices.

(19) The service delivery system in the Commonwealth for persons with disabilities.

(20) Housing for persons with disabilities.

§ 15.123. Availability of training.

(a) The Department will provide for the review of curricula described in § 15.122 (relating to protective services staff training curriculum) that is chosen or developed by the agency and will require the training be conducted on an as needed basis. The Department will also provide for annual in-service training.

(b) Training may be developed and delivered in collaboration with persons with disabilities, family members and advocates.

**MANDATORY REPORTING OF SUSPECTED
ABUSE, NEGLIGENCE, EXPLOITATION OR
ABANDONMENT**

§ 15.131. General reporting requirements.

(a) Administrators or employees, who have reasonable cause to suspect that a recipient is a victim of abuse or neglect, are required to complete the following:

(1) Immediately make an oral report to the Statewide hotline for adult protective services or to the agency.

(2) Make a written report to the agency within 48 hours.

(b) Mandatory reporting to the agency is satisfied when the administrator or employee submits a report to the incident reporting system.

(c) Employees making oral or written reports shall immediately notify the administrator or designee of the report.

(d) The agency shall notify the entities that have jurisdiction over State-licensed facilities and State-operated facilities immediately, when written reports of abuse, neglect, exploitation or abandonment are received.

(e) The agency shall coordinate with the Department to ensure that the needs of the adult in need of protective services are met and to identify what additional action is to be taken by the agency.

(f) Representatives of the Department of Aging, Department of Health and the Department of Human Services who suspect violations under this section will report them to the Department office that administers the adult protective services program. The report shall be made in writing and include, at a minimum, the facility, the administrator, owner, operator or designee suspected of committing the violation, and a description of the suspected violation.

§ 15.132. Additional reporting requirements.

(a) Administrators or employees who have reasonable cause to suspect that a recipient is the victim of sexual abuse, serious injury, serious bodily injury or that a recipient's death is suspicious, shall, in addition to the reporting requirements in § 15.131(a) (relating to general reporting requirements) do the following:

(1) Immediately make an oral report to law enforcement officials. An employee shall immediately notify the facility administrator or a designee following a report to law enforcement officials, unless the notification would jeopardize the investigation or subject the recipient to further risk.

(2) Make an oral report to the Department during the same day law enforcement officials are contacted or, if the incident occurs after normal business hours, at the opening of the next business day.

(3) Make a joint written report to law enforcement officials, the agency and the Department within 48 hours of making the oral report.

(b) Law enforcement officials shall notify facility administrators or their designees that a report has been made with them, unless the notification would jeopardize the investigation or subject the recipient to further risk.

(c) Administrators or employees shall, in addition to complying with these requirements, comply with reporting requirements of the entities that have jurisdiction over State-licensed facilities or State-operated facilities.

§ 15.133. Contents of reports.

(a) Written reports under §§ 15.131 and 15.132 (relating to general reporting requirements; and additional reporting requirements) shall be made on the form prescribed by the Department.

(b) The report shall include, at a minimum, the following information, if known:

(1) Name, age and address of the adult.

(2) Name, address of the adult's guardian, attorney-in-fact or next-of-kin.

(3) Facility name and address.

(4) Description of the incident.

(5) Specific comments or observations.

§ 15.134. Reports to Department and coroner by agencies.

(a) *Department.*

(1) Within 48 hours of receipt of a written report under § 15.132 (relating to additional reporting requirements) involving sexual abuse, serious injury, serious bodily injury or suspicious death, the agency shall transmit a written report to the Department.

(2) A report under this subsection shall be made in a manner and on the form prescribed by the Department. The report shall include, at a minimum, the following information, if known:

(i) The name and address of the adult in need of protective services.

(ii) Where the suspected abuse, neglect, exploitation or abandonment occurred.

(iii) The age and sex of the alleged perpetrator and adult in need of protective services.

(iv) The nature and extent of the suspected abuse or neglect, including evidence of prior abuse.

(v) The name and relationship of the individual responsible for causing the alleged abuse or neglect to the adult in need of protective services, if known, and evidence of prior abuse by that individual.

(vi) The source of the report.

(vii) The individual making the report and where that individual can be reached.

(viii) The actions taken by the reporting source, including taking of photographs and X-rays, removal of the adult and notification under subsection (b).

(ix) Name and address of the recipient's guardian, attorney-in-fact or next-of-kin.

(x) Name and address of the facility.

(b) *Coroner or medical examiner.* For a report under § 15.132 (relating to additional reporting requirements) that concerns the death of an adult, if there is reasonable cause to suspect that the adult died as a result of abuse or neglect, the agency shall give the oral report and forward a copy of the written report to the appropriate coroner or medical examiner within 24 hours.

(c) *Prohibition.* Except as permitted by law, the release of records that would identify the individual who made a report under this chapter or an individual who cooperated in a subsequent investigation is prohibited.

§ 15.135. Investigation.

(a) *Agency response.* Upon receipt of a report under §§ 15.131 and 15.132 (relating to general reporting requirements; and additional reporting requirements), the agency shall respond as follows:

(1) If the report is about a person who is 60 years of age or older, the agency shall immediately notify the local area agency on aging.

(2) If the report is about a person who is under 18 years of age, the agency shall immediately call the Statewide child abuse hotline, "ChildLine."

(3) If the adult reported to need protective services resides in a personal care home or assisted living facility, the agency shall notify the Department.

(4) If the adult reported to need protective services resides in a domiciliary care home or receives services from an older adult daily living center, the agency shall notify the Department of Aging for purposes of initiating delivery of protective services.

(5) If the agency has knowledge or believes that the adult reported to need protective services has an intellectual disability, developmental disability, physical disability or a mental health condition, the agency shall notify the appropriate State agency that has jurisdiction over State-licensed facilities and State-operated facilities.

(b) *Cooperation.* To the fullest extent possible, law enforcement officials, the facility, the Department and the agency shall coordinate their respective investigations and shall advise each other and provide applicable additional information on an ongoing basis. Nothing in this subsection may be construed to alter investigation procedures developed by the Department.

§ 15.136. Restrictions on employees.

(a) Upon notification that an employee is alleged to have committed abuse, the facility shall immediately suspend the employee or, where appropriate and subject to approval by the agency and by the applicable State agency entity that has jurisdiction over the State-licensed facility or State-operated facility, implement a plan of supervision.

(b) A plan of supervision for a home health care agency shall include periodic, random direct observation and evaluation of the employee and the recipients by an individual who provides oversight to the employee. For a home health agency in business for less than 1 year, supervision shall include random, direct observation and evaluation by an employee with prior employment experience.

(c) Following approval of an individual plan of supervision by the agency and the applicable State agency that has jurisdiction over the State-licensed facility or State-operated facility, the facility shall follow the plan. Changes to the plan must be approved by the agency and the applicable State agency that has jurisdiction over the

State-licensed facility or State-operated facility prior to the implementation of the changes.

(d) Upon being notified by law enforcement officials of a decision to file criminal charges against an employee, as a result of a report made in compliance with § 15.132 (relating to additional reporting requirements), the facility shall immediately do the following:

(1) Inform the State agency with jurisdiction over the State-licensed facility or State-operated facility.

(2) Deny the employee access to those served by the facility.

(3) Inform the State agency with jurisdiction over the State-licensed facility or State-operated facility that the employee has been denied access to those served by the facility.

(e) If the agency determines that the facility has failed to carry out its responsibilities under subsection (d), the agency shall notify the appropriate State agency with jurisdiction over the State-licensed facility or State-operated facility, which shall order the facility to immediately prohibit the employee from having access to those served by the facility.

(f) If the employee is a director, operator, administrator or supervisor, the employee shall be subject to restrictions by the State agency with jurisdiction over the State-licensed facility or State-operated facility.

§ 15.137. Confidentiality of and access to confidential reports.

(a) *General rule.* Except as provided in subsection (b) and § 15.105 (relating to limited access to records and disclosure of information), a report under this chapter shall be confidential.

(b) *Exceptions.* A report under this chapter may be made available to the following:

(1) An employee of the Department or of an agency in the course of official duties in connection with responsibilities under this chapter.

(2) A licensed practitioner who is examining or treating an adult in need of protective services if the examination is for purposes of initiating the delivery of protective services under this chapter.

(3) The director, or an individual specifically designated in writing by the director, of a hospital or other medical institution where the adult in need of protective services resides, if the disclosure is for purposes of initiating the delivery of protective services under this chapter.

(4) The adult in need of protective services or the guardian of the adult.

(5) A court of competent jurisdiction under a court order.

(6) The Attorney General.

(7) Law enforcement officials of any jurisdiction in this Commonwealth, as long as the information is relevant in the course of investigating cases of abuse or neglect.

(c) *Protecting identity of person making report.* Except for reports to law enforcement officials, the release of information that would identify the individual who made a report under this chapter, or an individual who cooperated in a subsequent investigation, is prohibited. Law enforcement officials shall treat all reporting sources as confidential information.

§ 15.138. Penalties.(a) *Administrative.*

(1) An administrator or a designee or facility owner who intentionally or willfully fails to comply or obstructs compliance with sections 501—507 of the act (35 P.S. §§ 10210.501—10210.507) or who intimidates or commits a retaliatory act against an employee who complies in good faith commits a violation and shall be subject to an administrative penalty consistent with section 506 of the act.

(2) *Penalties.*

(i) Penalties shall be determined by the State agency that has jurisdiction over the State-licensed facility or the State-operated facility.

(ii) The State agency that has jurisdiction over the State-licensed facility or the State-operated facility may issue an order assessing a civil penalty consistent with section 506 of the act.

(iii) An order issued under this paragraph is subject to due process as set forth in 2 Pa.C.S. §§ 501—508 and 551—555 (relating to practice and procedure of Commonwealth agencies; and practice and procedure of local agencies) and judicial review as set forth in 2 Pa.C.S. §§ 701—704 and 751—754 (relating to judicial review of Commonwealth agency action; and judicial review of local agency action).

(b) *Criminal.* An administrator or a designee of a facility or facility owner who intentionally or willfully fails to comply or obstructs compliance with sections 501—507 of the act commits a criminal offense consistent with section 506 of the act and shall, upon conviction, be sentenced consistent with section 506 of the act.

(c) *Penalties for failure to report.* A person required to report a case of suspected abuse or neglect under sections 501—507 of the act regarding mandatory reporting of suspected abuse, neglect, exploitation or abandonment and who willfully fails to do so commits a summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation. If the agency learns of a refusal to complete all reporting requirements, the agency shall notify the appropriate law enforcement official within 72 hours.

§ 15.139. Immunity.

An administrator of a facility or a facility will not be held civilly liable for any action directly related to good faith compliance with this chapter.

APPEALS AND FAIR HEARINGS**§ 15.150. Right to appeal and fair hearing.**

An adult who has been found not to be in need of protective services has the right to appeal the decision and to have a fair hearing.

§ 15.151. Notice of adverse action.

(a) The agency will provide advance written notice of any adverse action to the adult or their legal representative.

(b) The notice will include the following:

(1) The decision may be appealed in accordance with the procedures set forth in this chapter, starting with the informal complaint process under § 15.152 (relating to informal complaints).

(2) If an informal complaint is to be made, it must be filed within 30 days following the receipt of the written notice of adverse action.

(3) The agency will, if requested, provide assistance in filing the informal complaint. A request shall be made to the agency by the adult or the adult's legal representative within 30 days of receiving the adverse action notice.

(c) Copies of all notices of adverse action shall be retained by the agency and shall, where applicable, be made a part of the evidence taken in informal complaint proceedings and formal hearings.

§ 15.152. Informal complaints.

(a) *General requirement.* Prior to arranging for any formal hearings on appeals, the Department will require a party appealing under § 15.150 (relating to right to appeal and fair hearing) to proceed through the informal complaint process provided under this section.

(b) *Submission, form and content of informal complaints.*

(1) An informal complaint shall be filed in writing within 30 days following the date of the written notice of adverse action.

(2) Parties shall send their informal complaints to the Department.

(3) The complaint shall contain the following:

(i) Name and address of the complainant.

(ii) Party against whom the complaint is made.

(iii) A copy of the notice of adverse action.

(iv) A statement of all relevant facts and the grounds upon which the complaint is based.

(v) The relief or solution requested by the complainant.

(vi) While not required, the complaint may be accompanied by supporting papers.

(c) The Department shall, at a minimum, provide the following:

(1) *Investigation by the Department.* The Department will investigate each informal complaint. The investigation will include discussions and negotiations with all parties involved. The following apply:

(i) The Department shall confer with all parties directly involved in the adverse action to determine all pertinent facts, clarify all applicable statutes and regulations and develop an appropriate recommended resolution.

(ii) The Department shall notify the parties to the complaint in writing of its recommended resolution within a period of not more than 30 calendar days from the date of its receipt of the informal complaint.

(iii) The Department's written notification of a recommended resolution shall include that if the adult or their legal representative does not accept the resolution, the adult or their legal representative shall notify the Department within 10 calendar days from the date of the recommended resolution.

(d) *Cross reference.* This section supplements 1 Pa. Code §§ 35.5—35.7 (relating to informal complaints).

§ 15.153. Formal hearings.

(a) If the adult or their legal representative does not accept the resolution recommended by the Department under § 15.152 (relating to informal complaints) and so notifies the Department in writing within the required 10 calendar days, this written request shall be considered a request for formal hearing with the Department's Bureau of Hearings and Appeals.

(b) The Department shall forward a copy of the originally filed complaint to the Bureau of Hearings and

Appeals within 3 calendar days of the receipt of the notice submitted under subsection (a).

(c) The formal hearing shall be conducted in accordance with 1 Pa. Code. Part II (relating to General Rules of Administrative Practice and Procedure) to challenge the agency's finding resulting from the investigation of a report made under this chapter.

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NOTICES

DEPARTMENT OF AGRICULTURE

Program Requirements for the Very Small Meat and Poultry Processor Reimbursement Grant Program

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Very Small Meat and Poultry Processor Reimbursement Grant Program (Program). The Department intends to make no less than \$500,000 available for grants under the Program. Funding is contingent upon 2023-2024 budget appropriations.

The Program is established under authority of 3 Pa.C.S. §§ 10101—10106 (relating to Very Small Meat and Poultry Processor Reimbursement Grant Program). The Program allows the Department to award reimbursement grants for certain eligible costs incurred by a very small meat or poultry processing operation that meets the Federal definition of a “very small establishment.”

This notice establishes the procedures by which grant applications will be solicited, reviewed and awarded for Fiscal Year (FY) 2023-2024.

1. *Program objective.* The Program’s objective is to support the development and expansion of current or future very small meat and poultry processing operations in this Commonwealth by offering reimbursement grants to cover the cost associated with obtaining a grant of inspection from United States Department of Agriculture (USDA) Food Safety Inspection Service (FSIS), opening a new very small meat and poultry processing operation, expanding the capacity of a current very small meat and poultry processing operation or a combination of those purposes.

2. *Definitions.* The following words and phrases apply to the Program:

Applicant. A person applying for a reimbursement grant.

Grant cycle. The period of time from when the Department solicits applications for grants under 3 Pa.C.S. §§ 10101—10106 until final reimbursement.

Grant of inspection. An inspection by the USDA FSIS certifying that products at a very small meat and poultry processing operation are produced in accordance with Federal law.

Person. An individual, partnership, association, firm, corporation or any other legal entity.

Secretary. The Secretary of the Department.

USDA. United States Department of Agriculture.

Very small meat and poultry processing operation. A person operating under a grant of inspection that meets the definition of “very small establishment” in 9 CFR 381.65(g)(1)(i) (relating to operations and procedures, generally).

3. *Grant program.* Program grants will be reimbursement grants. The following will apply:

a. The amount of reimbursement is based on actual eligible costs submitted by an approved applicant within the grant cycle.

b. Grant reimbursement money shall only be available for eligible costs associated with meeting the require-

ments to obtain a grant of inspection, opening a new very small meat and poultry processing operation, expanding the capacity of a current very small meat and poultry operation or a combination of those purposes.

c. Grants are limited to no more than \$100,000 per applicant.

d. Grant reimbursement money may not be used to reimburse any portion of an in-kind contribution to an eligible project.

e. Grant money may not be used to pay or reimburse wages or salaries of grant recipient staff.

f. Grant money may not be used to reimburse any portion of the project costs which are being paid or reimbursed under another Federal or State grant program.

g. Grants will only be offered to the extent that funding is made available to the Department. In the event funding is exhausted or otherwise unavailable, the Department will be under no obligation to provide grants. Grant money may be prorated or offered as a percentage of actual costs, as determined by the Department, and set forth in an order by the Secretary, to spread available money to a larger number of eligible applicants.

h. Grant money may only be awarded and distributed to the owner of the eligible very small meat and poultry processing operation. The Department may not assign grant money to a lessee, operator or person other than the owner of the eligible very small meat and poultry processing operation.

4. *Applicant eligibility.* An applicant may apply to receive reimbursement for eligible costs if the applicant is a very small meat and poultry processing operation and is either:

a. Currently operating under a grant of inspection.

b. Upon completion of the approved project, the applicant will obtain a grant of inspection. An applicant must attest to this eligibility requirement under penalty of law to receive reimbursement.

5. *Application procedure.*

a. *Online applications only.* An applicant for a grant under this Program must submit an application through the Commonwealth’s Single Application for Assistance online application system at www.esa.dced.state.pa.us.

b. *Application window.* Applications must be submitted through the Single Application for Assistance online application system between 8 a.m. on April 24, 2023, and 5 p.m. on June 1, 2023. Applications received outside of that application window will not be considered or reviewed.

c. *Application requirements.* An application for a grant under the Program must contain the following information:

i. The applicant’s name, the organization name, a business address and a telephone number.

ii. A list of corporate officers if the applicant is a corporation.

iii. The applicant’s eligibility (describing whether they are currently a USDA-inspected operation or will obtain a grant of inspection by the completion of the proposed project).

iv. A detailed plan to include:

(1) The process being undertaken to meet the requirements necessary to obtain a grant of inspection from USDA FSIS, if applicable.

(2) An outline of the overall project and materials being requested.

(3) A line-item proposed budget.

(4) Individual tasks required to complete the project.

(5) A detailed timeline for completion of project tasks.

(6) A detailed description of equipment or supplies required to complete the project, training, consulting, technical support and other services utilized, as applicable.

(7) A detailed list of costs, including training and equipment costs, as applicable.

(8) An attestation signed by the applicant, stating the applicant is in compliance, or will be in compliance with, the Federal Meat Inspection Act (Pub.L. No. 59-382, 21 U.S.C.A. §§ 601—695) or Poultry and Poultry Products Inspection Act (Pub.L. No. 85-172, 21 U.S.C.A. §§ 451—473) upon completion of the approved project to maintain a grant of inspection.

d. *Eligible costs.* The following costs, incurred during the term of the grant cycle in which the grant is awarded, are eligible for reimbursement:

i. Consulting or other technical support services that directly support the development and maintenance of programs required to operate under a grant of inspection.

ii. Professional employee training and educational services and programs that support the development and maintenance of programs to operate under a grant of inspection. If a professional consultant is utilized, reasonable costs may be reimbursed, as determined by the Department.

iii. Up to 85% of the purchase of meat or poultry slaughter or processing equipment or supplies. This does not include reimbursement of the costs of planning, erecting, repair or modification of a structure or building or repair of installation of roofing or other physical structure improvements.

iv. The purchase of equipment or supplies directly related to employee safety.

6. *Evaluation of applications.* The Department will review each application and supporting documentation submitted for completeness and accuracy. If an application is found to be incomplete or inaccurate, the Department may request additional documentation and may discontinue further processing of the application until the requested information is received. The Department will evaluate an application on the basis of:

a. The ability of the applicant to complete the stated project within the stated timeline.

b. The ability of the applicant to provide a detailed description of the project and project costs.

c. The potential of the project to provide slaughter or meat or poultry processing capacity and services to this Commonwealth's livestock and poultry producers.

d. The potential of the project to provide availability of Commonwealth-produced meat or poultry products to consumers.

7. *Agreement required.* With the mailed grant award notice, the Department will provide applicants with a grant agreement for execution and return within 30 days or instructions as to finalizing the grant agreement electronically. The Department will obtain the required Commonwealth signatures on the grant agreements and return a copy of the fully executed grant agreement to the applicant. The grant agreement is not effective and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit such information as the Department may require.

8. *Final reimbursement.* Reimbursement will be based on the approved applicant's completion of the project and submission of the final costs related to expenses and materials in the applicant's approved grant project within the grant cycle. The submission must also include:

a. Documentation of actual expenditures for eligible costs approved in the grant application and invoices evidencing payment of the costs. The documentation may include invoices for hours of training or consultation.

b. Documentation of the completion of the approved project. The documentation may include pictures and dates of training and equipment installation.

c. Documentation demonstrating the very small meat and poultry processing operation is operating under a grant of inspection.

d. A written report related to:

i. The completed project.

ii. The expansion of meat or poultry processing capability.

iii. Expanded services to this Commonwealth's livestock and poultry producers.

iv. An increase to the availability of this Commonwealth's meat or poultry products to consumers.

Documents submitted to the Department under this paragraph should be directed to the Department of Agriculture, Attn: Corinne Elliott, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

9. *Additional information.* Additional information may be obtained from the Department by contacting Corinne Elliott, (717) 787-6041, corielliot@pa.gov.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 23-536. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending April 11, 2023.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, 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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
04-05-2023	683 Capital Partners, LP 683 Maiden Fund, LP New York New York County, NY Application for approval to purchase or otherwise acquire 16% or more of nonvoting Series A preferred shares of Republic First Bancorp, Inc., Philadelphia, PA.	Filed
04-11-2023	CPV Republic Investment, LLC New York New York County, NY Application for approval to purchase or otherwise acquire more than 10% of the shares of a class of newly-created nonvoting preferred stock of Republic First Bancorp, Inc., Philadelphia, PA, a company that controls Republic First Bank, Philadelphia, PA.	Filed

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-30-2023	PeoplesBank, A Codorus Valley Company York York County	300 Willow Valley Lakes Drive Willow Street Lancaster County (Limited-Service Facility)	Opened
03-31-2023	PeoplesBank, A Codorus Valley Company York York County	600 Willow Valley Square Lancaster Lancaster County (Limited-Service Facility)	Opened
04-05-2023	Mercer County State Bank Sandy Lake Mercer County	147 North Diamond Street Mercer Mercer County	Approved
04-10-2023	Clarion County Community Bank Clarion Clarion County	2157 West 8th Street Erie Erie County	Opened

CREDIT UNIONS

No activity.

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

SARAH HAMMER,
Acting Secretary

[Pa.B. Doc. No. 23-537. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Availability of Draft 2022 Consolidated Annual Performance and Evaluation Report

The Department of Community and Economic Development (Department) is preparing its 2022 Consolidated Annual Performance and Evaluation Report (CAPER) on the progress and accomplishments made during the 2022 program year in implementing the Commonwealth's Consolidated Plan for Federal Fiscal Years 2019—2023. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing, homelessness and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth has allocated funds under several programs, namely Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant, Housing Opportunities for People with AIDS Program and the Housing Trust Fund. Additionally, this CAPER will detail accomplishments from supplemental funding from HUD appropriations under the Neighborhood Stabilization Program, Community Development Block Grant—Disaster Recovery Program, Community Development Block Grant—Coronavirus Aid Relief and Economic Security (CARES) Act and the Emergency Solutions Grant—CARES Act. The CAPER discusses accomplishments in relation to goals and objectives identified in the 2022 Annual Action Plan of the 2019—2023 Consolidated Plan.

The CAPER assesses the goals and objectives of this strategic plan, discusses how the Commonwealth is affirmatively furthering fair and affordable housing, reviews the activities of the Continuums of Care, and appraises how well resources in community development, homelessness and housing are being leveraged.

Public Comments

Individuals or organizations may provide written comments regarding this draft version of the CAPER. This report will be available on April 20, 2023, at <https://dced.pa.gov/library/?wpdmc2=capers-2019-2023/>. Written comments will be accepted about the CAPER content and the process by which public input is gathered. The Commonwealth encourages public participation in this process.

Persons with a disability or limited English proficiency, who wish to comment and require an auxiliary aid, service or other accommodation to participate, should contact Megan L. Sieber, Department of Community and Economic Development, Center for Community and Housing Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD (717) 346-0308 to discuss how the Department may best accommodate their needs.

Written comments will be accepted until 4 p.m. on May 8, 2023, and should be sent to Megan L. Sieber, Department of Community and Economic Development, Center for Community and Housing Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225 or e-mailed to RA-DCEDcdbghomequestions@pa.gov. Submission to HUD should be on or near May 8, 2023.

RICK SIGER,
Acting Secretary

[Pa.B. Doc. No. 23-538. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD230062	Chapter 102 Individual NPDES Permit	Amendment Minor	Duke Realty Ltd Partnership 400 Boulder Drive Suite 200 Breinigsville, PA 18031-1538	Marcus Hook Borough Delaware County	SERO
0213823	Joint DEP/PFBC Pesticides Permit	Renewal	Christ Church Grove Farm 249 Duff Road Sewickley, PA 15143-9552	Ohio Township Allegheny County	SWRO
0913811	Joint DEP/PFBC Pesticides Permit	Renewal	Southampton Summer Day Camp Inc. 1459 2nd Street Pike Southampton, PA 18966-3930	Upper Southampton Township Bucks County	SERO
1520809	Joint DEP/PFBC Pesticides Permit	Amendment	Jones Kelly 180 Sawmill Road Landenberg, PA 19350-9302	New Garden Township Chester County	SERO
1523822	Joint DEP/PFBC Pesticides Permit	New	Osborn Art 310 Upland Road P.O. Box 546 Unionville, PA 19375	East Marlborough Township Chester County	SERO
2313832	Joint DEP/PFBC Pesticides Permit	Renewal	Upper Chichester Township Delaware County P.O. Box 2187 Upper Chichester, PA 19061	Upper Chichester Township Delaware County	SERO
2823801	Joint DEP/PFBC Pesticides Permit	New	Reese Amanda 10215 McFarland Road Mercersburg, PA 17236-9643	Peters Township Franklin County	SCRO
4617803	Joint DEP/PFBC Pesticides Permit	Renewal	Bob Michaels Woodmont Community Assoc. 950 Town Center Drive Suite B25 Langhorne, PA 19047-1866	Lower Moreland Township Montgomery County	SERO
4620807	Joint DEP/PFBC Pesticides Permit	Amendment	Loughridge Patti 3205 W Skippack Pike Worcester, PA 19490	Worcester Township Montgomery County	SERO
4620808	Joint DEP/PFBC Pesticides Permit	Amendment	Sandler Valeria & Cary 609 Great Springs Road Bryn Mawr, PA 19010-1701	Lower Merion Township Montgomery County	SERO
4623803	Joint DEP/PFBC Pesticides Permit	New	Janssen Biotech 1400 McKean Road Lower Gwynedd, PA 19002	Lower Gwynedd Township Montgomery County	SERO
6723801	Joint DEP/PFBC Pesticides Permit	New	Delco Plaza c/o Allied Properties 1275 Carlisle Road York, PA 17404-4933	West Manchester Township York County	SCRO
PA0001406	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Transfer	Go Carlson Inc. dba Braeburn Alloy Steel 175 Main Street Oil City, PA 16301-1038	Lower Burrell City Westmoreland 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>
1908201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Transfer	Post Consumer Brands Inc. 20802 Kensington Boulevard Lakeville, MN 55044-8052	South Centre Township Columbia County	NCRO
0604401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Berks County Region Airport Authority 2385 Bernville Road Reading, PA 19605-9400	Bern Township Berks County	SCRO
0364S42	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	SNPJ 270 Martin Road Enon Valley, PA 16120-4614	North Beaver Township Lawrence County	NWRO
0364S42	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	SNPJ Recreation Center Inc. 270 Martin Road Enon Valley, PA 16120-4614	North Beaver Township Lawrence County	NWRO
NOEXNW091	No Exposure Certification	Renewal	Plastek Ind Inc. 2425 W 23rd Street Erie, PA 16506-2920	Millcreek Township Erie County	NWRO
NOEXNW092	No Exposure Certification	Renewal	Plastek Ind Inc. 2425 W 23rd Street Erie, PA 16506-2920	Millcreek Township Erie County	NWRO
NOEXSC397	No Exposure Certification	New	Alkegen 310 Running Pump Road Lancaster, PA 17603-2249	East Hempfield Township Lancaster County	SCRO
NOEXSE077	No Exposure Certification	Renewal	ADS Transicoil Inc. 9 Iron Bridge Drive Collegeville, PA 19426-2042	Collegeville Borough Montgomery County	SERO
NOEXSW234	No Exposure Certification	New	Charles & John Lenzner 110 Lenzner Court Sewickley, PA 15143-9510	Ohio Township Allegheny County	SWRO
PAG030177	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Clean Earth of Philadelphia LLC 3201 South 61st Street Philadelphia, PA 19153	Philadelphia City Philadelphia County	SERO
PAG030190	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Schlosser Steel Inc. 2641 Township Line Road P.O. Box 638 Hatfield, PA 19440-0638	Hatfield Township Montgomery County	SERO
PAG030192	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Constellation Energy Generation LLC # 1 Industrial Highway Eddystone, PA 19022	Bristol Township Bucks County	SERO
PAG030208	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	ABF Freight System Inc. 3801 Old Greenwood Road Fort Smith, AR 72903	Philadelphia City Philadelphia County	SERO
PAG030209	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Dunmore International Corp 145 Wharton Road Bristol, PA 19007-1621	Bristol Township Bucks County	SERO
PAG030212	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Metallurgical Products Co. 810 Lincoln Avenue West Chester, PA 19380	West Goshen Township Chester County	SERO

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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>
PAG030214	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Johnson & Johnson Consumer Inc. 7050 Camp Hill Road Fort Washington, PA 19034	Whitemarsh Township Montgomery County	SERO
PAG030216	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Penn Terminal Inc. 1 Saville Avenue Eddystone, PA 19022-1527	Eddystone Borough Delaware County	SERO
PAG030221	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fiba Tech Inc. 1645 State Street East Greenville, PA 18041-2220	East Greenville Borough Montgomery County	SERO
PAG030222	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	3M 50 Milton Drive Aston, PA 19014-2217	Chester Township Delaware County	SERO
PAG030227	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	AGC Chemicals American Inc. 255 S Bailey Road Downingtown, PA 19335-2003	Caln Township Chester County	SERO
PAG030230	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Eldredge Inc. 898 Fernhill Road West Chester, PA 19380-4202	West Goshen Township Chester County	SERO
PAG030231	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Metal Traders Inc. 5240 Comly Street Philadelphia, PA 19135	Philadelphia City Philadelphia County	SERO
PAG030232	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Total Distr Service Inc. 8459 Dorsey Run Road Jessup, MD 20794-9304	Upper Chichester Township Delaware County	SERO
PAG030244	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Specialty Ring Products 2374 State Road Bensalem, PA 19020-7326	Bensalem Township Bucks County	SERO
PAG032225	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fastenal Inc. 1225 Mid Valley Drive Jessup, PA 18434-1820	Jessup Borough Lackawanna County	NERO
PAG032233	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Com Service LLC P.O. Box 80842 Seattle, WA 98108-0842	Pittston Township Luzerne County	NERO
PAG032297	PAG-03 NPDES General Permit for Industrial Stormwater	New	Collis Truck Parts Inc. 3146 W Dannersville Road Northampton, PA 18067-9350	Moore Township Northampton County	NERO
PAG032313	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hazle Auto Parts Inc. 864 S Church Street Hazle Township, PA 18201-7620	Hazle Township Luzerne County	NERO
PAG032333	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	TForce Freight Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Old Forge Borough Lackawanna County	NERO
PAG032334	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Freight Inc. 2200 Forward Drive DC 2270 Harrison, AR 72601	Nazareth Borough Northampton County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG032335	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Olson Tech Inc. 160 W Walnut Street Allentown, PA 18102-4915	Allentown City Lehigh County	NERO
PAG032336	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Master Bldr Solutions Admixtures US LLC 23700 Chagrin Boulevard Beachwood, OH 44122-5506	Upper Macungie Township Lehigh County	NERO
PAG032337	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Multi-Plastics Extrusions Inc. 600 Dietrich Avenue Hazleton, PA 18201-7754	Hazleton City Luzerne County	NERO
PAG032340	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ringtown Wilbert Vault Works Inc. P.O. Box 215 Ringtown, PA 17967-0215	Ringtown Borough Schuylkill County	NERO
PAG033509	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fedex Ground Pkg System Inc. Environmental Services 1000 FedEx Drive Moon Township, PA 15108	Lower Swatara Township Dauphin County	SCRO
PAG033520	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Frontier Mulch Products LLC P.O. Box 785 Quakertown, PA 18951-0785	Douglass Township Berks County	SCRO
PAG033571	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Com Service LLC P.O. Box 80842 Attn: Amazon Com NA Env Dept Seattle, WA 98108-0842	South Middleton Township Cumberland County	SCRO
PAG033572	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Com Service LLC P.O. Box 80842 Attn: Amazon Com NA Env Dept Seattle, WA 98108-0842	Dickinson Township Cumberland County	SCRO
PAG033573	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Com Service LLC P.O. Box 80842 Attn: Amazon Com NA Env Dept Seattle, WA 98108-0842	Fairview Township York County	SCRO
PAG033592	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	PPG Reading District Center 2001 Centre Avenue Rear Reading, PA 19605	Reading City Berks County	SCRO
PAG033595	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fenner Prec Polymers 311 West Stiegel Street Manheim, PA 17545	Manheim Borough Lancaster County	SCRO
PAG033598	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sonoco Products Co. 310 Pine Street Hanover, PA 17331-2353	Hanover Borough York County	SCRO
PAG033649	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cargill Inc. 15407 McGinty Road W Wayzata, MN 55391-2365	Greene Township Franklin County	SCRO
PAG033662	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Com Service LLC P.O. Box 80842 Seattle, WA 98108-0842	Newberry Township York 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>
PAG033690	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Terre Hill Concrete Products P.O. Box 10 Terre Hill, PA 17581-0010	East Earl Township Lancaster County	SCRO
PAG033707	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Advanced Disposal Services Lancaster Landfill 2487 Cloverleaf Road Elizabethtown, PA 17022-9649	Mount Joy Township Lancaster County	SCRO
PAG033778	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Parsons Auto Salvage 3760 Old Stage Road McClure, PA 17841-8836	Decatur Township Mifflin County	SCRO
PAG033779	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ross Tech Corp 104 N Maple Avenue Leola, PA 17540-9799	Upper Leacock Township Lancaster County	SCRO
PAG033780	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	J B Hunt Transportation Inc. 705B N Bloomington Street Lowell, AR 72745-9673	Swatara Township Dauphin County	SCRO
PAG033784	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Genlyte Thomas Group LLC 100 Craftway Drive Littlestown, PA 17340-1651	Oxford Township Adams County	SCRO
PAG033797	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Penn Waste Inc. P.O. Box 3066 85 Brickyard Road York, PA 17402-0066	East Manchester Township York County	SCRO
PAG033800	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Flinchbaugh Engineering Inc. 4387 Run Way York, PA 17406-8005	Hellam Township York County	SCRO
PAG033827	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Manufacturing Corp. 407 North Avenue East Berlin, PA 17316-7813	East Berlin Borough Adams County	SCRO
PAG033833	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ward Trucking LLC P.O. Box 1553 Altoona, PA 16603-1553	Logan Township Blair County	SCRO
PAG033834	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Willert Manufacturing Co. LLC 447 Old Swede Road Douglassville, PA 19518-1238	Amity Township Berks County	SCRO
PAG033835	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	ECM Transportation LLC P.O. Box 45308 Omaha, NE 68145-0308	Jackson Township York County	SCRO
PAG033836	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Zenith Energy Terminal PA Holdings LLC 3900 Essex Lane Suite 700 Houston, TX 77027-5166	Hampden Township Cumberland County	SCRO
PAG033837	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	East Penn Manufacturing Co. P.O. Box 147 Lyon Station, PA 19536-0147	Kutztown Borough Berks County	SCRO
PAG033838	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	High Steel Structures LLC P.O. Box 10008 1853 William Penn Way Lancaster, PA 17605-0008	East Lampeter Township Lancaster 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>
PAG033841	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Valk Manufacturing Co. P.O. Box 428 66 East Main Street New Kingstown, PA 17072-0428	Silver Spring Township Cumberland County	SCRO
PAG033842	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Helicopter Applicators Inc. 1670 York Road Gettysburg, PA 17325-8201	Straban Township Adams County	SCRO
PAG033843	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	DL Martin Co. 25 DI Martin Drive Mercersburg, PA 17236-1715	Mercersburg Borough Franklin County	SCRO
PAG033848	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hofmann Ind Inc. 3145 Shillington Road Sinking Spring, PA 19608-1606	Sinking Spring Borough Berks County	SCRO
PAG033849	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	IWM International LLC 500 E Middle Street Hanover, PA 17331-2027	Spring Garden Township York County	SCRO
PAG033858	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Johnson Controls Inc. 100 Cumberland Valley Avenue Waynesboro, PA 17268-1206	Waynesboro Borough Franklin County	SCRO
PAG033872	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	International Paper Co. 801 Fountain Avenue Lancaster, PA 17601-4532	Manheim Township Lancaster County	SCRO
PAG033877	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JLG Ind Inc. 1 JLG Drive McConnellsburg, PA 17233	Antrim Township Franklin County	SCRO
PAG033878	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JLG Ind Inc. 1 JLG Drive McConnellsburg, PA 17233	Antrim Township Franklin County	SCRO
PAG033879	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Altoona Metro Transit Authority Blair County 3301 5th Avenue Altoona, PA 16602-1801	Altoona City Blair County	SCRO
PAG033890	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Envirite of PA Inc. 730 Vogelsong Road York, PA 17404-6707	York City York County	SCRO
PAG033891	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ardent Mills LLC 2800 Blackbridge Road York, PA 17406	Manchester Township York County	SCRO
PAG033917	PAG-03 NPDES General Permit for Industrial Stormwater	New	Champion Home Builder Inc. 755 W Big Beaver Road Suite 1000 Troy, MI 48084-4900	Greenfield Township Blair County	SCRO
PAG033955	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Terre Hill Concrete Products P.O. Box 10 Terre Hill, PA 17581-0010	East Earl Township Lancaster County	SCRO
PAG033956	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	First Student Inc. 600 Vine Street Suite 1400 Cincinnati, OH 45202-2400	Shrewsbury Township York 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>
PAG033957	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	ADM Milling P.O. Box 3100 Shiremanstown, PA 17011-3100	Camp Hill Borough Cumberland County	SCRO
PAG033958	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	PA Department of Military & Veterans Affairs Air National Guard Station 62 Olmstead Boulevard Middletown, PA 17057-5062	Middletown Borough Dauphin County	SCRO
PAG033985	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	High Concrete Group LLC 1853 William Penn Way Lancaster, PA 17601-6713	East Cocalico Township Lancaster County	SCRO
PAG033999	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Morgan Truck Body LLC dba Morgan Corp P.O. Box 588 Morgantown, PA 19543-0588	Ephrata Borough Lancaster County	SCRO
PAG034813	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	WWF Operations Co. LLC 2592 Oklahoma Salem Road Du Bois, PA 15801-8988	Sandy Township Clearfield County	NCRO
PAG034822	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Palcon LLC P.O. Box 235 Muncy, PA 17756-0235	Muncy Creek Township Lycoming County	NCRO
PAG034845	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Osman Russell 127 Osman Farm Lane Dornsife, PA 17823-7143	Washington Township Northumberland County	NCRO
PAG034861	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Erdley Trucking 224 Red Ridge Road Mifflinburg, PA 17844-7318	Mifflinburg Borough Union County	NCRO
PAG034938	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Johnson Quarries Inc. P.O. Box 136 Le Raysville, PA 18829-0136	LeRaysville Borough Bradford County	NCRO
PAG034943	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	HRI Inc. 1750 W College Avenue State College, PA 16801-2719	Williamsport City Lycoming County	NCRO
PAG034971	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Matts Auto Parts & Sales Inc. 1177 Bloss Mountain Road Liberty, PA 16930-9222	Liberty Township Tioga County	NCRO
PAG034973	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Joes Auto Parts 147 Joes Road Sunbury, PA 17801-6630	Shamokin Township Northumberland County	NCRO
PAG034983	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bingaman & Son Lumber Inc. 1195 Creek Mountain Road Kreamer, PA 17833	Lamar Township Clinton County	NCRO
PAG034985	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bingaman & Son Lumber Inc. 1195 Creek Mountain Road Kreamer, PA 17833	Middlecreek Township Snyder County	NCRO
PAG034988	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Northumberland Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Point Township Northumberland County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG034996	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Penn Recycling Inc. 2525 Trenton Avenue P.O. Box 3514 Williamsport, PA 17701-7906	Williamsport City Lycoming County	NCRO
PAG034997	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Madison Salvage & Recycling LLC 177 Swartz Road Bloomsburg, PA 17815-6601	Madison Township Columbia County	NCRO
PAG034999	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Halliburton Energy Services Inc. P.O. Box 60087 Houston, TX 77205-0087	Clinton Township Lycoming County	NCRO
PAG035000	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Williamsport Municipal Airport Authority 724 Airport Road Suite A106 Montoursville, PA 17754-2298	Montoursville Borough Lycoming County	NCRO
PAG035001	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bishop Bros Const Co. Inc. 1376 Leisure Drive Towanda, PA 18848-9271	Wysox Township Bradford County	NCRO
PAG035004	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Northern Tier SWA 108 Steam Hollow Road Troy, PA 16947-8828	Delmar Township Tioga County	NCRO
PAG035006	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Novey Recycling Inc. P.O. Box 485 Clearfield, PA 16830-0485	Lawrence Township Clearfield County	NCRO
PAG035008	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	National Beef Packing Co. LLC P.O. Box 20046 Kansas City, MO 64195	Monroe Township Snyder County	NCRO
PAG035011	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lampheres Salvage 407 Dunn Hill Road Monroeton, PA 18832-7790	Monroe Township Bradford County	NCRO
PAG035012	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Arxada LLC 3500 Trenton Avenue Williamsport, PA 17701-7924	Williamsport City Lycoming County	NCRO
PAG035015	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	ACPI Wood Products LLC 100 Industrial Park Road Mifflinburg, PA 17844-7991	Mifflinburg Borough Union County	NCRO
PAG035017	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Northern Tier Swa 108 Stream Hollow Road Troy, PA 16947	Hamilton Township Tioga County	NCRO
PAG035018	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	RJ Hoffman & Sons Inc. 1144 Buckwheat Valley Road Mt Pleasant Mills, PA 17853-8641	Perry Township Snyder County	NCRO
PAG035020	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	Williamsport City Lycoming County	NCRO
PAG035021	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	Snow Shoe Township Centre County	NCRO

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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>
PAG035022	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Architectural Precast Innovations Inc. 3369 Paxtonville Road Middleburg, PA 17842-8819	Franklin Township Snyder County	NCRO
PAG036131	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Key Bellevilles Inc. 100 Key Lane Leechburg, PA 15656	Allegheny Township Westmoreland County	SWRO
PAG036150	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	National Oilwell Varco LP 7909 Parkwood Circle Drive Houston, TX 77036-6565	Leetsdale Borough Allegheny County	SWRO
PAG036170	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Kosmos Cement Co. LLC 15301 Dixie Highway Louisville, KY 40272	Neville Township Allegheny County	SWRO
PAG036181	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bingaman & Son Lumber Inc. 1195 Creek Mountain Road Kreamer, PA 17833	Barr Township Cambria County	SWRO
PAG036189	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fullerton Terminals DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Delmont Borough Westmoreland County	SWRO
PAG036224	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Christmann Enterprises LLC 401 Rose Drive Cranberry Twp, PA 16066-6913	Franklin Township Beaver County	SWRO
PAG036232	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Com Service LLC P.O. Box 80842 Attn: NA Env Dept Seattle, WA 98108-0842	Aleppo Township Allegheny County	SWRO
PAG036246	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pittsburgh & Ohio Central RR Co. 208 Island Avenue McKees Rocks, PA 15136-3307	McKees Rocks Borough Allegheny County	SWRO
PAG036258	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	CPV Fairview LLC 1 N Lexington Avenue Suite 1400 White Plains, NY 10601-1724	Jackson Township Cambria County	SWRO
PAG036268	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Coraopolis Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Moon Township Allegheny County	SWRO
PAG036273	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Revolution Energy Service Inc. 1217 Laurel Hill Road McDonald, PA 15057-2533	McDonald Borough Allegheny County	SWRO
PAG036283	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon Com Service LLC P.O. Box 80842 Attn: NA Environmental Dept Seattle, WA 98108-0842	Findlay Township Allegheny County	SWRO
PAG036290	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	5D Field Service LLC 3866 Millers Run Road McDonald, PA 15057-2814	Cecil Township Washington County	SWRO
PAG036441	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	First Student Inc. 110 Perimeter Park Road Suite E Knoxville, TN 37922-2247	Plum 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>
PAG036454	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Quaker Sales Corp P.O. Box 880 Johnstown, PA 15907-0880	Susquehanna Township Cambria County	SWRO
PAG036455	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Ground Pkg System Inc. 1000 Fed Ex Drive Moon Twp, PA 15108-9373	Pittsburgh City Allegheny County	SWRO
PAG036456	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Georgia Financial XIII LLC 6200 Riverside Drive Cleveland, OH 44135	Avonmore Borough Westmoreland County	SWRO
PAG036457	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cresson Steel Co. P.O. Box 187 Cresson, PA 16630	Cresson Borough Cambria County	SWRO
PAG036459	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Northwest Hardwoods Inc. 1152 National Pike Hopwood, PA 15445	South Union Township Fayette County	SWRO
PAG036460	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Greenridge Reclamation LLC 234 LDFL Road Scottdale, PA 15683	East Huntingdon Township Westmoreland County	SWRO
PAG036461	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Precision Kidd Steel Co. 1 Quality Way Aliquippa, PA 15001-2459	Findlay Township Allegheny County	SWRO
PAG036462	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Precision Kidd Steel Co. 1 Quality Way Aliquippa, PA 15001-2459	Aliquippa City Beaver County	SWRO
PAG036463	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Tech Spec Inc. P.O. Box 335 Youngstown, PA 15696-0335	Derry Borough Westmoreland County	SWRO
PAG038318	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Winland Foods Inc. 11160 Parkway Drive North East, PA 16428-6512	North East Borough Erie County	NWRO
PAR606174	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Boring Salvage 267 Svc Crk Road Aliquippa, PA 15001	Independence Township Beaver County	SWRO
PAG066105	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Rankin Borough Allegheny County 320 Hawkins Avenue Rankin, PA 15104-1008	Rankin Borough Allegheny County	SWRO
PAG066120	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	East Pittsburgh Borough Allegheny County 813 E Pittsburgh Mall East Pittsburgh, PA 15112-1207	East Pittsburgh Borough Allegheny County	SWRO
PAG123849	PAG-12 NPDES General Permit for CAFOs	Transfer	Herbrucks of PA LLC 6425 West Grand River Avenue Saranac, MI 48881-9669	Montgomery Township Franklin County	SCRO
0615405	Pump Stations Individual WQM Permit	Amendment	Maxatawny Township Municipal Authority Berks County 127 Quarry Road Suite 2 Kutztown, PA 19530-9697	Maxatawny 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>
6572410	Pump Stations Individual WQM Permit	Amendment	North Huntingdon Township Municipal Authority Westmoreland County 4130 Turner Valley Road Irwin, PA 15642-4969	North Huntingdon Township Westmoreland County	SWRO
0286405	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0290412	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0292403	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
1023406	Sewer Extensions Individual WQM Permit	New	Cranberry Township Butler County 2525 Rochester Road Cranberry Township, PA 16066-6420	Cranberry Township Butler County	NWRO
0723404	Single Residence Sewage Treatment Plant Individual WQM Permit	New	McKinley Stephanie M 330 Beasons Road Tyrone, PA 16686-8207	Snyder Township Blair County	SCRO
1023407	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Rasp Lori 307 Spring Valley Drive Zelienople, PA 16063-2718	Jackson Township Butler County	NWRO
2523409	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Blosser Ronald 5925 Firman Road Erie, PA 16510-4513	Harborcreek Township Erie County	NWRO
PA0058599	Small Flow Treatment Facility Individual NPDES Permit	DEP-Initiated Minor Amendment	Piper Real Properties LLC 13195 Rettew Drive Manassas, VA 20112-7813	Bedminster Township Bucks County	SERO
WQG02462301	WQG-02 WQM General Permit	New	Breyer Woods Condominium Association 1 Linden Drive Elkins Park, PA 19027	Cheltenham Township Montgomery County	SERO

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

Northcentral Regional Office

PA0228311, Sewage, SIC Code 4952, **Brady Township**, 1986 Elimsport Road, Montgomery, PA 17752-8919. Facility Name: Brady Township NW WWTF. This existing facility is located in Brady Township, **Lycoming 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 Black Hole Creek, is located in State Water Plan watershed 10-C and is classified for Trout Stocking (TSF), 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 0.03 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	2.5	3.8	XXX	10.0	15.0	20
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	2.5	3.8	XXX	10.0	15.0	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	2.3	3.4	XXX	Geo Mean	9.0	13.5
Nov 1 - Apr 30						
May 1 - Oct 31	0.75	1.1	XXX	3.0	4.5	6
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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 570-327-3693.

The EPA Waiver is in effect.

Northcentral Regional Office

PA0233331, Sewage, SIC Code 4952, **Brian Heaton**, 700 Steele Hollow Road, Julian, PA 16844-8308. Facility Name: Brian Heaton SFSTF. This proposed facility is located in Huston Township, **Centre 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), Steel Hollow (CWF), is located in State Water Plan watershed 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 (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	Annl Avg	XXX	XXX	10.0	XXX	20.0
	XXX					
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
				Avg Mo		

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

- Other Requirements

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

The EPA Waiver is in effect.

Northcentral Regional Office

PA0233358, Sewage, SIC Code 4952, **Anthony Litwin**, 4151 State Route 225, Dornsife, PA 17823-7258. Facility Name: Anthony Litwin SRSTP. This proposed facility is located in Jackson Township, **Northumberland 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), Mahanoy Creek (WWF, MF), is located in State Water Plan watershed 6-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

- Other Requirements

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0220981, Sewage, SIC Code 8811, **Scott A. Wilcox**, 18306 South Main Street, Corry, PA 16407-8802. Facility Name: Scott A. Wilcox SFTF. This existing facility is located in Elgin Borough, **Erie 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, the Beaver Run (EV), is located in State Water Plan watershed 16-A and is classified for Exceptional Value Waters, 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 0.000525 MGD.—Limits.

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

PA0223131, Sewage, SIC Code 4952, 8661, **Living Church International**, 59 West Penn Street, Summerville, PA 15864-6527. Facility Name: Living Church International. This existing facility is located in Redbank Township, **Clarion 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, an Unnamed Tributary to the Pine Creek, is located in State Water Plan watershed 17-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 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>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
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)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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

PA0239411, Sewage, SIC Code 5812, **Michaels Restaurant Motel & Sports Bar, Inc.**, 970 New Castle Road, Butler, PA 16001-8306. Facility Name: Michaels Restaurant Motel & Sports Bar. This existing facility is located in Franklin Township, **Butler 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, an Unnamed Tributary to the Mulligan Run (CWF), is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	20.0	XXX	40.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	XXX
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

PA0239534, Sewage, SIC Code 4952, 8811, **Debra L Hecei**, 20545 Route 6, Warren, PA 16365-3685. Facility Name: Debra Hecei SRSTP. This existing facility is located at 1328 Scandia Road, Warren, PA 16365-3685 in Glade Township, **Warren County**.

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

The receiving stream(s), Unnamed Tributary of Glade Run (CWF), is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
				Avg Mo		
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0

<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>	
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	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

PA0240117, Sewage, SIC Code 4952, 8800, **Dale L Coates**, 9541 Concord Road, Union City, PA 16438-7933. Facility Name: Dale L Coates SRSTP. This existing facility is located in Union Township, **Erie County**.

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

The receiving stream is an Unnamed Tributary to South Branch French Creek, located in State Water Plan watershed 16-A 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 .0005 MGD.

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

PA0253201, Sewage, SIC Code 4952, **East Franklin Township**, 106 Cherry Orchard Avenue, Kittanning, PA 16201-3310. Facility Name: Tarrtown STP. This existing facility is located in East Franklin Township, **Armstrong 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 Allegheny River (WWF), is located in State Water Plan watershed 17-E 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 0.045 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	9.4	XXX	25.0	38.0	XXX	50.0
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Wkly Avg Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	11.3	XXX	30.0	45.0 Wkly Avg	XXX	60.0

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	Report	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Nickel, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
Chloride	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

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

PA0265047, Sewage, SIC Code 4952, 8800, **Brandi Kimball**, 1069 Barden Brook Road, Eldred, PA 16731-5005. Facility Name: Brandi Kimball SRSTP. This existing facility is located in Ceres Township, **McKean County**.

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

The receiving stream is an unnamed tributary to Barden Brook, located in State Water Plan watershed 16-C 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 .0005 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
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	XXX	1,000

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0265292, Sewage, SIC Code 8800, **David Hogue**, 230 Pine Drive, Butler, PA 16002. Facility Name: David Hogue SRSTP. This existing facility is located in Summit Township, **Butler County**.

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

The receiving stream(s), Unnamed Tributary to Coal Run (WWF), is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

<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

PA0265756, Sewage, SIC Code 8800, **Daniel Boisvert**, 741 Dump Road, Sugar Grove, PA 16350-3815. Facility Name: Daniel Boisvert SRSTP. This existing facility is located at 3556 Follett Run Road, Warren, PA 16365 located in Conewango Township, **Warren County**.

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

The receiving stream(s), Unnamed Tributary to Jackson Run (CWF), is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

PA0271489, Sewage, SIC Code 8800, **David Anzaldi**, 125 Old Route 68, Evans City, PA 16033-7613. Facility Name: David Anzaldi SRSTP. This existing facility is located at 635 Gibson Road, Emlenton, PA 16373 located in Licking Township, **Clarion County**.

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

The receiving stream(s), Unnamed Tributary to Clarion River (CWF), is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

PA0293016, Sewage, SIC Code 8800, **Carolyn & Lawrence Lafata**, 4484 E Stancliff Road, McKean, PA 16426-1937. Facility Name: Carolyn & Lawrence Lafata SRSTP. This proposed facility is located in McKean 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 Lamson Run (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

PA0293024, Sewage, SIC Code 8800, **Robert C Thompson**, 1267 Rutledge Road, Transfer, PA 16154-2225. Facility Name: Robert Thompson SRSTP. This proposed facility is located in Pymatuning Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to Brush Run (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0021245, Sewage, SIC Code 4952, **Duncannon Borough Municipal Authority, Perry County**, 428 North High Street, Duncannon, PA 17020. Facility Name: Duncannon STP. This existing facility is located in Duncannon Borough, **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), Susquehanna River (WWF, MF), is located in State Water Plan watershed 7-C and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .74 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	150	245	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	185	275	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	12.0	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

The proposed effluent limits for Outfall 001 are based on a design flow of .74 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
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 not in effect.

Southcentral Regional Office

PA0038385, Sewage, SIC Code 4225, **Defense Distribution Center Susquehanna**, Ds-Fse, New Cumberland, PA 17070-5002. Facility Name: Defense Distribution Center Susquehanna. This existing facility is located in Fairview Township, **York County**.

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

The receiving stream(s), Susquehanna River (WWF), is located in State Water Plan watershed 7-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 .5 MGD.—Limits.

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

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

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	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 not in effect.

Southcentral Regional Office

PA0081141, Sewage, SIC Code 4952, **Locust Wood Community, LLC**, P.O. Box 251, Morgantown, PA 19543. Facility Name: Locust Wood MHP. This existing facility is located in East Cocalico Township, **Lancaster 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 Little Cocalico Creek (TSF, MF), is located in State Water Plan watershed 7-J 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 .01 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	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	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
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
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	18.5	XXX	37

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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

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

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

PA0086428, Sewage, SIC Code 0172, **Mazza Vineyards Inc.**, 2775 Lebanon Road, Manheim, PA 17545. Facility Name: Mt Hope Estate & Winery. This existing facility is located in Rapho Township, **Lancaster 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, Chiques Creek (WWF, MF), is located in State Water Plan watershed 7-G and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	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	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	24	XXX	48
Nov 1 - Apr 30	XXX	XXX	XXX	8.0	XXX	16
May 1 - Oct 31	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

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

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

PA0293989, Sewage, SIC Code 8811, **Garrett Trent**, 2445 Grandview Road, Tyrone, PA 16686-7411. Facility Name: Trent Residence. This proposed facility is located in Antis Township, **Blair 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 Sugar Run (WWF, MF), is located in State Water Plan watershed 11-A and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD 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	XXX	XXX

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0055212, Sewage, SIC Code 4952, **Concord Township**, 43 S. Thornton Road, Glen Mills, PA 19342-1325. Facility Name: Concord Township Central STP. This existing facility is located in Concord Township, **Delaware County**.

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

The receiving streams, Unnamed Tributary to West Branch Chester Creek (TSF, MF) and West Branch Chester Creek (TSF, MF), are located in State Water Plan watershed 3-G and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Phosphorus	30	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Phosphorus Nov 1 - Mar 31	30	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	15	XXX	XXX	1.0	XXX	2

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily 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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.11	XXX	0.35
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Nov 1 - Apr 30	375	600	XXX	25.0	40.0	50
May 1 - Oct 31	300	450	XXX	20.0	30.0	40
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	450	675	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000*
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity ($\mu\text{w}/\text{cm}^2$)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	90	XXX	XXX	6.0	XXX	12
Nov 1 - Apr 30						
May 1 - Oct 31	30	XXX	XXX	2.0	XXX	4
Copper, Total	0.375	0.57	XXX	0.025	0.038	0.05
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Dissolved Solids	15,012	XXX	XXX	1,000.0	XXX	XXX
Aluminum, Total	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Iron, Dissolved	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Zinc, Total	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Daily Max	XXX	XXX

*Shall not exceed in more than 10% of samples.

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>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>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Operator Notification
- F. Operations and Maintenance Plan
- G. Fecal Coliform Reporting
- H. TMDL/WLA Analysis
- I. Effluent Pipe Cleaning
- J. Visual Observation
- K. Sampling at the Beehive Structure
- L. Schedule of Compliance
- M. Solids Management

- N. WET Requirement
- O. Stormwater Condition
- P. Site Specific Data Collection

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

The EPA Waiver is not in effect.

Southeast Regional Office

Application No. PA0266558, Concentrated Animal Feeding Operation (CAFO), **Johnathan Lapp** (Johnathan Lapp Farm CAFO), 528 Media Road, Oxford, PA 19363-2713.

Johnathan Lapp has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Johnathan Lapp Farm CAFO, located in East Nottingham Township, **Chester County**.

The CAFO is situated near Unnamed Tributary to Jordan Run (EV, MF) in Watershed 7-K, which is classified for Exceptional Value Waters and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 224.96 animal equivalent units (AEUs) consisting of 170,000 Pullets. Solid Pullet manure is stored onsite in a solid manure stacking shed. 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 484-250-5910.

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

Southeast Regional Office

PA0245143 A-1, Storm Water, SIC Code 2531, 3499, **USSC Acquisition Corporation**, 101 Gordon Drive, Exton, PA 19341. Facility Name: USSC Acquisition Exton Facility. This existing facility is located in Uwchlan Township, **Chester County**.

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

The receiving stream, Pine Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes and High-Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 006 are based on an average stormwater flow—Limits.

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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 012 are based on an average stormwater flow—Limits.

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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 013 are based on an average stormwater flow—Limits.

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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 015 are based on an average stormwater flow—Limits.

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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

No monitoring is required for stormwater Outfalls 007—011 and 014.

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

- A. Stormwater Outfalls
- B. Best Management Practices
- C. Routine Inspections
- D. PPC Plan
- E. Stormwater Monitoring Requirements
- F. Acquire Necessary Property Rights
- G. Proper Sludge Disposal

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

PA0027430, Sewage, SIC Code 4952, **Municipal Authority of Westmoreland County**, P.O. Box 730, Greensburg, PA 15601-0730. Facility Name: Jeannette STP. This existing facility is located in Penn Borough, **Westmoreland 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), Brush Creek (TSF), is located in State Water Plan watershed 19-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 3.3 MGD.—Limits.

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

<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>Daily Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Nov 1 - Apr 30 May 1 - Oct 31	465.0 340.0	700.0 510.0	XXX XXX	17.0 12.5	25.5 18.7 Wkly Avg	34 25
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	825.0	1,235.0	XXX	30.0	45.0 Wkly Avg	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30 May 1 - Sep 30	XXX XXX	XXX XXX	XXX XXX	2,000 Geo Mean 200 Geo Mean	XXX XXX	10,000 1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30 May 1 - Oct 31	81.5 54.8	XXX XXX	XXX XXX	2.96 1.99	XXX XXX	5.92 3.98
Antimony, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report	XXX
Copper, Total (ug/L)	0.37	0.57 Daily Max	XXX	13.3	20.6	20.6
Cyanide, Free (ug/L)	Report	Report Daily Max	XXX	Report	Report	XXX
Zinc, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report	XXX
Dichlorobromomethane (ug/L)	Report	Report Daily Max	XXX	Report	Report	XXX
Chloroform (ug/L)	Report	Report Daily Max	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 3.3 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>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	Report Daily Max	XXX	XXX	Report	XXX
Iron, Total	XXX	Report Daily Max	XXX	XXX	Report	XXX
Manganese, Total	XXX	Report Daily Max	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 not in effect.

Southwest Regional Office

PA0255319, Sewage, SIC Code 4952, **South Franklin Township**, 100 Municipal Road, Washington, PA 15301. Facility Name: South Franklin WWTP. This existing facility is located in South Franklin Township, **Washington 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), Chartiers Creek (WWF), is located in State Water Plan watershed 20-F 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 .15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	31.0	46.0	XXX	25.0	37.5	50
Biochemical Oxygen Deman (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	37.0	56.0	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	5.5	XXX	XXX	4.47	XXX	8.94
Nov 1 - Apr 30	3.0	XXX	XXX	2.43	XXX	4.86
May 1 - Oct 31	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>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>	
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Daily Max	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0097624, Industrial, SIC Code 5171, **Glassmere Fuel Service Inc.**, P.O. Box 187, Curtisville, PA 15032-0187. Facility Name: Glassmere Fuel Service Petro Bulk Plant. This existing facility is located in West Deer Township, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary to Little Deer Creek (TSF), is located in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 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 Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Quarterly	Daily Maximum	
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX

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

- Requirements applicable to Stormwater Outfalls
- Requirements applicable to Petroleum Marketing Terminals

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

PAS706103, Storm Water, SIC Code 2911, **Lindy Paving Incorporated**, 1807 Shenango Road, New Galilee, PA 16141-2241. Facility Name: Lindy Paving—Koppel Asphalt Plant. This existing facility is located in Big Beaver Borough, **Beaver County**.

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

The receiving stream(s), Jordan Run (HQ-CWF) and Unnamed Tributary to Stockman Run (WWF), is located in State Water Plan watershed 20-B and is classified for Warm Water Fishes and 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)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	1.63	3.26	XXX
Total Suspended Solids	XXX	XXX	XXX	8.6	17.2	XXX
Total Dissolved Solids	XXX	XXX	XXX	80.0	160.0	XXX
Oil and Grease	XXX	XXX	XXX	0.0	0.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	0.62	1.24	XXX
Total Phosphorus	XXX	XXX	XXX	0.02	0.04	XXX
Iron, Total	XXX	XXX	XXX	0.14	0.28	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 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	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

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

The EPA Waiver is in effect.

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

Northeast Regional Office

Applicant: **Old Saucon Investment, LP**

Applicant Address: 1954 O'Brien's Court, Bethlehem, PA 18015

Application Number: **PAD390083**

Application Type: Renewal

Municipality/County: Upper Saucon Township, **Lehigh County**

Total Earth Disturbance Area (acres): 70.877 acres

Surface Waters Receiving Stormwater Discharges: UNT to Saucon Creek (CWF, MF) & UNT to Black River (CWF, MF)

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

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

Project Description: Residential & Commercial/Retail Land Development

Special Conditions: No site specific special conditions

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

Southwest Regional Office

Applicant: **Lyons Run Watershed Association**

Applicant Address: 2500 Eldo Road, Suite 1, Monroeville, PA 15146

Application Number: **PAC650277**

Application Type: New

Municipality/County: Penn Township and Murrysville Borough, **Westmoreland County**

Total Earth Disturbance Area (acres): 5.3

Surface Waters Receiving Stormwater Discharges: Trib 37369 to Lyons Run

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

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

Project Description: The purpose of the project is to construct a passive acid mine drainage (AMD) treatment system for existing AMO. The proposed AMD treatment system will consist of a series of settling ponds and limestone beds to treat captured AMD. The settling ponds will retain a given volume of captured AMO seep water and direct precipitation to the system. Disturbed areas of the site not included in the Acid Mine Treatment system will be restored to meadow good condition or equivalent. The staging and maintenance area is proposed to be constructed of gravel. To properly manage storm water runoff during construction, E&S Best Management Practices (BMPs) will be utilized. Compost filter socks, erosion control blanket, and surface restoration (i.e., Soil amendments and seeding) are proposed for this project.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **Kacin Companies**

Applicant Address: 3875 Old William Penn Hwy, Murrys ville, PA 15668

Application Number: **PAC650354**

Application Type: New

Municipality/County: Washington Township, **Westmoreland County**

Total Earth Disturbance Area (acres): 5.47

Surface Waters Receiving Stormwater Discharges: Trib 42423 to Pucketa Creek

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

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

Project Description: Construction of new building and parking lot on Lot 22 of the Westmoreland Business & Research Park.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **BGH Properties, LLC**

Applicant Address: 5767 Route 981, Latrobe, PA 15650

Application Number: **PAC650348**

Application Type: New

Municipality/County: Unity Township, **Westmoreland County**

Total Earth Disturbance Area (acres): 1.84

Surface Waters Receiving Stormwater Discharges: Trib 43511 to Ninemile Run

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

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

Project Description: New Veterinary Clinic and Associated Parking/Landscaping/Hardscaping/Stormwater Management Facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **Regional Industrial Development Corporation**

Applicant Address: 611 William Penn Pl, Pittsburgh, PA 15219

Application Number: **PAC650355**

Application Type: New

Municipality/County: East Huntingdon Township, **Westmoreland County**

Total Earth Disturbance Area (acres): 5.74

Surface Waters Receiving Stormwater Discharges: Belson Run

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

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

Project Description: Redevelopment of an existing parking including expansion of parking lot, modification of circulation layout, and maintenance operation of the existing parking lot.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **PT Commercial Court, LLC**

Applicant Address: 10101 Saltsburg Rd, Pittsburgh, PA 15239

Application Number: **PAC650347**

Application Type: New

Municipality/County: Penn Township, Manor Borough, **Westmoreland County**

Total Earth Disturbance Area (acres): 6.7

Surface Waters Receiving Stormwater Discharges: Trib 37278 to Brush Creek

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

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

Project Description: The intent of this project is to perform site grading for construction of a 46,442 sq ft indoor sports complex and 14,250 sq ft indoor self storage unit building with associated parking and stormwater management facilities. The BMPs outlined within this plan will adequately control volume and rate increases due to the land-use changes proposed during the term of the activity.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **Ross Welding Supplies**

Applicant Address: 29 Grimm Rd, Tarentum, PA 15084

Application Number: **PAC650341**

Application Type: New

Municipality/County: Daugherty Township, **Westmoreland County**

Total Earth Disturbance Area (acres): 1.37

Surface Waters Receiving Stormwater Discharges: UNT to Conemaugh River

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

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

Project Description: Project includes construction of a driveway, bulk propane tank facility and a building pad for Ross Welding Supplies, Inc. on vacant lot. A detailed narrative about the site is also attached.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **McLaughlin Builders LLC**

Applicant Address: 951 Cagni Dr, Canonsburg, PA 15317

Application Number: **PAC630283**

Application Type: New

Municipality/County: Peters Township, **Washington County**

Total Earth Disturbance Area (acres): 1.6

Surface Waters Receiving Stormwater Discharges: Brush Run

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

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

Project Description: Construct single family home and driveway with underground stormwater detention (Gilkes Residence).

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **Nelson Family Enterprises**

Applicant Address: 2610 Dakota Ave, South Sioux, NE 68776

Application Number: **PAC110104**

Application Type: New

Municipality/County: Richland Township, **Cambria County**

Total Earth Disturbance Area (acres): 3.00

Surface Waters Receiving Stormwater Discharges: Paint Creek

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

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and

placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Nelson Family Enterprises is proposing to construct an 18,500 +/- square foot warehouse building and parking lot located on Jari Drive in Richland Township, Cambria County, PA.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Daryl Martin—Layer Farm 204 Farmers Lane Myerstown, PA 17067	Lebanon County	25	292.76	Layers	NA	Renewal
Kreider Farms—Rick Cramer 1486 Mount Pleasant Road Lebanon, PA 17042	Lebanon County	115.5	5,871.8	Layers	NA	Renewal
Darvin Martin 8245 Holbens Valley Road New Tripoli, PA 18066	Lehigh County	43	212.03	Duck Dairy Beef	HQ	Renewal

PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should

include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

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

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nicole Mechtly, Clerical Supervisor II, 570-327-3490.

Application No. 1423502, Construction, Public Water Supply.

Applicant	Haine Aaronsburg Municipal Authority
Address	167 Water Gap Road Aaronsburg, PA 16820
Municipality	Haines Township
County	Centre County
Responsible Official	Charles Valentine P.O. Box 254 Aaronsburg, PA 16820
Consulting Engineer	Patrick Ward Suite 200 2009 N Atherton State College, PA 16803
Application Received	April 11, 2023
Description	The project is the installation and operation of a temporary treatment facility that will be used as the primary treatment plant until the improvements have been completed on the current water treatment plant.

Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Pam Yoder, Clerical Assistant 2, 814-332-6899.

Application No. 6223501, Construction, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Address	762 Lancaster Avenue Bryn Mawr, PA 19010
Municipality	Clarendon Borough and Bryn Mawr
County	Warren County
Responsible Official	Mike Fili, VP-Planning Design and Construction Aqua Pennsylvania, Inc. 762 Lancaster Avenue Bryn Mawr, PA 19010

Consulting Engineer	Patrick Burke, P.E. Entech Engineering, Inc. 500 North Centre Street Suite 101A Pottsville, PA 17901
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Application Received	April 5, 2023
Description	Aqua Clarendon WTP installation of Cartridge Filtration for Treatment of GUDI Source.

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

Contact: Darin Horst, Environmental Engineer, 717-705-4708.

Application No. 2823502, Construction, Public Water Supply.

Applicant	Mercersburg Water Authority
Address	113 South Main Street Mercersburg, PA 17236
Municipality	Mercersburg Borough
County	Franklin County
Responsible Official	Melissa Price 113 South Main Street Mercersburg, PA 17236
Consulting Engineer	Glace Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011
Application Received	February 10, 2023
Description	Construction of the Park Avenue Well and treatment including softening, nitrate removal, disinfection, 4-log treatment of viruses, booster pumping, and finished water storage.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals not participating in the remediation.

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

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

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

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

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

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

J. Hawk Pad 1, Primary Facility ID # **861289**, 625 Hinkley Road, Meshoppen, PA 18630, Auburn Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801 on behalf of Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of diesel-based drilling mud. The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on March 22, 2023. Application received: April 4, 2023.

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

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

Coventry House Apartments, Primary Facility ID # **700807**, 7301 Coventry Avenue, Elkins Park, PA 19027, Cheltenham Township, **Montgomery County**. Mark Bedle, B&B Diversified Enterprises, Inc., P.O. Box 70, Barto, PA 19504 on behalf of Frank Gerould, Coventry House Apartments, 7301 Coventry Avenue, Apt. 408, Elkins Park, PA 19027, submitted a Notice of Intent to Remediate. No. 2 fuel oil impacted soil and groundwater at the site. The site is occupied by a seven-story co-op apartment building and will continue to be utilized for residential purposes. The proposed cleanup standard for

the site is the site-specific standard/Statewide health standard. The Notice of Intent to Remediate was published in *The Times Chronicle* on March 19, 2022. Application received: March 31, 2023.

RESIDUAL WASTE GENERAL PERMITS

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

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-1982.

Contact: Jason Dunham, Environmental Group Manager.

WMGR151. Cavalier Environmental Compliance Services, Inc., 482 Houses Corner Rd, Sparta, NJ 07871, Sparta Township, **Sussex County**. Cavalier has submitted both an application for a Determination of Applicability (DOA) under, and a modification to, the base WMGR151 general permit. The DOA was determined to be administratively complete by the Southcentral Regional Office on February 24, 2023 and was noticed separately in the *Pennsylvania Bulletin* on April 8, 2023. The application for a major modification to the base General Permit No. WMGR151 was determined to be admin complete by Central Office March 28, 2023. General Permit No. WMGR151 authorizes the beneficial use of screenings from alternative fuel production from construction and demolition waste and industrial wood-based waste for use as a bulking agent prior to disposal of the bulked waste by landfilling or incineration. The proposed modifications to the WMGR151 base permit would eliminate the language that limits the applicability of the permit to screenings of construction and demolition waste from the production of alternative fuels and allow for beneficial use of screenings from other construction and demolition waste processing facilities. Persons interested in reviewing the general permit modification application may contact Jason Dunham, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Application received: March 28, 2023.

Comments or questions concerning the application should be directed to Jason Dunham, Environmental Group Manager, Central Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 1-717-787-1982. 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.

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

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

WMGR081NC003. eLoop, LLC, 1 Wesco Lane, Export, PA 15632, College Township, **Centre County**. Gen-

eral Permit modification for the addition of equipment for Flat Panel Display Processing at the eLoop electronics recycling site. Application received: April 4, 2023.

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

DETERMINATION OF APPLICABILITY FOR MUNICIPAL 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 Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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

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

WMGM016NC002. County of Lycoming, 447 Alexander Drive, P.O. Box 187, Montgomery, PA 17752, Brady Township, **Lycoming County**. Determination of Applicability for the clean wood grinding operation associated with the regional recycling operation at the Lycoming County Landfill wood processing area. Application received: March 27, 2023.

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

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, in the *Pennsylvania Bulletin* or by telephone, when DEP determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate DEP Regional Office.

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

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

PLAN APPROVALS

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

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.

43-00055A: Oldcastle APG Northeast, Incorporated 97 Main Street, Fredonia, PA 16124, Fredonia Borough, **Mercer County**. Application received: January 26, 2023.

The Department has received a plan approval application for the construction and initial operation of a replacement baghouse control device at their Anchor Concrete Fredonia Plant.

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.

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.

41-00026A: Prysmian Cables and Systems USA, LLC, 409 Reighard Avenue, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Application received: November 29, 2023. The Department intends to issue a plan approval for the modification of Line 163 of the extrusion process at the facility. The extrusion process consists of three extrusion lines (161—163). The company indicates that the modification of the air contamination source will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed modification. The potential increase in annual emission that result from the modification of Line 163 of the extrusion process at the facility are VOCs 3.23 tons; PM₁₀ 0.78 ton and HAPs 3.27 tons. The following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: 1. Source ID P113 is the aluminum storage and extrusion area consisting of extrusion lines 161—163. 2. The methanol emissions from extrusion lines 161—163 shall not exceed 9.70 tons in any 12 consecutive month period. 3. The Acetophenone emissions from extrusion lines 161—163 shall not exceed 0.125 ton in any 12 consecutive month period. 4. The total VOC emissions from extrusion lines 161—163 shall not exceed 9.83 tons in any 12 consecutive month period. 5. Each of the extrusion lines shall not exceed 733.33 pounds per hour for polyethylene and the catalyst addition rate shall not exceed 8.80 pounds per hour. 6. The permittee shall keep records of the addition rates of polyethylene and catalyst for each of the extrusion lines of Source ID P113. These records shall be retained for a minimum of five years and be produced to the Department upon request. 7. The permittee shall only use the catalyst SILFIN75 in the extrusion process or equivalent. Prior to the use of any alternative catalyst being used the permittee shall obtain approval from Department. 8. The total particulate matter emissions from extrusion lines 161—163 shall not exceed 2.36 tons in any 12 consecutive month period. The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 41-00026A, the requirements established in the plan approval will be incorporated into the State Only Operating Permit pursuant to 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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.

36-05107G: Pepperidge Farm, Inc., 2195 N Reading Rd., Denver, PA 17517, East Cocalico Township, **Lancaster County**. Application received: February 17, 2023. For the replacement of a catalytic oxidizer at their facility. The catalytic oxidizer controls volatile organic compounds (VOC) emissions from a baking oven. The expected emissions from this project are as follows: 3.5 tpy of CO, 4.2 tpy of NO_x, 0.02 tpy of SO_x, 14.1 tpy of VOC 0.3 tpy of PM and 0.01 tpy of Total HAP's. The facility is a Synthetic Minor facility. DEP's review of the information submitted by the applicant indicates that air contamination sources will comply with all regulatory requirements, including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, DEP proposes to issue a plan approval for the proposed activity. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

Contact: James Beach, New Source Review Chief, 484-250-5920.

15-0161: G and A Clanton, Inc., 350 Lake Road, Avondale, PA 19311, London Grove Township, **Chester County**. Application received: February 27, 2023. A plan approval for operation of an existing portable non-metallic mineral processing plant consisting of crushers, screens, and conveyors powered by diesel engines. The facility, located in London Grove Township, Chester County, is a non-Title V facility. The facility is a source of particulate matter and based on potential emissions, the facility is classified as a natural minor. A wet suppression system is used to minimize fugitive particulate matter (PM) emissions. Facility-wide emissions of PM are estimated at 2.80 tons per year. The Plan Approval and Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within these emission rates and all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-30-00808: Smart Sand Inc., 212 Mine Road, Waynesburg, PA 15370, Franklin Township, **Greene County**. Application received: June 28, 2022. Pursuant to 25 Pa. Code §§ 127.44 and 127.45, the Department intends to issue Air Quality plan approval to authorize construction and temporary operation of a silica sand transloading facility at the location of the former Emerald Mine No. 1. The facility will transload up to 3,000,000 tons of silica sand per year from railcars to trucks and will include the construction and temporary operation of stationary railcar-to-silo transfer, conveyance, and storage

equipment including hoppers, belt conveyors, a bucket elevator, and four (4) 2,500-ton storage silos, and the construction and temporary operation of five (5) mobile diesel-powered railcar-to-truck transloaders. Best available technology (BAT) for stationary transloading operations will include the use of partial enclosures for unloading railcars and loading trucks. A partially enclosed railcar unloading pit and a fully enclosed bucket elevator and transfer and conveyance equipment, all controlled by a baghouse, silo bin vents controlled by cartridge dust collectors, and telescopic truck loading spouts controlled by cartridge dust collectors will also be utilized. BAT for mobile transloading operations will include the use of enclosed conveyors, partially enclosed railcar-to-transloader transfer points, fully enclosed telescopic spouts at the transloader-to-truck transfer points, and a baghouse which draws on the conveyor enclosure to collect dust generated at each end of the conveyor. The transloaders will be powered by Tier 4 certified diesel engines, each rated at 74 brake horsepower (bhp). All baghouses and dust collectors are rated for greater than 99% control of particulate matter. BAT for haul roads and other plant surfaces will include the use of water and vacuum sweeper trucks as appropriate to suppress dust or remove any spilled or tracked material. Best management practices will also be employed to prevent dust from becoming airborne. Total potential to emit from the facility will not exceed 8.0 tons of oxides of nitrogen (NO_x), 0.5 ton of carbon monoxide (CO), 1.0 ton of volatile organic compounds (VOC), 167 tons of particulate matter (PM), 66 tons of particulate matter less than 10 microns (PM₁₀), and 13 tons of particulate matter less than 2.5 microns (PM_{2.5}). The proposed plan approval has been conditioned to ensure compliance with all applicable requirements specified in 25 Pa. Code, and includes emissions limitations and work practice, monitoring, record-keeping, and reporting requirements. The plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the proposed project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To schedule an appointment to review the Air Quality plan approval application or proposed Air Quality plan approval, or to receive an electronic copy of the Department's Air Quality review memorandum or the proposed Air Quality plan approval for the proposed project, a person may contact the Department's Southwest Regional Office File Review Coordinator at 412.442.4000. A file review can be scheduled through the Department's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>. A person may oppose the proposed Air Quality plan approval by filing a written protest with the Department or may submit written comments through Devin P. Tomko, P.E., Air Quality Engineer, via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; written comments may also be submitted via email to dtomko@pa.gov or via fax to 412.442.4194. Each set of written comments or protest must contain the name, address, and telephone number of the person submitting the comments or protest, identification of the proposed plan approval (30-00808) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication. A protest to the proposed action shall be filed with the Department within 30 days of the date that notice of the

proposed action was published under 25 Pa. Code § 127.44 (relating to public notice).

OPERATING PERMITS

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

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

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

36-05014, Arconic US LLC Lancaster Corp, 1480 Manheim Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Application received: December 22, 2022. Approval of a Reasonably Available Control Technology (RACT) 3 plan for the Arconic US LLC Lancaster Corp. as a significant modification to its applicable Title V operating permit.

In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 ozone NAAQS), the Pennsylvania Department of Environmental Protection (Department, DEP) has made a preliminary determination to approve a RACT 3 plan for the Arconic US LLC Lancaster Corp. The RACT 3 plan approval, if approved by the Department, will be issued as a significant modification to the facility's Title V operating permit (36-05014).

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

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

RACT III Case-by-Case Requirements

(a) Pursuant to 25 Pa. Code § 129.114(d), the permittee shall:

(1) Source IDs 133, 134, 137, 139:

(i) Install, maintain and operate the sources in accordance with the manufacturer's specifications and with good operating practices

(ii) Maintain & continue use of regenerative Low NO_x Burners (LNBs) on 133, 134, 137 and 139

(iii) Inspect the combustion systems/burners—Every 18 to 24 months, unless otherwise approved by DEP in writing

(iv) Inspect the furnace door seals/insulation—Every 18 to 24 months, unless otherwise approved by DEP in writing

(v) Maintain records of the combustion system/burner and furnace door seals/insulation inspections

(2) For Source IDs 143 and 144:

(i) Install, maintain and operate the sources in accordance with the manufacturer's specifications and with good operating practices

(ii) Maintain & continue use of Low NO_x Burners (LNBs) on 143 and 144

(iii) Limit the emissions from each furnace to 0.148 lb NO_x/MMBtu

(iv) Inspect the combustion systems/burners—Every 18 to 24 months, unless otherwise approved by DEP in writing

(v) Inspect the furnace door seals/insulation—Every 18 to 24 months, unless otherwise approved by DEP in writing

(vi) Maintain records of the combustion system/burner & furnace door seals/insulation inspections

(vii) In accordance with 129.115(b)(6), for an air contamination source without a CEMS, monitoring and testing in accordance with an emissions source test approved by the Department or appropriate approved local air pollution control agency that meets the requirements of Chapter 139, Subchapter A (relating to sampling and testing methods and procedures). The initial source test shall be conducted within 180 days of the approval of the alternative RACT proposal. The test shall then be repeated by December 31 of the 5th calendar year from the previous test.

(3) Source IDs 149B, 149D, 149E, 149F, 149G, 149H and 149I:

(i) Install, maintain and operate the sources in accordance with the manufacturer's specifications and with good operating practices

(ii) Maintain and continue use of LNBs

(iii) Inspect the combustion systems/burners—Every 12 to 18 months, unless otherwise approved by DEP in writing

(iv) Inspect the furnace door seals/insulation—Every 12 to 18 months, unless otherwise approved by DEP in writing

(v) Maintain records of the combustion system/burner & furnace door seals/insulation inspections

(4) Source IDs 122—124 and 161:

(i) Install, maintain and operate the sources in accordance with the manufacturer's specifications and with good operating practices

(ii) The as-applied initial boiling point for the cold rolling mill lubricants shall be a minimum of 400°F

(iii) Cold rolling mill sump oil temperatures shall be maintained below 155°F. Permanent instrumentation shall be provided to verify compliance with this provision

(iv) Perform a periodic analysis of coolant package to assess conditions and evaluate excessive degradation or out-of-range specifications for key coolant properties—Weekly

(v) Monitor and record the cold mill sump oil temperature—Hourly

(vi) The permittee shall record the following:

(A) Identification of each lubricant

(B) Pounds of VOC per gallon

(C) Percent VOC per gallon

(D) Percent water per gallon

(E) Gallons per quarter of each lubricant used

(F) The results from the weekly coolant package analysis

(5) Source IDs 125 and 147:

(i) Install, maintain and operate the sources in accordance with the manufacturer's specifications and with good operating practices

(ii) Hot rolling mill emulsion lubricants shall contain at least 90% water by weight

(iii) The hot rolling mill emulsion lubricants shall be applied at a maximum temperature of 200°F, as measured at the spray inlet. The company shall provide instrumentation to verify compliance with this provision

(iv) Perform a periodic analysis to determine the water content of the hot mill emulsion lubricant/coolants—Weekly

(v) Monitor and record the temperature of the lubricants/coolants at the spray inlet—Hourly

(vi) The permittee shall record the following:

(A) Identification of each lubricant

(B) Pounds of VOC per gallon

(C) Percent VOC per gallon

(D) Percent water per gallon

(E) Gallons per quarter of each lubricant used

(F) The water content analysis results of the hot mill lubricant/coolants

(b) In accordance with 25 Pa. Code § 129.100(i), all records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

A 30-day public comment period is provided for persons wishing to file a written protest, objection, comments or additional information, which they believe should be considered prior to the issuance of a permit. The written comments, information, protests or objections may be submitted to Thomas Hanlon, Environmental Engineering Manager, Air Quality Program, at 909 Elmerton Avenue, Harrisburg, PA 17110, or at thanlon@pa.gov on or before the closing date of this 30-day public comment period. The 30-day public comment period closes on May 22, 2023.

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

Public hearing. A public hearing will be held on May 31, 2023, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed RACT 3 plan approval action and the proposed SIP revision. To register to speak at the hearing, please contact Tom Hanlon at 717.705.4862. Speakers must pre-register in order to

testify at the hearing. The last day to pre-register to speak at the hearing will be the Friday before the hearing.

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

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

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

OPERATING PERMITS

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

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

Contact: Norm Frederick, 570-826-2409.

39-00003, Apollo Metals LTD/Bethlehem, 1001 14th Ave, Bethlehem, PA 18018-2207, City of Bethlehem, **Lehigh County**. Application received: August 1, 2022. The Department intends to issue a renewal State-Only (Synthetic Minor) Permit for the electroplating and polishing facility located in Bethlehem City, Lehigh County. The main sources at this facility consist of boilers, and brass and copper electroplating. The control devices are scrubber systems. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00122, Leggett & Platt, Inc., LPCC Berwick, 515 Salem Blvd., Berwick, PA 18603-6459, Salem Township, **Luzerne County**. Application received: August 25, 2022. The Department intends to issue a renewal State-Only (Synthetic Minor) Permit for the cushions, carpet and rug, urethane, and other foam plastics (except polystyrene) manufacturing facility located in Salem Township, Luzerne County. The main sources at this facility consist of miscellaneous combustion units and a foam processing and handling operation. The control devices consist of a baghouse. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

48-00059, Keystone Food Prod, P.O. Box 326, 3767 Hecktown Rd, Easton, PA 18044, Lower Nazareth Township, **Northampton County**. Application received: Feb-

ruary 28, 2023. The Department intends to issue a renewal State-Only Operating Permit for their potato chip, corn chip and similar snacks manufacturing facility. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

58-00003, Mtn View School District, 11748 State Route 106, Kingsley, PA 18826, Harford Township, **Susquehanna County**. Application received: March 13, 2023. The Department intends to issue a renewal State-Only Operating Permit for their elementary and secondary schools. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

58-00012, Blue Ridge School District, 5150 School Rd, New Milford, PA 18834, New Milford Borough, **Susquehanna County**. Application received: January 27, 2023. The Department intends to issue a renewal State-Only Operating Permit for their schools and educational services. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.

42-00193, Allegheny Bradford Corporation, P.O. Box 200, Bradford, PA 16701-0200, Lewis Run Borough, **McKean County**. Application received: February 28, 2022. The Department intends to issue the renewal of the State-Only Operating Permit of a facility that manufactures heat exchangers, filter housings, tanks, pressure vessels, and custom fabrication in stainless steel and high nickel alloys. Working with materials containing metal hazardous air pollutants (HAPs), operations on stainless steel polishing, machining, tungsten inert gas welding, bead blasting, and hand coating at the facility are all subject to 40 CFR 63 Subpart XXXXXX (6X), which pertains to National Emission Standards for HAPs (NESHAP) Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. With a very low paint usage, hand coating at the facility is exempt from state regulations on surface coating. Conducted in a vented enclosure equipped with a filtration control device, bead blasting is not subject to visual determination of fugitive emissions, and associated reporting and recordkeeping requirements, of 40 CFR 63 Subpart 6X. With PTE of each regulated pollutant not exceeding 2.00 TPY, the facility is Natural Minor for permitting purposes.

Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration, 215-685-9426.

OP22-000021, Thomas Jefferson University—Methodist Hospital, 2301 S. Broad St., Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Application received: March 28, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal of the Natural Minor Operating Permit (NMOP) for the operation of a hospital. The facility's air emission

sources include two (2) 16.76 MMBtu/hr natural gas and No. 2 Oil fired boilers, each equipped with low NO_x burners, and two (2) diesel fired 1,114 hp emergency generators. As part of the NMOP renewal, there is modification of maximum time for the testing, engine tuning, maintenance checks, and readiness testing for the emergency generators. Each generator can test and/or tune for a maximum of 100 hours per calendar year, an increase from previous OP's 30 minutes per month limit to test and a 4 hour per year limit for engine tuning. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "Thomas Jefferson University—Methodist Hospital, OP22-000021" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting information are available by contacting the Source Registration Unit at 215-685-7572 or emailing a request to the previously listed email address with the subject line.

OP22-000049, WuXi AppTec, Inc., 4751 League Island Blvd, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. Application received: October 12, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal of the Natural Minor Operating Permit (NMOP) for the operation of a biopharmaceutical facility in the City of Philadelphia, Philadelphia County. The facility's air emissions' sources include sixteen (16) air handling units firing natural gas with ratings ranging from 0.0162 to 01.375 million British thermal units per hour (MMBtu/hr), one (1) emergency generator (EGEN-1) firing diesel fuel rated at 1,000 kilowatts (kW), one (1) emergency generator (EGEN-2) firing diesel fuel rated at 1,641 kW, and assorted small bench-scale equipment, fume hoods, and bio safety cabinets. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection by contacting the Source Registration Unit at 215-685-7572 or DPHAMS_Service_Requests@phila.gov. Persons wishing to file protest or comments on the previously listed operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "WuXi AppTec, Inc. NMOP OP22-000049"

in the subject line. AMS suggests submitting any mailed correspondence also by e-mail.

OP22-000032, One and Two Commerce Center, 2001-2005 Market St, Philadelphia, PA 19103, City of Philadelphia, **Philadelphia County**. Application received: October 30, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue an initial Natural Minor Operating Permit (NMOP) for the operation of an office building in the City of Philadelphia, Philadelphia County. The facility's air emissions' sources include four (4) emergency generators with ratings ranging from 765 to 1,000 kilowatts (kW) and four (4) fire pumps with ratings ranging from 139.4 to 182 kW. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection by contacting the Source Registration Unit at 215-685-7572 or DPHAMS_Service_Requests@phila.gov. Persons wishing to file protest or comments on the previously listed operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "One and Two Convention Center NMOP OP22-000032" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail.

OP21-000020, Tidewater, 2600 R. Penrose Ferry Rd., Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Application received: April 13, 2021. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal of the Natural Minor Operating Permit (NMOP) for the operation of a portable nonmetallic mineral crushing plant in the City of Philadelphia, Philadelphia County. The facility's air emission sources are one (1) 450 tons/hr crusher operated with one (1) 400 tons/hr doublescreen and one (1) 375 horsepower (HP) diesel engine. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "Tidewater OP21-000020" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting information are available by contacting the Source Registration Unit at 215-685-7572 or emailing a request to the previously listed email address with the subject line.

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

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

06-03150, Craig Manufacturing, LLC, 700 Henry Circle, Sinking Spring, PA 19608, Spring Township, **Berks County**. Application received: November 28, 2022. To issue a State-Only Operating Permit for the operation of their fiberglass manufacturing operations. Potential emissions from the facility are estimated to be 8.45 tpy of a single HAP (styrene). The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for adhesives and sealants derived from 25 Pa. Code § 129.77.

06-05090, Toppan Interamerica Inc., 378 Thousand Oaks Blvd., Morgantown, PA 19543, Caernarvon Township, **Berks County**. Application received: December 5, 2022. To issue a State Only Operating Permit for the graphic arts printing facility. The actual emissions from the facility in 2021 year are estimated at 3.6 tpy of NO_x, 2.9 tpy of CO, 14.7 tpy of VOCs and 5.7 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart KK—National Emission Standards for Printing and Publishing Industry and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

22-03065, PA Department of Agriculture, 2305 N. Cameron Street, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. Application received: November 30, 2022. For the Pathological/Infectious Waste Incinerator at the Animal Health Laboratory. This is for a renewal of the existing State-Only Operating Permit. The subject facility has the potential to emit 12.4 tpy of NO_x, 5.9 tpy of CO, 0.7 tpy of SO_x, 0.9 tpy of PM, 0.6 tpy of VOCs, and 0.002 tpy of HAPs. The State-Only Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from the Department's Best Available Technology (BAT) requirements for Hospital/Infectious Waste Incinerators of August 11, 1989.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

15-00073, US Veterans Admin/Coatesville VA Med Ctr, 1400 Blackhorse Hill Rd., Coatesville, PA 19320, Caln Township, **Chester County**. Application received: February 22, 2023. The Coatesville VA Medical Center is a 302 bed medical facility specializing in care of US military veterans. The site consists of 42 buildings on 126 acres in Caln Township, Chester County. Sources include two (2) 28.4 MMBtu/hr boilers, two (2) 56 MMBtu/hr boilers, two (2) 2,922 HP generators and three (3) additional generators under 600 HP. NO_x emissions from the facility are limited to 24.9 tpy. The boilers are restricted to natural gas except for times of gas curtailment in order to reduce NO_x and PM emissions. NO_x and

CO are limited by a 99 hr/yr operation limit on the two (2) 2,922 HP generators. Additional combined limits for the three (3) generators that are rated less than 600 HP are 100 lbs/hr, 1,000 lbs/day, 2.75 tons/ozone season and 6.6 tpy NO_x emissions. Site-wide emissions totals for 2021 were: NO_x—6.033 tpy; CO—4.795 tpy; SO_x—0.21 tpy; VOC—1.004 tpy; PM—0.456 tpy. The permit contains all necessary monitoring, recording and reporting to provide proof of compliance with limits. Work practices in the permit ensure the equipment is maintained, adjusted and repair according to manufacturer's specifications and regulation requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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.

65-00127, Georgia Financial XIII LLC, 400 Railroad Ave, Avonmore, PA 15618, Avonmore Borough, **Westmoreland County**. Application received: September 24, 2019. In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality Synthetic Minor State Only Operating Permit (SOOP) renewal to Georgia Financial XIII, LLC to authorize the operation of their facility located in Avonmore Borough, Westmoreland County. The company produces metal rolls using lathes, wet grinders and milling machines, heat treatment, cleaning, and painting process. The metal rolls are used in hot and cold strip mills throughout North America, Asia, and Europe. Sources at this facility include annealing furnaces, lathes, wet grinders, milling machines, roll-on painting, and space heaters. Primary sources of pollutants are the natural gas fired furnaces. In order to remain below Title V thresholds for NO_x and CO, the company has taken a limit of 1,800 MMBtu natural gas use per year for the whole facility operation. This is a synthetic minor permit. Facility-wide estimated potential emissions are 10.21 tpy of PM₁₀, 90 tpy of NO_x, 11.7 tpy of VOCs, 0.63 tpy of SO_x and 75.6 tpy of CO. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (65-00127) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly. All comments must be received prior to the close of business 30 days after the date of this publication.

PLAN APPROVALS

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

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

Contact: Raymond Kempa, New Source Review Chief, 570-826-2507.

45-00151B, American Flooring, LLC, 180 Independence Drive, Pittston, PA 18640, Pittston Township, **Luzerne County**. Application received: April 4, 2023. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to American Flooring, LLC for their facility located in Pittston Twp., Luzerne County. Plan Approval No. 40-00151B will be converted into an initial State-Only Operating Permit at a later date. Plan Approval No. 40-00151B is for the installation and operation of equipment for a new vinyl tile manufacturing facility. Pulse-jet baghouses will control process emissions and meet an emission limit of 0.02 gr/dscf. Additional recycling processes and controls are proposed within this plan approval application. The plan approval, originally submitted as Plan Approval 40-00151A, provides additions for grinding room operations controlled by a pulse-jet baghouse, and two milling machines each receiving process baghouse discharge through a receiving cyclone. Each milling machine is controlled by a pulse-jet baghouse. Hot-melt glue application will be controlled by electrostatic precipitator and carbon adsorption filters. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00151B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, EEM, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

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

Coal Applications

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

Table 1

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

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

Alkalinity must always be greater than acidity.

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

Contact: Bonnie Herbert, Clerical Assistant 3.

CORRECTION—previously published on April 8, 2023.

Mining Permit No. 32061302. NPDES No. PA0235768. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Young Township, **Indiana County**. To revise the permit and related NPDES permit for construction and maintenance of two (2) treatment ponds, affecting 4.6 proposed surface acres. Receiving stream(s): Blacklegs Creek, classified for the following use: CWF. Application received: January 23, 2023. Accepted: March 20, 2023.

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

Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.

Mining Permit No. 11080101. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, East Taylor and Croyle Townships, **Cambria County**. Reclamation only of a bituminous surface and auger mine affecting 555.2 acres. Receiving streams: unnamed tributaries to/and the Little Conemaugh River to the Conemaugh River, classified for the following use: CWF. Application received: April 3, 2023.

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

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

Mining Permit No. 33080105. NPDES No. PA0258547. Original Fuels, Inc., P.O. Box 343, Punxsutawney, PA 15767, Perry Township, Young Township, **Jefferson County**. Renewal of an existing bituminous surface mine. Application received: April 4, 2023.

Noncoal Applications

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

Table 2

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

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

Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.

Mining Permit No. 01740601. NPDES No. PA0594407. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Cumberland Township, **Adams County**. Renewal of NPDES permit. Receiving stream: Rock Creek classified for the following use: WWF. Application received: April 3, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 09870301. NPDES Permit No. PA0593796. Warner Company, 1000 New Ford Mill Road, Morrisville, PA 19607, Falls Township, **Bucks County**. Renew NPDES Permit affecting 450.2 acres. Receiving stream: Van Sciver Lake to Delaware River. Application received: March 29, 2023.

Mining Permit No. 8073SM4. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, Lower Pottsgrove Township, **Montgomery County**. Correction to include the importation of reclamation fill affecting 52.93 acres. Receiving stream: Sanatoga Creek, classified for the following uses: WWF, MF. Application received: March 23, 2023.

Mining Permit No. 22880301. NPDES Permit No. PA0223948. Rocky Licensing Corp., 201 Iron Valley Drive, Lebanon, PA 17042, Lower Swatara Township, **Dauphin County**. Renew NPDES Permit on a quarry operation affecting 60.1 acres. Receiving stream: Swatara Creek, classified for the following use: WWF. Application received: April 3, 2023.

Mining Permit No. 52060301. NPDES Permit No. PA0224511. Springbrook Enterprises, Inc., 504 Well Road, Lords Valley, PA 18428, Blooming Grove Township, **Pike County**. Renew NPDES Permit on a quarry operation affecting 35.5 acres. Receiving streams: Billings Creek, classified for the following uses: HQ-CWF, MF and Shohola Creek, classified for the following uses: HQ-CWF, MF. Application received: April 5, 2023.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

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

Effluent Limits for Noncoal Mining Activities

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

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

Noncoal NPDES Draft Permits

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

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0270016. Mining Permit No. 08202503. Charles H. God II, 46 River Woods Lane, Sugar Run, PA 18846, Tuscarora Township, **Bradford County**. Application received: January 26, 2023.

New NPDES permit for discharge of water resulting from surface mining of bluestone under a GP affecting 10.0 acres. Receiving stream(s): Fargo Creek, classified for the following use(s): CWF, MF.

The following outfall discharges to Fargo Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	New	Outfall 1 from Pit sump	Intermittent (Pumped)

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

<i>Outfalls: 001 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

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

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0595217. Mining Permit No. 5276SM5. Eureka Stone Quarry, Inc., P.O. Box 249, Chalfont, PA 18914, Dingman Township, **Pike County**. Modification of NPDES permit increasing the acreage from 202.3 acres to 218.6 acres. Receiving stream: UNT to Sawkill Creek, classified for the following use: EV, MF. Application received: January 17, 2023.

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

The following treated wastewater outfalls discharge to Sawkill Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	Existing	TFO	0.53 MDG

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		0.53		1.2
Oil and Grease (mg/L)			Monitor And Report	
Turbidity (NTU)		40.0	80.0	100.0

ⁱThis Parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant state requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection 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)).

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

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

E4601223-017. Upper Providence Township, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 15, 2023.

Demolition and removal of existing house, accessory structure, foundations, pads, slabs, walkways, driveway, and other site improvements. Backfill of disturbed areas of the property to uniform grade with adjacent undisturbed area(s) with suitable clean fill material and minimum six (6) inches of topsoil. Removal of non-native invasive plants. Preservation of existing native trees and vegetation. Restoration of disturbed areas of the property with lawn ground cover along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 708, 913, and 921 Port Providence Road, Phoenixville PA (Collegeville PA USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.128286°, Longitude: -75.491864°.

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

Contact: Dana Drake, Program Manager.

E0205222-022. US Bank Trust National Association, 500 W. Jefferson St., Suite 2000, Louisville, KY 40202, Richland Township, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 29, 2022.

The applicant is proposing to: Remove an existing, unpermitted, 24" diameter culvert, overlying fill and concrete pad, from an unnamed tributary to West Branch Deer Creek (CWF), and to construct and maintain a 250' long, rip-rap lined channel, in its place, along with 12,500 square feet of associated floodway, for the purpose of alleviating flooding of the property and adjoining properties. The project site is located at 123 Wedgewood Drive, Gibsonia, PA 15044 (Valencia, PA USGS topographic quadrangle; N: 40°, 38', 50"; W: -79°, 56', 43"; Sub-basin 18G)

E6505222-012. Steve Cleaveland, 14000 Route 993, Trafford, PA 15085, North Huntingdon Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: December 6, 2022.

The applicant is proposing to: Construct, operate and maintain an 80 LF long by 18 LF wide single span bridge

of Brush Creek (TSF); Construct a temporary 60' wide by 10' long ford crossing of Brush Creek. Construct, operate and maintain three (3) utility line stream crossings (water, sewer, and gas) beneath Brush Creek in accordance with the terms and conditions of BWEW General Permit No. 5; and Place and maintain 0.17 acre of associated roadway fill within the floodway of Brush Creek and along a UNT to Brush Creek. For the purpose of constructing access and utilities for two manufacturing buildings and associated infrastructure. The project will permanently impact 30 linear feet of watercourse and 0.17 acre of floodway. The project will temporarily impact 73 linear feet of watercourse and 0.05 acre of floodway. Mitigation for project impacts includes the purchase of 20 linear feet of stream credits from First Pennsylvania Resource LLC at the Laurel Hill Creek Mitigation Bank. The project site is located at the intersection of Spring Lane and Trafford Road (PA-993) (McKeesport, PA USGS topographic quadrangle; N: 40°, 22', 22.1376"; W: -79°, 45', 11.1664"; Sub-basin 19A).

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.

Contact: Joshua Fair, 717-772-5988.

D06-416EA. Bilal Baqai, PA DCNR, 2808 Three Mile Run Road, Perkasio, PA 18944, Union Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 29, 2023.

Applicant proposes to remove the Sixpenny Dam to eliminate a threat to public safety and to restore approximately 600 feet of stream channel to a free-flowing condition. The proposed restoration project will reestablish suitable habitat in Sixpenny Creek, through the former impoundment, conducive to natural trout reproduction. The project is located across Sixpenny Creek (HQ-CWF, MF) in the Elverson, PA USGS Quadrangle Map Latitude: 40.2299°, Longitude: -75.7967°.

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. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD010009	Chapter 102 Individual NPDES Permit	Issued	Mid Atlantic Interstate Trans 341 White Pond Drive Akron, OH 44320-1119	Franklin Township Adams County	SCRO
PAD090030	Chapter 102 Individual NPDES Permit	Issued	Rebecca River Road, LLC 190 Witherspoon Street Princeton, NJ 08542-3242	New Hope Borough Bucks County	SERO
PAD150254	Chapter 102 Individual NPDES Permit	Issued	Deckman Motor & Pump, Inc. 49 W Front Street Bridgeport, PA 19405-1022	Schuylkill Township Chester County	SERO
PAD150261	Chapter 102 Individual NPDES Permit	Issued	Khanna Muniya 706 N Bryn Mawr Avenue Bryn Mawr, PA 19010	Willistown Township Chester County	SERO
PAD150272	Chapter 102 Individual NPDES Permit	Issued	Prologis Targerted US Logistics Fund LP 967 E Swedesford Road Exton, PA 19341-2332	Malvern Borough Chester County	SERO
PAD160005	Chapter 102 Individual NPDES Permit	Issued	Cobalt Solar LLC 3402 Pico Boulevard Santa Monica, CA 90405-2025	Washington Township Clarion County	NWRO
PAD280015	Chapter 102 Individual NPDES Permit	Issued	Stanley Avenue Owner LLC 505 S Hanover Street Carlisle, PA 17013-3919	Guilford Township Franklin County	SCRO
PAD310012	Chapter 102 Individual NPDES Permit	Issued	Cabinetworks Group Michigan LLC 11823 Lenape Drive Mount Union, PA 17066-8715	Shirley Township Huntingdon County	SCRO
PAD350029	Chapter 102 Individual NPDES Permit	Issued	Jefferson Township Lackawanna County 487 Cortez Road Jefferson Township, PA 18436-3705	Jefferson Township Lackawanna County	NERO
PAD400046	Chapter 102 Individual NPDES Permit	Issued	Hazleton City Water Authority Luzerne County 400 East Arthur Parkway Hazleton, PA 18201	Foster Township Luzerne County	NERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD520047	Chapter 102 Individual NPDES Permit	Issued	Bodhi Hebc LLC 186 E Beaver Dam Road Tafton, PA 18464-9657	Palmyra Township Pike County	NERO
PA0247782	Industrial Stormwater Individual NPDES Permit	Issued	Value Auto Salvage 13058 Greenwood Road Huntingdon, PA 16652-6030	Jackson Township Huntingdon County	SCRO
PA0264121	Industrial Stormwater Individual NPDES Permit	Issued	V&S Korns Galvanizing LLC 987 Buckeye Park Road Columbus, OH 43207-2596	Johnstown City Cambria County	SWRO
PA0266141	Industrial Stormwater Individual NPDES Permit	Issued	Walters Auto Wrecking 403 Walters Lane Hollidaysburg, PA 16648-9537	Blair Township Blair County	SCRO
0474208	Industrial Waste Individual WQM Permit	Issued	Allegheny & Tsingshan Stainless LLC 100 River Road Brackenridge, PA 15014-1537	Midland Borough Beaver County	SWRO
0617801	Joint DEP/PFBC Pesticides Permit	Issued	Birdsboro Municipal Authority Berks County 202 E Main Street Birdsboro, PA 19508-2025	Robeson Township Berks County	SCRO
0623801	Joint DEP/PFBC Pesticides Permit	Issued	Ledge Rock Golf Club 1 Greenbriar Drive Mohnton, PA 19540-9307	Mohnton Borough Berks County	SCRO
0623802	Joint DEP/PFBC Pesticides Permit	Issued	Wolfe Timothy 4282 Hunters Run Boulevard Reading, PA 19606-9018	Exeter Township Berks County	SCRO
0913806	Joint DEP/PFBC Pesticides Permit	Issued	Briarwood Day Camp 1380 Creek Road Furlong, PA 18925-1344	Buckingham Township Bucks County	SERO
0913892	Joint DEP/PFBC Pesticides Permit	Issued	Eastburn Rodman 110 Short Road Doylestown, PA 18901-3215	Doylestown Borough Bucks County	SERO
0914807	Joint DEP/PFBC Pesticides Permit	Issued	Reserve at Newtown Community Assoc. P.O. Box 650858 Dallas, TX 75265-0858	Newtown Township Bucks County	SERO
0918810	Joint DEP/PFBC Pesticides Permit	Issued	Shaw Donna 1915 Sweetbriar Road Ottsville, PA 18942	Tinicum Township Bucks County	SERO
1513852	Joint DEP/PFBC Pesticides Permit	Issued	Porter Scott 133 Center Mill Road Chadds Ford, PA 19317-9212	Kennett Township Chester County	SERO
1520809	Joint DEP/PFBC Pesticides Permit	Issued	Jones Kelly 180 Sawmill Road Landenberg, PA 19350-9302	New Garden Township Chester County	SERO
1523822	Joint DEP/PFBC Pesticides Permit	Issued	Osborn Art 310 Upland Road P.O. Box 546 Unionville, PA 19375	East Marlborough Township Chester County	SERO
3622809	Joint DEP/PFBC Pesticides Permit	Issued	Willow Valley Retirement Community 425 Willow Valley Lakes Drive Willow Street, PA 17584-9662	West Lampeter Township Lancaster County	SCRO
3622810	Joint DEP/PFBC Pesticides Permit	Issued	Willow Valley Retirement Community 425 Willow Valley Lakes Drive Willow Street, PA 17584-9662	West Lampeter Township Lancaster 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>
3623802	Joint DEP/PFBC Pesticides Permit	Issued	Lime Spring Properties 2456 Noll Drive Lancaster, PA 17603-7613	East Hempfield Township Lancaster County	SCRO
3623803	Joint DEP/PFBC Pesticides Permit	Issued	Willow Valley Assoc Inc. 2416 Willow Street Pike Lancaster, PA 17602-4898	West Lampeter Township Lancaster County	SCRO
4617803	Joint DEP/PFBC Pesticides Permit	Issued	Bob Michaels Woodmont Community Assoc. 950 Town Center Drive Suite B25 Langhorne, PA 19047-1866	Lower Moreland Township Montgomery County	SERO
4620807	Joint DEP/PFBC Pesticides Permit	Issued	Loughridge Patti 3205 W Skippack Pike Worchester, PA 19490	Worcester Township Montgomery County	SERO
4620808	Joint DEP/PFBC Pesticides Permit	Issued	Sandler Valeria and Cary 609 Great Springs Road Bryn Mawr, PA 19010-1701	Lower Merion Township Montgomery County	SERO
4623803	Joint DEP/PFBC Pesticides Permit	Issued	Janssen Biotech 1400 McKean Road Lower Gwynedd, PA 19002	Lower Gwynedd Township Montgomery County	SERO
1594418	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Kennett Township Chester County 801 Burrows Road Chadds Ford, PA 19317	Kennett Township Chester County	SERO
2122201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Issued	Barrick Dairy LLC 2653 Walnut Bottom Road Carlisle, PA 17015-9329	Penn Township Cumberland County	SCRO
PA0000183	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Wabtec US Rail Inc. 2901 E Lake Road Bldg. 9-201 Erie, PA 16531-0001	Lawrence Park Township Erie County	NWRO
PA0205991	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Moon Township Municipal Authority Allegheny County 1700 Beaver Grade Road Suite 200 Moon Township, PA 15108-3109	Moon Township Allegheny County	SWRO
PA0255530	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	New Choice Home Deco Inc. 5994 Steubenville Pike McKees Rocks, PA 15136-1334	Robinson Township Allegheny County	SWRO
PA0255840	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Lawrenceville Acquisition Company LLC 2105 W 1800 N Ogden, UT 84404-9851	Monongahela Township Greene County	SWRO
PA0239712	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Bear Creek Watershed Authority 259 Argyle Street Petroia, PA 16050-9702	Parker Township Butler County	NWRO
PA0239721	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Bear Creek Watershed Authority 258 Argyle Street Petroia, PA 16050	Fairview Township Butler County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0380403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Bradys Bend Township Water and Sewer Authority 697 State Route 68 East Brady, PA 16028-2817	Bradys Bend Township Armstrong County	NWRO
1773403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Sandy Township Clearfield County P.O. Box 267 DuBois, PA 15801-0267	Sandy Township Clearfield County	NCRO
1990406	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Orange Township Columbia County 2028 State Route 487 Orangeville, PA 17859-9029	Orange Township Columbia County	NCRO
NOEXNE004	No Exposure Certification	Issued	Coherent Corporation 2251 Newllins Mill Road Easton, PA 18045	Easton City Northampton County	NERO
NOEXNE007	No Exposure Certification	Issued	AERC Com, Inc. 2330 26th Street SW Allentown, PA 18103-6604	Allentown City Lehigh County	NERO
NOEXSW008	No Exposure Certification	Issued	VGP Holdings LLC 491 Railroad Street Rochester, PA 15074-1905	Rochester Borough Beaver County	SWRO
PAG030180	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JKL Auto Products & Services Inc. 2010 Ridge Road Telford, PA 18969-1614	Upper Salford Township Montgomery County	SERO
PAG032255	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ampal Inc. 2115 Little Gap Road Palmerton, PA 18071	Lower Towamensing Township Carbon County	NERO
PAG032281	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Transdev Service Inc. 46 E Locust Street Nesquehoning, PA 18240-1300	Nesquehoning Borough Carbon County	NERO
PAG032288	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Blue Ridge Pressure Casting Inc. P.O. Box 208 Lehighton, PA 18235-0208	Lehighton Borough Carbon County	NERO
PAG032289	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Castek Inc. 20 Jones Street New Rochelle, NY 10801-6000	Salem Township Luzerne County	NERO
PAG036200	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Michael Bros Mt Pleasant LLC 901 Horning Road Pittsburgh, PA 15236-2833	East Huntingdon Township Westmoreland County	SWRO
PAG036280	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Woehler Landscape Supply Yard at 202 LLC 1357 Streets Run Road Pittsburgh, PA 15236-2232	Peters Township Washington County	SWRO
PAG036291	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Thermal Transfer Corp 50 N Linden Street Duquesne, PA 15110-1067	Duquesne City Allegheny County	SWRO
PAG036301	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	SPM Oil & Gas PC LLC 601 Weir Way Fort Worth, TX 76108-2508	Hanover Township Washington 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>
PAG036303	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	North Central Proc Inc. P.O. Box 93941 Cleveland, OH 44101-5941	Jefferson Hills Borough Allegheny County	SWRO
PAG036322	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Chelsea Bldg. Products Inc. 565 Cedar Way Oakmont, PA 15139-2049	Oakmont Borough Allegheny County	SWRO
PAG036325	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cumberland Township Greene County 100 Municipal Road Carmichaels, PA 15320-1051	Cumberland Township Greene County	SWRO
PAG036327	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Mon Valley Terminal Ltd One 3rd Street Braddock, PA 15104	Braddock Borough Allegheny County	SWRO
PAG036328	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Toll Gate Auto Parts Co. Inc. 194 Tollgate Hill Road Greensburg, PA 15601-6206	Hempfield Township Westmoreland County	SWRO
PAG036329	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Arden Landfill Inc. 625 Cherrington Parkway Moon Township, PA 15108	Chartiers Township Washington County	SWRO
PAG036336	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PPG Ind Inc. 4325 Rosanna Drive Allison Park, PA 15101-1423	Hampton Township Allegheny County	SWRO
PAG036347	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Latrobe Foundry Mach & Supply Co. P.O. Box 431 Latrobe, PA 15650-0431	Unity Township Westmoreland County	SWRO
PAG045029	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	William D and Lisa R Seagrist 1530 Mile Post Road Sunbury, PA 17801-5457	Upper Augusta Township Northumberland County	NCRO
PAG123577	PAG-12 NPDES General Permit for CAFOs	Issued	Tuscarora Farms LLC P.O. Box 154 Roxbury, PA 17251-0154	Metal Township Franklin County	SCRO
PAG123588	PAG-12 NPDES General Permit for CAFOs	Issued	Eberly Lynn 2071 Mount Pleasant Road Fayetteville, PA 17222-9763	Greene Township Franklin County	SCRO
PAG134829	PAG-13 NPDES General Permit for MS4s	Waived	Upper Fairfield Township Lycoming County 4090 Route 87 Highway Montoursville, PA 17754-7719	Upper Fairfield Township Lycoming County	NCRO
PAG136215	PAG-13 NPDES General Permit for MS4s	Waived	Fawn Township Allegheny County 3054 Howes Run Road Tarentum, PA 15084-3633	Fawn Township Allegheny County	SWRO
PAG136392	PAG-13 NPDES General Permit for MS4s	Waived	Franklin Township Fayette County 353 Town Country Road Vanderbilt, PA 15486-1227	Franklin Township Fayette County	SWRO
3512-A-75	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny 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>
3512-A-78	Sewer Extensions Individual WQM Permit	Issued	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
PA0093335	Single Residence STP Individual NPDES Permit	Issued	Yenich Louis V and Ilona M 105 Hutchinson Road Apt 1 West Newton, PA 15089-3063	Sewickley Township Westmoreland County	SWRO
PA0233153	Single Residence STP Individual NPDES Permit	Issued	Emily K and Tyler J Mankey 220 Norwood Drive Williamsport, PA 17701-9671	Hepburn Township Lycoming County	NCRO
PA0263885	Single Residence STP Individual NPDES Permit	Issued	Cherrie and Thomas Peffer 4162 State Route 488 Portersville, PA 16051-3728	Perry Township Lawrence County	NWRO
PA0264849	Single Residence STP Individual NPDES Permit	Issued	Norris Wesley 457 Pfeifer Road Prospect, PA 16052-2607	Muddycreek Township Butler County	NWRO
PA0272388	Single Residence STP Individual NPDES Permit	Issued	Carfangia Stephen 4297 Fox Hill Road Russell, PA 16345-5515	Pine Grove Township Warren County	NWRO
PA0284921	Single Residence STP Individual NPDES Permit	Issued	Sherry Jason 850 Loyal Way Pittsburgh, PA 15210-1653	Smith Township Washington County	SWRO
PA0284947	Single Residence STP Individual NPDES Permit	Issued	Woroszylo Trisha 221 Silver Spring Lane New Brighton, PA 15066-3585	Daugherty Township Beaver County	SWRO
PA0291161	Single Residence STP Individual NPDES Permit	Issued	Bires Urban 201 Easy Street Russell, PA 16345-4505	Pine Grove Township Warren County	NWRO
PA0291323	Single Residence STP Individual NPDES Permit	Issued	Farrell Ashley 5702 Lunger Road Erie, PA 16510-4841	Harborcreek Township Erie County	NWRO
PA0291412	Single Residence STP Individual NPDES Permit	Issued	Buntic Aleksandar 3420 Alpine Drive Erie, PA 16506-2464	Greene Township Erie County	NWRO
PA0291714	Single Residence STP Individual NPDES Permit	Issued	Santiago Jose 6612 River Road Conestoga, PA 17516-9749	Conestoga Township Lancaster County	SCRO
PA0292761	Single Residence STP Individual NPDES Permit	Issued	Henderson Theodore 83 Koncar Road Pulaski, PA 16143-1317	Shenango Township Mercer County	NWRO
PA0292788	Single Residence STP Individual NPDES Permit	Issued	Laura and Stephen Jenks 9500 Fry Road McKean, PA 16426-1707	McKean Township Erie County	NWRO
PA0292869	Single Residence STP Individual NPDES Permit	Issued	Barbara and Charles Curtis 11330 Route 18 Albion, PA 16401-9536	Conneaut Township Erie County	NWRO
PA0293938	Single Residence STP Individual NPDES Permit	Issued	Coley Judy G 573 Loop Road Hollidaysburg, PA 16648-3503	Frankstown Township Blair County	SCRO
0422401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Woroszylo Trisha 221 Silver Spring Lane New Brighton, PA 15066-3585	Daugherty Township Beaver County	SWRO
1016409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Norris Wesley 457 Pfeifer Road Prospect, PA 16052-2607	Muddycreek Township Butler County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2522434	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Farrell Ashley 5702 Lunger Road Erie, PA 16510-4841	Harborcreek Township Erie County	NWRO
2522438	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Buntic Aleksandar 3420 Alpine Drive Erie, PA 16506-2464	Greene Township Erie County	NWRO
2522443	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Laura and Stephen Jenks 9500 Fry Road McKean, PA 16426-1707	McKean Township Erie County	NWRO
2523402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Barbara and Charles Curtis 11330 Route 18 Albion, PA 16401-9536	Conneaut Township Erie County	NWRO
3622409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Santiago Jose 6612 River Road Conestoga, PA 17516-9749	Conestoga Township Lancaster County	SCRO
4121405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Emily K and Tyler J Mankey 220 Norwood Drive Williamsport, PA 17701-9671	Hepburn Township Lycoming County	NCRO
4322411	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Henderson Theodore 83 Koncar Road Pulaski, PA 16143-1317	Shenango Township Mercer County	NWRO
4984402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	William D and Lisa R Seagrist 1530 Mile Post Road Sunbury, PA 17801-5457	Upper Augusta Township Northumberland County	NCRO
6219409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Carfangia Stephen 4297 Fox Hill Road Russell, PA 16345-5515	Pine Grove Township Warren County	NWRO
6222408	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bires Urban 201 Easy Street Russell, PA 16345-4505	Pine Grove Township Warren County	NWRO
0723401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Coley Judy G 573 Loop Road Hollidaysburg, PA 16648-3503	Frankstown Township Blair County	SCRO
PA0264008	Small Flow Treatment Facility Individual NPDES Permit	Issued	Buckleys Inc. 1185 Vernon Road Greenville, PA 16125-8645	West Salem Township Mercer County	NWRO
PA0265721	Small Flow Treatment Facility Individual NPDES Permit	Issued	Safran Family Houston LLC 3639 Sweetwater Canyon Drive Malibu, CA 90265-4905	Bloomfield Township Crawford County	NWRO
2018401	Small Flow Treatment Facility Individual WQM Permit	Issued	Safran Family Houston LLC 3639 Sweetwater Canyon Drive Malibu, CA 90265-4905	Bloomfield Township Crawford County	NWRO
WQG018857	WQG-01 WQM General Permit	Issued	Buckleys Inc. 1185 Vernon Road Greenville, PA 16125-8645	West Salem Township Mercer County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG02462301	WQG-02 WQM General Permit	Issued	Breyer Woods Condominium Association 1 Linden Drive Elkins Park, PA 19027	Cheltenham Township Montgomery County	SERO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC410086	PAG-02 General Permit	Issued	LGN Management 333 Rose Street Williamsport, PA 17701	Wolf Township Lycoming County	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754-0218 570-433-3003
PAC090607	PAG-02 General Permit	Issued	Bristol Realty Group, LLC 1464 Barton Drive Fort Washington, PA 19034	Bristol Township Bucks County	Bucks County Conservation District 1456 Ferry Road Suite 704 Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@pa.gov
PAC090577	PAG-02 General Permit	Issued	84 Schoolhouse Road, LP 740 Sansom Street Suite 501 Philadelphia, PA 19106	New Britain Township Bucks County	Bucks County Conservation District 1456 Ferry Road Suite 704 Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@pa.gov
PAC220374	PAG-02 General Permit	Issued	AMERCO Real Estate Company 2727 Central Avenue Phoenix, AZ 85004	Derry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220119A-1	PAG-02 General Permit	Issued	James A. Nardo P.O. Box 442 Hershey, PA 17033-1651	Lower Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220072	PAG-02 General Permit	Issued	Tim Clouser 250 East Park Drive Harrisburg, PA 17111	Lower Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC360634A-2	PAG-02 General Permit	Issued	West Cocalico Township 156B West Main Street P.O. Box 95 Reinholds, PA 17569-0095	West Cocalico Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5
PAC360793	PAG-02 General Permit	Issued	Penn Station Townhomes LLC P.O. Box 163 Curwensville, PA 16833	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360787	PAG-02 General Permit	Issued	Spooky Nook Industrial PG LLC 986 Postal Road Allentown, PA 18109	East Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 ext. 5
PAC070112	PAG-02 General Permit	Issued	Bellwood Borough Authority 516 Main Street Bellwood, PA 16617	Bellwood Borough Antis Township Blair County	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877, ext. 5
PAC670611	PAG-02 General Permit	Issued	Northeastern York County Sewer Authority P.O. Box 516 Mount Wolf, PA 17347	East Manchester Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC280312	PAG-02 General Permit	Issued	Victor Martin 9015 Molly Pitcher Highway Shippensburg, PA 17257-8557	Southampton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280316	PAG-02 General Permit	Issued	Jason Kinzer P.O. Box 277 Greencastle, PA 17225	Antrim Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280315	PAG-02 General Permit	Issued	Shippensburg Area School District 317 North Morris Street Shippensburg, PA 17257	Shippensburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280251	PAG-02 General Permit	Issued	Janmangal Property LLC 114 Charter Court Trevose, PA 19053	Hamilton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280321	PAG-02 General Permit	Issued	Old German Baptist Church 5407 Hess Benedict Road Waynesboro, PA 17268	Guilford Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280320	PAG-02 General Permit	Issued	Burnside America, Inc. 5900 Coffey Avenue Chambersburg, PA 17201	Greene Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC280046A-2	PAG-02 General Permit	Issued	Teamwork Rentals LLC P.O. Box 203 Fayetteville, PA 17222-0203	Chambersburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280317	PAG-02 General Permit	Issued	Isaac Diehl 2087 Roxbury Road Shippensburg, PA 17257	Southampton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC100293	PAG-02 General Permit	Issued	Slippery Rock University of Pennsylvania 1 Morrow Way Slippery Rock, PA 16057	Slippery Rock Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC230241	PAG-02 General Permit	Issued	MacDade Bullens, LLC 1030 W. Germantown Pike East Norriton, PA 19403-3929	Ridley Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC230254	PAG-02 General Permit	Issued	Pacifico Realty Company III, LLC 3015 West Chester Pike Broomall, PA 19008	Marple Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC180025	PAG-02 General Permit	Issued	DCNR Bureau of Forestry 400 Market St. P.O. Box 8552 Harrisburg, PA 17105	Chapman Township Noyes Township Leidy Township Clinton County	Clinton County Conservation District 45 Cooperation Ln. Mill Hall, PA 17751 570-726-3798
PAC600099	PAG-02 General Permit	Issued	Newman Commons, LP (Kathleen Graham) 426 Newmans Rd. Lewisburg, PA 17837	Kelly Township Union County	Union County Conservation District 155 N 15th St. Lewisburg, PA 17837 570-524-3860
PAC00100	PAG-02 General Permit	Issued	Lewis Township (Robert Goss) 1599 Millmont Rd. Millmont, PA 17845	Lewis Township Union County	Union County Conservation District 155 N 15th St. Lewisburg, PA 17837 570-524-3860

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC390185	PAG-02 General Permit	Issued	Reynolds Acquisitions LP 404 Summeytown Pike North Wales, PA 19454	Coopersburg Borough Lehigh County	Lehigh County Conservation District Lehigh County AG Center Suite 102 4184 Dorney Park Road Allentown, PA 18104-5728 610-391-9583 RA-EPWW-NERO@ pa.gov
PAC210064	PAG-02 General Permit	Issued	Upper Allen Partners LP P.O. Box 719 Mechanicsburg, PA 17050	Upper Allen Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210311	PAG-02 General Permit	Issued	Wentworth Homeowner's Association 160 Lamont Street New Cumberland, PA 17070	Hampden Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210065	PAG-02 General Permit	Issued	Ridgewall LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812

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. 5922505, Major Amendment, Public Water Supply.

Applicant	USACE Cowanesque Lake South Shore Rec Area
Address	710 Ives Run Lane Tioga, PA 16946
Municipality	Lawrence Township
County	Tioga County
Consulting Engineer	Josephe E. Lichty 687 Berkshire Dr. State College, PA 16803
Application Received	October 26, 2022
Permit Issued	April 4, 2023

Description The permit authorizes the replacement of existing 360-gallon retention tank and 2 greensand filters with 3 Clack Max 120-gallon retention tanks and 3 Clack WS1.5 24" x 72" no hard water bypass manganese greensand plus filters as well as installation of a 1-hp Goulds 10CS10422 submersible well pump which is rated at 10-gpm. The existing 1986 BDF and all prior approved components of the public water system will be incorporated into the final major amendment operations permit. This approval includes Well No. 1 as a source of supply with a 1-hp Goulds 10CS10422 submersible well pump which is rated at 10-gpm, sodium hypochlorite chemical feed system, three Clack Model RT120 120-gallon contact tanks for contact time, three 24" diameter x 72" Greensand filters for Iron and Manganese removal, 3-10 gpm flow restrictors, 19,000-gallon storage tank, 2 booster pumps, Pentair Composite Pressure Tank measuring 24" x 72" with a capacity of 118 gallons, canister filter and the distribution system. Note that the entire water system is now approved by a public water supply construction permit under 25 Pa. Code § 109.503. It no longer qualifies for noncommunity approval under § 109.505.

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

Contact: Darin Horst, Environmental Engineer, 717-705-4708.

Operation Permit No. 3622503 MA, Public Water Supply.

Applicant **City of Lancaster**
 Address 120 North Duke Street
 P.O. Box 1599
 Lancaster, PA 17608
 Municipality West Hempfield Township
 County **Lancaster County**
 Consulting Engineer ARRO Consulting, Inc.
 108 West Airport Road
 Lititz, PA 17543
 Application Received March 14, 2023
 Permit Issued March 14, 2023
 Description Partial operation permit for chemical feed pump replacements at the Susquehanna Water Treatment Plant.

Construction/Operation Permit No. 3623503 MA, Public Water Supply.

Applicant **Columbia Water Company**
 Address 220 Locust Street
 P.O. Box 350
 Columbia, PA 17512
 Municipality Columbia Borough
 County **Lancaster County**
 Application Received February 16, 2023
 Permit Issued March 15, 2023
 Description Replacement of the Entry Point 101 and 102 online chlorine analyzers.

Operation Permit No. 3620540, Public Water Supply.

Applicant **City of Lancaster**
 Address 120 North Duke Street
 P.O. Box 1599
 Lancaster, PA 17608
 Municipality City of Lancaster
 County **Lancaster County**
 Application Received March 14, 2023
 Permit Issued March 15, 2023
 Description Partial operation permit for operation of the 1st and 2nd stage replacement membrane modules, operation of a new sodium bisulfite tank, and operation of replacement individual and combined permeate turbidimeters.

Construction Permit No. 0522506 MA, Public Water Supply.

Applicant **Bedford Township Municipal Authority**
 Address 1007 Shed Road
 Bedford, PA 15522
 Municipality Bedford Township
 County **Bedford County**
 Consulting Engineer Stiffler McGraw and Associates, Inc.
 1731 North Juniata Street
 Hollidaysburg, PA 16635
 Application Received December 21, 2022
 Permit Issued March 16, 2023
 Description Watermain replacement, pressure reducing valve vault, Entry Point 101 relocation, and demonstration of 4-log treatment of viruses.

Operation Permit No. 3622539 MA, Public Water Supply.

Applicant **Penn Valley Village c/o Property Management, Inc.**
 Address 1300 Market Street
 Suite 201
 P.O. Box 622
 Lemoyne, PA 17043

Municipality Penn Township
 County **Lancaster County**
 Application Received March 20, 2023
 Permit Issued March 21, 2023
 Description Entry point relocation and demonstration of 1-log giardia inactivation.

Operation Permit No. 7360183, Public Water Supply.

Applicant **Houston Run Community Water System, LLC**
 Address 1324 Main Street
 East Earl, PA 17519
 Municipality Salisbury Township
 County **Lancaster County**
 Consulting Engineer ELA Group, Inc.
 743 South Broad Street
 Lititz, PA 17543

Application Received March 16, 2023
 Permit Issued March 21, 2023
 Description Operation of a bulk water loading station at 5301 East Newport Road.

Operation Permit No. 5020505, Public Water Supply.

Applicant **Bloomfield Borough Water Authority**
 Address P.O. Box 293
 New Bloomfield, PA 17068
 Municipality Center Township
 County **Perry County**
 Consulting Engineer Glace Associates, Inc.
 3705 Trindle Road
 Camp Hill, PA 17011

Application Received March 16, 2023
 Permit Issued March 22, 2023
 Description Talmudic University booster pumping station.

Construction Permit No. 3622536, Public Water Supply.

Applicant **Old Road Realty**
 Address 245 Mentzer Road
 New Holland, PA 17557
 Municipality Leacock Township
 County **Lancaster County**
 Consulting Engineer James R. Holley & Associates, Inc.
 18 South George Street
 Suite 300
 York, PA 17401

Application Received September 16, 2022
 Permit Issued March 23, 2023
 Description Addition of Well No. 2 and nitrate removal treatment.

Operation Permit No. 7280053, Public Water Supply.

Applicant **Mt. Rock Manor Management LLC**

Address P.O. Box 677
 Morgantown, PA 19543
 Municipality Southampton Township
 County **Franklin County**
 Consulting Engineer James R. Holley & Associates, Inc.
 18 South George Street
 Suite 300
 York, PA 17401

Application Received December 8, 2022
 Permit Issued March 23, 2023
 Description Mt. Rock Manor Management LLC—Well No. 2 pump replacement and pressure tank replacement.

Contact: Joseph M. Mattucci, Program Manager, 717-705-4708.

Construction/Operation Permit No. 3123504 MA, Minor Amendment, Public Water Supply.

Applicant **Dudley Carbon Coalmont Joint MA**
 Address P.O. Box 276
 Dudley, PA 16634

Municipality Carbon Township
 County **Huntingdon County**
 Consulting Engineer Kevin J. Hartman, P.E.
 GHD—225 Grandview Ave
 Suite 403
 Camp Hill, PA 17011

Application Received February 28, 2023
 Permit Issued March 15, 2023
 Description Replacement of the chlorine analyzer for compliance monitoring at Entry Point 101.

Construction/Operation Permit No. 0623501 MA, Public Water Supply.

Applicant **Hamburg Municipal Authority**
 Address 61 N 3rd St
 Hamburg, PA 19526
 Municipality Windsor Township
 County **Berks County**
 Consulting Engineer Karen C. Pollock, P.E.
 Systems Design Engineering, Inc.
 1032 James Drive
 Leesport, PA 19533

Application Received January 27, 2023
 Permit Issued March 14, 2023
 Description Installation of a VFD control unit and new water level sensor for Well No. 7.

Construction Permit No. 0622533, Major Amendment, Public Water Supply.

Applicant **Promising Properties, LLC**
 Address 556 Blandon Road
 Fleetwood, PA 19522

Municipality Lower Alsace Township
 County **Berks County**
 Consulting Engineer SSM
 1047 N Park Road
 Reading, PA 19610
 Application Received July 11, 2022
 Permit Issued March 10, 2023
 Description Installation of a water vending unit.

Construction Permit No. 0622531 MA, Minor Amendment, Public Water Supply.

Applicant **Oley Township Municipal Authority**

Address 1 Rose Virginia Rd
 P.O. Box 19
 Oley, PA 19547

Municipality Oley Township

County **Berks County**

Consulting Engineer Dan Hopkins
 Entech Engineering, Inc.
 201 Penn St
 Suite 300
 Reading, PA 19603

Application Received November 29, 2022

Permit Issued March 14, 2023

Description Construction of a new 0.20 MG finished water tank.

Operation Permit No. 0621528, Major Amendment, Public Water Supply.

Applicant **Miller Group Holding, LP**

Address 950 East Main Street
 Schuylkill Haven, PA 17972

Municipality Richmond Township

County **Berks County**

Consulting Engineer Barton & Loguidice
 3901 Hartzdale Drive
 Suite 101
 Camp Hill, PA 17011

Application Received February 22, 2023

Permit Issued April 10, 2023

Description New transient noncommunity water system consisting of Well No. 1, pressure tank, air eductor and ion exchange for hardness removal, reverse osmosis for TDS removal, 300-gallon storage tank with booster pumping system, UV disinfection light, and up flow filter to provide an increase in pH.

Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Kimberleigh Rivers Clerical Assistant 2, 484-250-5887.

Construction Permit No. 4622524, Major Amendment, Public Water Supply.

Applicant **Sharp Water Culligan**

Address 915 Madison Avenue
 Norristown, PA 19403

Municipality Lower Providence Township
 New Britain

County **Montgomery County United States**

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

Application Received September 29, 2022

Permit Issued March 22, 2023

Description Bottling water plant.

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 3820505 MA. PWSID No. **7380025**. **Myerstown Water Authority**, 601 Stracks Dam Road, Myerstown, PA 17067, Jackson Township, **Lebanon County**. Application received: March 31, 2023. Permit Issued: April 10, 2023. Filter Nos. 1—3 media replacement

Operation Permit 7010965. PWSID No. **7010965**. **Weis Markets, Inc.**, 1000 South Second Street, Sunbury, PA 17801, Hamilton Township, **Adams County**. Application received: February 22, 2023. Permit Issued: March 23, 2023. Weis Markets Store # 200—Installation of nitrate removal treatment.

Construction Permit 0122511. PWSID No. **7010100**. **Brian Long**, 1845 Baltimore Pike, Unit C, Gettysburg, PA 17325, Mount Joy Township, **Adams County**. Application received: October 3, 2022. Permit Issued: April 10, 2023. Village Apartments—Installation of a new well source with all associated treatment.

Construction/Operation Permit 2223501 MA. PWSID No. **7220015**. **Veolia Water Pennsylvania, Inc.**, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, Middle Paxton Township, **Dauphin County**. Application received: January 20, 2023. Permit Issued: April 10, 2023. Repainting and minor modifications to the Forrest Hill finished water storage tank.

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

Construction Permit 5022505 MA. PWSID No. **7500022**. **Newport Borough Water Authority**, 497 North Front Street, Newport, PA 17074, Newport Borough, **Perry County**. Application received: November 1, 2022. Permit Issued: April 5, 2023. Construction permit for proposed River Plant Upgrades, including installation of an entry point flow meter, replacement of an existing CFE turbidimeter, and relocation of the CFE sample tap.

Construction/Operation Permit 6723501 MA. PWSID No. **7670100**. **The York Water Company**, 130 East Market Street, York, PA 17401, North Codorus Township, **York County**. Application received: January 23, 2023. Permit Issued: April 10, 2023. Rehabilitation of the Lehman Road Reservoir.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epswwd@pa.gov.

Operation Permit 5623506. PWSID No. **4560037.** **Hooversville Borough**, 50 Main Street P.O. Box 176, Hooversville, PA 15936, Hooversville Borough, **Somerset County**. Application received: April 6, 2023. Permit Issued: April 11, 2023. Operation of approximately 3,500 linear feet of waterline and appurtenances along Clark Street, Railroad Street, Charles Street, and Barn Street (SR 0403).

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.

Jackson A Pad Unconventional Well Pad, Primary Facility ID # **863323**, 2425 Keir Hill Road, Columbia Cross Roads, PA 16914, Springfield Township, **Bradford County**. Moody and Associates, Inc., 101 N Main Street, Suite 3, Athens, PA 18810, on behalf of Blackhill Energy,

LLC, 4600 J Barry Court, Suite 320, Canonsburg, PA 18831, submitted a Final Report concerning remediation of soil contaminated with production water. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

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

Contact: Eric Supey, Environmental Program Manager.

J. Hawk Pad 1, Primary Facility ID # **861289**, 625 Hinkley Road, Meshoppen, PA 18630, Auburn Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated with diesel-based drilling mud. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

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

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

Sinking Spring Terminal, Primary Facility ID # **754041**, 901 Mountain Home Road, Sinking Spring, PA 19608, Sinking Spring Borough, **Berks County**. Antea Group, 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of BP Remediation Management, 201 Helios Way, 6th Floor, Houston, TX 77079, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil and groundwater contaminated with Petroleum related VOCs. The Risk Assessment/Remedial Investigation/Final Report is intended to document remediation of the site to meet the site-specific standards.

Sinking Spring Terminal, Primary Facility ID # **754041**, 901 Mountain Home Road, Sinking Spring, PA 19608, Sinking Spring Borough, **Berks County**. Antea Group, 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Piedmont Geologic, P.C., 6003-145 Chapel Hill Road, Raleigh, NC 27607, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil and groundwater contaminated with Petroleum related VOCs. The Risk Assessment/Remedial Investigation/Final Report is intended to document remediation of the site to meet the site-specific standards.

Former Robesonia Furnace, Primary Facility ID # **825230**, South Freeman Street, Robesonia, PA 19551, Robesonia Borough, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Borough of Robesonia, 75 South Brooke Street, Robesonia, PA 19551, submitted a Final Report concerning remediation of soil contaminated with Lead. The Final Report is intended to document remediation of the site to meet the site-specific standards.

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

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

2045 West Hunting Park Avenue, Primary Facility ID # **841642**, 2023-2061 West Hunting Park Avenue, Philadelphia, PA 19140, City of Philadelphia, **Philadel-**

phia County. David G. Sherman, PG, Geosyntec Consultants, Inc, 930 Harvest Drive, Suite 220, Blue Bell, PA 19422, on behalf of Duane Wanty, GPI Interim, Inc., 70 Mechanic Street, Foxboro, MA 02035, submitted a Final Report concerning remediation of soil contaminated with PAHs and chlorinated solvents. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

McNeil Residence, Primary Facility ID # **850530**, 1 Towpath Road, Levittown, PA 19056, Middletown Township, **Bucks County.** Jason Charles, Environmental Maintenance Company, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Rick Becker, Becker Concrete, 41 Tweed Road, Levittown, PA 19056, PA 19056, 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.

Nello Tire, Primary Facility ID # **623382**, 2700 East Market Street, York, PA 17402, Springettsbury Township, **York County.** BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of 2700 East York LLC, 1801 SW 3rd Avenue, Suite 500, Miami, FL 33129, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with Leaded and Unleaded Gasoline. The Report demonstrated attainment of the site-specific standards. Approved: April 5, 2023.

Winters Residence, Primary Facility ID # **864017**, 1139 Dartmouth Road, Hummelstown, PA 17036, Derry Township, **Dauphin County.** Skelly and Loy, Inc., 449 Eisenhower Blvd., Suite 300, Harrisburg, PA 17111, on behalf of Richard & Judy Winter, 1139 Dartmouth Road, Hummelstown, PA 17036, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: April 7, 2023.

Winters Residence, Primary Facility ID # **864017**, 1139 Dartmouth Road, Hummelstown, PA 17036, Derry Township, **Dauphin County.** Skelly and Loy, Inc., 449 Eisenhower Blvd., Suite 300, Harrisburg, PA 17111, on behalf of Nationwide Mutual Insurance Co., One Nationwide Plaza, Columbus, OH 43215, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: April 7, 2023.

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

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

Medical Products Laboratory, Inc., Primary Facility ID # **823166**, 9990 Global Road, Philadelphia, PA 19115, City of Philadelphia, **Philadelphia County.** Lisa Whited, PG, LVL Engineering Group, 1456 Ferry Road, Building 500, Doylestown, PA 18901, on behalf of Elliot Stone, Medical Products Laboratory, Inc, 9990 Global Road, Philadelphia, PA 19115, submitted a Final Report concerning remediation of soil and groundwater contaminated with fuel oil compounds. The Final Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: April 4, 2023.

West Chester Recycling, Primary Facility ID # **838426**, 225 South Worthington Street, West Chester, PA 19380, West Chester Borough, **Chester County.** Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Jim Speers, A Greener Tomorrow DBA West Chester Recycling, 225

South Worthington Street, West Chester, PA 19380, submitted a Final Report concerning remediation of soil and groundwater contaminated with metals, VOCs, PAHs, PCBs. The Final Report demonstrated attainment of the site-specific standards. Approved: March 31, 2022.

205-207 Garfield Avenue, Primary Facility ID # **852667**, 205-207 Garfield Avenue, West Chester, PA 19380, West Goshen Township, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, Suite D-1, West Chester, PA 19382, on behalf of Rick Mammucari, A&A Enterprises LLC, 2801 Centerville Road, Wilmington, DE 19808, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of groundwater contaminated with VOCs. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: March 31, 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.

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

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

101217. Northern Tier Solid Waste Authority, 108 Steam Hollow Road, Troy, PA 16947, Delmar Township, **Tioga County**. Permit renewal for the operation of the Tiadaghton Area Transfer Station. Application received: August 3, 2022. Deemed administratively complete: September 20, 2022. Issued: April 7, 2023.

Persons interested in reviewing the permit may contact Lisa D. Houser, PE, Facilities Manager, 570 327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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.

101308. Waste Management of Pennsylvania, Inc., 2710 Golden Key Road, Kutztown, PA 19530, Weisenberg Township, **Lehigh County**. A permit renewal for the continued operation of the Allentown municipal waste transfer station. Application received: July 12, 2022. Renewal issued: April 6, 2023.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

101371. Waste Management of Pennsylvania, Inc., 4816 Timberline Road, Walnutport, PA 18088, Lehigh Township, **Northampton County**. A permit renewal for the continued operation of the McAullife municipal waste

transfer station. Application received: July 12, 2022. Renewal issued: April 6, 2023.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

101711. Casella Waste Management of Pennsylvania, Inc., 25 Greens Hill Lane, Rutland, VT 05701, Sergeant Township, **McKean County**. Re-permit the construction and operation of a municipal waste transfer facility—a railroad siding adjacent to the McKean County Landfill for the off-loading of non-hazardous waste to be disposed in the McKean County Landfill. Application received: September 6, 2022. Permit issued: April 4, 2023.

Persons interested in reviewing the permit may contact Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

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

Contact: Shailesh Patel, Air Quality Engineer, 570-826-2341.

GP9-48-037: Highway Materials, Inc., 409 Stenton Avenue, Flourtown, PA 19031, Upper Nazareth Township, **Northampton County**. For the operation of I C Engine at the facility located in Upper Nazareth Twp., Northampton County. Application received: March 30, 2023. Issued: April 10, 2023.

GP3-48-037: Highway Materials, Inc., 409 Stenton Avenue, Flourtown, PA 19031, Upper Nazareth Township, **Northampton County**. For the operation of a portable stone crushing plant at the facility located in Upper Nazareth Twp., Northampton County. Application received: March 30, 2023. Issued: April 10, 2023.

Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

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.

03-00274A: Sugarcreek Cremations, LLC, 1520 State Route 268, Cowansville, PA 16028, Sugarcreek Township, **Armstrong County**. The Department issued a

plan approval authorizing the construction and initial operation of one human crematory at their existing funeral home facility. This is a State Only facility. Application received: September 1, 2022. Issued: February 27, 2023.

24-009L: Domtar Paper Company, LLC, 100 West Center Street, Johnsonburg, PA 15845, Johnsonburg Borough, **Elk County**. The Department issued a plan approval authorizing the modification of their black liquor evaporation system. This project would install two low energy concentrators (after the existing five-effect evaporator train) and divide the existing Tubel concentrator into two chambers, at their Johnsonburg Mill facility. This is a Title V facility. Application received: October 30, 2020. Issued: March 16, 2023.

24-00012M: GrafTech USA, LLC, 800 Theresia Street, Saint Marys, PA 15857, City of Saint Marys, **Elk County**. The Department has issued a plan approval to authorize reactivation of a number of sources, deactivated in 2016, to produce the graphite products previously manufactured at this location prior to deactivation. The sources, including their associated control devices, have been maintained according to the approved Maintenance Plan. This is a Title V facility. Application received: October 28, 2022. Issued: April 3, 2023.

Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration, 215-685-9426.

IP21-000322: Naval Surface Warfare Center, Philadelphia Division, 901 Admiral Peary Way, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a Plan Approval for the modification and extension of Plan Approval IP21-000202 dated 6/15/2021 in the City of Philadelphia, Philadelphia County. IP21-000202 was for the installation of a 20-megawatt Gas Turbine Generator (GTG) burning natural gas or No. 2/JP-5 oil. The modification includes the following: • Modify the long-term emission limit for VOC from 16.8 tons per 12 month rolling period to 2.83 tons per 12 month rolling period based on recent stack tests from January 2021 and January 2022. • Modify the short-term limit for CO and NO_x in Condition 4. • Adjust the fuel throughput limits in Condition 17, Table 5 based on the emission factors obtained from the January 2021 and January 2022 stack tests. • Modify Condition 11 to allow operation of the GTG without water injection up to one (1) hour to bring the test site to an emergency stop in the event of a malfunction. The total occurrence shall not exceed 12 hours per calendar year. Application received: March 24, 2021. Issued: March 30, 2023.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-65-00016J: Carpenter Latrobe Specialty Metals, 2626 Ligonier Street, Latrobe, PA 15650, Latrobe Borough, **Westmoreland County**. Plan Approval Extension issued to Carpenter Latrobe Specialty Metals on April 07, 2023, to allow the shakedown period and startup operations of a Wet Electrostatic Precipitator (ESP) rated at 6,900 SCFM on Source 201, Vacuum Induction Melting (VIM 2) furnace at their facility located in Latrobe Borough, Westmoreland County. Application received: April 6, 2023. Accepted: April 7, 2023.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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.

28-05015C: Blue Ridge Landfill Co., 3747 White Church Road, Chambersburg, PA 17202, Greene Township, **Franklin County**. For the Blue Ridge Landfill. Plan Approval No. 28-05015C authorizes the installation of a new enclosed landfill gas flare. The plan approval was extended. Application received: March 23, 2023. Issued: April 4, 2023.

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

Contact: James Beach, New Source Review Chief, 484-250-5920.

46-0036K: VV2750, LLC, 2750 Morris Rd., Lansdale, PA 19446, Worcester Township, **Montgomery County**. This action is to extend the plan approval for an increase in the permitted operating hours on four existing electric generating engines with the installation of an oxidation catalyst on each to reduce CO and VOC emissions at their facility. Application received: March 17, 2023. Issued: April 7, 2023.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-04-00740A: Shell Chemical Appalachia, LLC, 300 Frankford Road, Monaca, PA 15061, Potter Township and Center Township, **Beaver County**. Effective April 28, 2023, to extend the period of temporary operation and for the continued construction of the Shell Petrochemicals Complex. The new expiration date is October 28, 2023. Application received: March 14, 2023. Issued: April 6, 2023.

PA-04-00740B: Shell Chemical Appalachia, LLC, 300 Frankford Road, Monaca, PA 15061, Potter Township and Center Township, **Beaver County**. Effective April 28, 2023, to extend the period of temporary operation and for the continued construction of the Shell Petrochemicals Complex. The new expiration date is October 28, 2023. Application received: March 14, 2023. Issued: April 4, 2023.

PA-04-00740C: Shell Chemical Appalachia, LLC, 300 Frankford Road, Monaca, PA 15061, Potter Township and Center Township, **Beaver County**. Effective April 28, 2023, to extend the period of temporary operation and for the continued construction of the Shell Petrochemicals Complex. The new expiration date is October 28, 2023. Application received: March 14, 2023. Issued: April 6, 2023.

Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

Contact: Norm Frederick, 570-826-2409.

40-00042: SPCA Luzerne County/Wilkes-Barre, 524 E Main Street, Wilkes-Barre, PA 18702-6921, Plains Township, **Luzerne County**. The Department issued a renewal State-Only (Natural Minor) Permit for the operation of animal cremation services facility in Plains Township, Luzerne County. The sources consist of an animal crematory with a secondary chamber for a control device. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: March 24, 2022. Renewal issued: April 4, 2023.

Contact: Norman Frederick, Facility Permitting Chief, 570-826-2409.

58-00013: Roundtop Energy, LLC, 106 Isabella St, Ste 600, Pittsburgh, PA 15212, Auburn Borough, **Susquehanna County**. The Department issued a State Only Operating Permit for operation of sources at their electric generating station. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: June 1, 2022. Accepted: June 1, 2022. Issued: March 13, 2023.

35-00055: McGregor Industries, Inc., 46 Line St, Dunmore, PA 18512, Dunmore Borough, **Lackawanna County**. The Department issued a State Only Operating Permit for operation of sources at their fabricated structural metal manufacturing facility. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: June 8, 2022. Accepted: June 8, 2022. Issued: March 13, 2023.

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

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

21-05055: The Frog, Switch & Manufacturing Co., 600 East High Street, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. For the steel foundry facility. The State-Only permit was renewed. Application received: April 30, 2021. Issued: April 4, 2023.

67-05062: Gerard Daniel Worldwide, 34 Barnhart Drive, Hanover, PA 17331, Hanover Borough, **York County**. For the wire and wire cloth product manufacturing facility. The State-Only permit was renewed. Application received: September 30, 2022. Issued: April 11, 2023.

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

36-05008: Tyson Poultry, Inc., 403 S. Custer Avenue, P.O. Box 1156, New Holland, PA 17557-9221, Earl Township, **Lancaster County**. For the poultry processing facility. The State-Only permit was renewed. Application received: May 25, 2022. Issued: April 3, 2023.

06-03043: Wolf Technologies, LLC, 551 Old Swede Road, Douglassville, PA 19518-1205, Amity Township,

Berks County. For the investment castings foundry. The State-Only permit was renewed. Application received: June 28, 2022. Issued: March 20, 2023.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.

10-00267: Kawneer Company Incorporated, 71 Progress Avenue, Cranberry Township, PA 16066-3511, Cranberry Township, **Butler County**. The Department administratively amended the Title V Operating Permit to incorporate the change of responsible and corporate restructuring for the facility. Application received: January 25, 2023. Revised: March 31, 2023.

43-00055: Oldcastle APG Northeast Incorporated, 97 Main Street, Fredonia, PA 16124-5012, Fredonia Borough, **Mercer County**. The Department administratively amended the Natural Minor State Only Operating Permit for Anchor Concrete Fredonia Plant to incorporate the change of responsible. Application received: February 2, 2023. Revised: April 6, 2023.

10-00281: Coherent Corporation Saxonburg Plant, 375 Saxonburg Boulevard, Saxonburg, PA 16056-9430, Clinton Township, **Butler County**. The Department administratively amended the Natural Minor State Only Operating Permit for Coherent Corporation Saxonburg Plant to incorporate the change of entity (previously identified as II-VI Inc Saxonburg) and to incorporate plan approval 10-281P and 10-0281Q into the Operating Permit. Application received: September 7, 2022. Revised: April 10, 2023.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

15-00112: HUSPP Devon LLC (Charles River Lab), 466 Devon Park Drive, Wayne, PA 19087-1816, Tredyffrin Township, **Chester County**. This Administrative Amendment is for a Change of Ownership and a change in the responsible official contact for the facility. The previous owner of the facility was MH Devon Park, LLC. HUSPP Devon is the new owner of the facility and the operator is Charles River Laboratories, Inc. Charles River Labs had previously leased the facility from MH Devon Park and will now lease the facility from HUSPP Devon. Application received: February 28, 2023. Issued: April 5, 2023.

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.

65-00863: G.O. Carlson, Inc. dba Braeburn Alloy Steel, LLC, 101 Braeburn Rd, Lower Burrell, PA 15068, City of Lower Burrell, **Westmoreland County**. The Department issued an administrative amendment to the State Only Operating Permit for the Braeburn Alloy Steel facility for a change in ownership from CCX, Inc. dba Braeburn Alloy Steel to G.O. Carlson, Inc. dba Braeburn Alloy Steel, LLC. Application received: January 24, 2023. Issued: April 6, 2023.

Operating Permit(s) Denied, Terminated, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

09-00115: TOG, LLC, 1803 N 5th St, Perkasio, PA 18944-2212, East Rockhill Township, **Bucks County**. The Operating Permit was revoked because sitewide VOC emissions are less than plan approval threshold of 2.7 tpy and therefore less than the Operating Permit threshold of 8.0 tpy. The four permitted sources (paint booths 1, 2, A and B) will remain at the facility. Application received: February 22, 2023. Revoked: April 6, 2023.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Noncoal Permits

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

Contact: Melanie Ford-Wigfield, 814.472.1900, rae@pcambria@pa.gov.

Mining Permit No. 11940301. Cambria Industrial Metals, Inc., P.O. Box 64430, Washington, DC 20029, East Taylor Township, **Cambria County**. Permit revision to change the land use from unmanaged natural habitat to industrial. Receiving stream: Hinckston Run classified for the following uses: WWF. Application received: March 1, 2023. Denied: April 7, 2023.

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

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 08222502. NPDES No. PAM221003-GP104. Robert Johnson Flagstone, Inc., 3658 Old Stage Coach Road, Wyalusing, PA 18853, Stevens Township, **Bradford County**. Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) for a

bluestone surface mining operation affecting 10 acres. Receiving stream(s): UNT to Bennett Creek, classified for the following use(s): WWF, MF. Application received: August 1, 2022. Issued: April 5, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58212514. Enrique Vasquez, 1386 Blaisure Road, Montrose, PA 18801, Dimock Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 permit affecting 10.0 acres. Receiving stream: Stevens Creek. Application received: November 12, 2021. Permit issued: April 6, 2023.

Mining Permit No. 58212514. GP104 No. PAM121059. Enrique Vasquez, 1386 Blaisure Road, Montrose, PA 18801, Dimock Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Stevens Creek. Application received: November 12, 2021. Coverage issued: April 6, 2023.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 09920302. NPDES Permit No. PA0226254. Delaware Valley Landscape Stone, Inc., P.O. Box 778, New Hope, PA 18938, Middletown Township, **Bucks County**. Correction to add a new NPDES permit on a quarry operation. Receiving stream: unnamed tributary to Neshaminy Creek. Application received: December 1, 2021. Permit issued: April 5, 2023.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

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

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8101.

Permit No. 41234101. Wampum Hardware Co., P.O. Box 745, Philipsburg, PA 16866, Plunketts Creek Township, **Lycoming County**. Blasting for a well pad Application received: March 21, 2023. Issued: April 4, 2023. Expiration date: December 31, 2023.

Permit No. 55234101. Wampum Hardware Co., P.O. Box 745, Philipsburg, PA 16866, Monroe Township, **Snyder County**. Blasting for a highway/road Application received: March 27, 2023. Issued: April 6, 2023. Expiration date: December 31, 2024.

Permit No. 57234101. Silver Valley Consulting, 102 Lamp Post Ln, Stroudsburg, PA 18360, Cherry Township, **Sullivan County**. Blasting for a single dwelling Application received: April 1, 2023. Issued: April 6, 2023. Expiration date: April 1, 2024.

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

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

Permit No. 30234101. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141, Wayne

Township, **Greene County**. Blasting activity permit for the construction of AES EQT Heart Pad with an expiration date of December 31, 2023. Application received: April 6, 2023. Issued: April 6, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 36234109. Douglas Explosives, Inc., 2052 Philipsburg Bigler Highway, Philipsburg, PA 16866, East Hempfield Township, **Lancaster County**. Construction blasting for Sheetz tank hole & island footers. Application received: March 30, 2023. Permit issued: April 5, 2023. Expiration date: December 30, 2023.

Permit No. 45234102. Silver Valley Consulting, 102 Lamp Post Lane, Stroudsburg, PA 18360, Pocono Township, **Monroe County**. Construction blasting for Marshall's Machinery. Application received: March 10, 2023. Permit issued: April 5, 2023. Expiration date: April 1, 2024.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.

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

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E3502222-008. Jefferson Township, 487 Cortez Road, Jefferson Township, PA 18436, Jefferson Township, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a roadway crossing of wetlands (PFO) that's approximately 26-foot wide and 156 feet long, consisting of fill and eleven 12-inch cross pipes, impacting approximately 0.08 acre, located in a UNT to West Branch Wallenpaupack Creek (HQ—CWF, MF) watershed. Latitude: 41° 25' 2", Longitude: -75° 28' 49". Application received: August 7, 2022

E4802122-004. PA Department of Transportation, Eng District 5-0, 1002 Hamilton Street, Allentown, PA 18101, Williams Township, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District.

The following impacts are associated with the SR 0611-05B project: 1. To maintain a 145-foot wide 42-inch diameter RCP stream enclosure, with a 1/2-inch thick cementitious liner in the final 96-feet of the structure. The structure carries SR 0611 across a tributary to the Delaware River (TSF, MF) and carries the tributary to the Delaware River under the Delaware Canal (TSF, MF) and Delaware Canal Trail. Grouted R-6 riprap was placed at the culvert inlet and upstream streambanks. 2. To maintain a repair to an erosion hole in the watercourse and floodway of the Delaware Canal. Flowable fill and approximately 50-foot of clay liner along the streambank was used to repair the area to match existing conditions. The project is located along SR 0611 Sec 05B, Segment 0070 Offset 2561, approximately 150 feet south of the S.R. 0611/Brown Drive intersection (Easton, PA Quadrangle Latitude: 40° 38' 48.90" N, Longitude: -75° 12' 8.03" W) Latitude: 40° 38' 48.90" N, Longitude: -75° 12' 8.03" W. Application received: March 17, 2022, April 11, 2023.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E4306222-005. Pennsylvania Power Company, 217 Three Springs Drive, Weirton, WV 26062, City of Hermitage, **Mercer County**. U.S. Army Corps of Engineers Pittsburgh District.

To permanently impact 0.03 acre of PEM Wetland, 0.09 acre of PSS Wetland and 0.08 acre to two UNT's to Pine Hollow Run that have a drainage area of less than 100 acres for expansion of an existing substation along Lamor Road approximately 0.5 mile west of Robertson Road (Sharpsville and Sharon East, PA Quadrangle N: 41.249311; W: -80.428765) in City of Hermitage, Mercer County. Mitigation for wetland impacts is through payment for 1.41 wetland credits from the PA In-Lieu Fee

Program (PIECES). Latitude: 41.249311°, Longitude: -80.428765°. Application received: November 4, 2022. Issued: April 4, 2023.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

E2203223-001. Pennsylvania American Water Company, 852 Westley Drive, Mechanicsburg, PA 17055, Steelton Borough, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District.

To install treatment process systems in the existing water filtration plant building and the construction of the following outside of the filtration plant building: a new backwash water storage tank, a chemical unloading spill containment trench, and a new storage building, permanently impacting 0.1 acre of the floodplain of the Susquehanna River (WWF, MF). All proposed activities are for the purpose of increasing plant resiliency and reliability and improving safety issues. The project is located at the Steelton Water Treatment Plant (40.2336, -76.8481). There are no impacts to wetlands proposed. Latitude: 40.2336°, Longitude: -76.8481°. Application received: January 24, 2023. Issued: April 6, 2023.

E6703221-005. MRPI Willow Springs, LLC, 930 East Boot Road, West Chester, PA 19380, Manchester Township, **York County**. U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to fill 0.07 acre of forested wetland, 0.07 acre of emergent wetland, and 251 linear feet of an Unnamed Tributary to Little Conewago Creek (WWF), all for the purpose of constructing two logistics warehouse facilities totaling 674,000 square feet. The project is located between Willow Springs Lane and Interstate 83 in Manchester Township, York County (Latitude: 40.0455; Longitude: -76.7426). The applicant proposes 0.21 acre of mixed emergent and forested wetland creation along an unnamed tributary to Little Conewago Creek (WWF) as compensatory mitigation for impacted wetlands and streams. Application received: October 12, 2021. Issued: April 6, 2023.

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

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

E5101222-002. Philadelphia Parks & Recreation, 1515 Arch Street, 10th Floor, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

To amend Permit E5101222-002 which authorized the construction and maintenance of a new Welcome Center, including the installation of a patio, sidewalks, driveway, and an expansion of the existing bioswale for stormwater management. Permanent floodplain impact (Meadow Lake, WWF). The new proposed additional work in the floodplain of Meadow Lake will be done in two Phases, Site Civil Package and Gateway Plaza Package. The Site Civil Package is to expand the existing parking lot near the Welcome Center and to install a new parking lot below the Meadow Lake which includes new sidewalk, landscaping, and utilities. The Gateway Plaza Package, which is located near Broad Street and Pattison, proposes new landscaping, including pavements and grading. The facility is located in FDR Park at 3500 South Broad Street (Philadelphia, PA USGS Map) in the City and County of Philadelphia. Latitude: 39.90492°, Longitude:

-75.177650°. Application received: December 14, 2022. Permit modification issued: April 7, 2023.

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

Contact: Dana Drake, Program Manager.

E0205222-018. Scott Township, 301 Lindsay Road, Pittsburgh, PA 15106, Scott Township, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant is proposing to: Excavate and remove fill from the flood plain and from both stream banks along 353 linear feet of an unnamed tributary (UNT) to Georges Run (WWF) to create a bench along this reach of water course. Construct and maintain streambank stabilization consisting of an erosion control mat and vegetative plantings along the same 353 linear feet of UNT to Georges Run Plant and maintain a riparian forested buffer along the same 353 linear feet of UNT to Georges Run. Construct and maintain a temporary road crossing across a UNT to Georges Run. For the purpose of restoring the stream channel to satisfy the municipality's requirements for their MS4 NPDES permit and to better connect the stream to its floodway. The project will permanently impact 353 LF of UNT to Georges Run with permanent impact of 0.02 acre at the riverbank and 0.57 acre at the flood way, and will have temporary impacts of 0.01 acre at the riverbank and 0.33 acre at the floodway. The project site is located near Greenvalley Drive and is located nearly 1200 feet away from intersection of Ryan Drive and Cherrydell Drive (Pittsburgh West, PA USGS topographic quadrangle; N: 40° 23' 55.4351"; W: -80° 3' 43.5136"; Sub-basin 20F) Application received: June 27, 2022. Issued: April 5, 2023.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

ESCGP # 3 **ESG295323001-00**
 Applicant Name **Chesapeake Appalachia, LLC**
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 Township(s) West Branch Township
 County **Potter County**
 Receiving Stream(s) and Classification(s) Right Branch
 Wetmore Run (HQ—CWF, MF), Wetmore Run (HQ—
 CWF, MF), West Branch Pine Creek (HQ—CWF, MF)
 Application received: January 19, 2023
 Issued: April 5, 2023

ESCGP # 3 **ESG290823002-00**
 Applicant Name **Blackhill Energy, LLC**
 Contact Person Matthew Pitts
 Address 4600 J Barry Ct, Suite 220
 City, State, Zip Canonsburg, PA 15317
 Township(s) Springfield Township
 County **Bradford County**
 Receiving Stream(s) and Classification(s) UNT to Mill
 Creek (TSF, MF)
 Application received: January 18, 2023
 Issued: April 6, 2023

ESCGP # 3 **ESG295923001-01**
 Applicant Name **Seneca Resources Co, LLC**
 Contact Person Jason Lorenzo
 Address 51 Zents Blvd
 City, State, Zip Brookeville, PA 15825
 Township(s) Deerfield Township
 County **Tioga County**
 Receiving Stream(s) and Classification(s) Yarnell Brook
 (WWF)
 Application received: March 20, 2023
 Issued: April 7, 2023

Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Kate Hogue Clerical Supervisor 814-332-6860.

ESCGP # 3 **ESG080322006-00**
 Applicant Name **Snyder Bros, Inc.**
 Contact Person Carl Rose
 Address P.O. Box 1022
 City, State, Zip Kittanning, PA 16201
 Township(s) Rayburn Township
 County **Armstrong County**
 Receiving Stream(s) and Classification(s) South Fork Pine
 Creek (HQ—CWF); Unnamed Tributary to Tributary
 47164 to South Fork Pine Creek
 Application received: November 21, 2022
 Approved: April 4, 2023

Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: D. J. Stevenson, 412-442-4281.

ESCGP # 3 **ESG076523001-00**
 Applicant Name **CNX Gas Company, LLC**
 Contact Person Andrew Kinter
 Address 1000 Horizon Vue Drive
 City, State, Zip Canonsburg, PA 15317
 Township(s) Bell Township
 County **Westmoreland County**

Receiving Stream(s) and Classification(s) UNT to Beaver
 Run TSF

Application received: January 13, 2023

Issued: April 5, 2023

CORRECTIVE ACTION

UNDER ACT 32, 1989 PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Reja Real Estate, Storage Tank Facility ID # **48-08863**, 133 South First Street, Bangor, PA 18013, Bangor Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Reja Real Estate, LLC, 133 South First Street, Bangor, PA 18013 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with heating oil. The plan is intended to document the remedial actions for meeting 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.

GetGo # 3105, Storage Tank Facility ID # **02-33961**, 998 Hayden Boulevard, Elizabeth, PA 15037, Elizabeth Borough, **Allegheny County**. PVE, LLC, 2000 George-

town Drive, Suite 101, Sewickley, PA 15143, on behalf of Giant Eagle, Inc., 101 Kappa Drive, Pittsburgh, PA 15238 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Pilot Travel Center # 348, Storage Tank Facility ID # **63-09737**, 205 Wilson Road, Bentleyville, PA 15314, Bentleyville Borough, **Washington County**. Atlas Technical Consultants, LLC, 270 William Pitt Way, Suite A3, Pittsburgh, PA 15238, on behalf of Pilot Travel Centers, LLC, 5508 Lonas Drive, Knoxville, TN 37909 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with diesel fuel and unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

CIO # 26, Storage Tank Facility ID # **02-29677**, 411 Perry Highway, Pittsburgh, PA 15229, West View Borough, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Center Independent Oil Real Estate, LP, 1035 Boyce Road, Suite 220, 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 site-specific standards.

Sunoco # 0363-8822, Storage Tank Facility ID # **65-24183**, 140 West Pittsburgh Street, Greensburg, PA 15601, City of Greensburg, **Westmoreland County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sunoco Retail, 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 is intended to document the remedial actions for meeting nonresidential Statewide health standards.

CORRECTIVE ACTION

UNDER ACT 32, 1989 PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the

remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Gas N Goods, Storage Tank Facility ID # **45-12376**, 5677 Hamilton South, Sciota, PA 18354, Hamilton Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Kuber Property, LLC, P.O. Box 342, Sciota, PA 18354 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was acceptable to meet the Statewide health standards and was disapproved by DEP on April 11, 2023.

Carriage Stop Plaza Sunoco, Storage Tank Facility ID # **40-38017**, 2500 East End Boulevard, Wilkes-Barre, PA 18702, Plains Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Anup Patel, 2500 East End Boulevard, Wilkes-Barre, PA 18702 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was not acceptable to meet the Statewide health standards and was disapproved by DEP on April 11, 2023.

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

Contact: Cherie M. Campbell, Soil Scientist.

Herrs Market, Storage Tank Facility ID # **36-62410**, 1406 River Rd, Marietta, PA 17547-9776, East Donegal Township, **Lancaster County**. United Environmental Services Inc, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Moksha Real Estate LLC, 1406 River Rd, Marietta, PA 17547-9776 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum Constituents. The plan was acceptable to meet the site-specific standards and was approved by DEP on April 10, 2023.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Kwik Fill S0035, Storage Tank Facility ID # **63-22429**, 1794 Route 136, Eighty Four, PA 15330, Somerset Township, **Washington County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, Warren, PA 16365 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan residential was not acceptable to meet the Statewide health standards and was disapproved by DEP on April 5, 2023.

SPECIAL NOTICES

WASTE, AIR, RADIATION AND REMEDIATION

Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

Central Office: Radiation Protection Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: Austyn Shank 717-783-3594.

In the month of March 2023, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon related activities in PA. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in PA and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
John Wechter	72 Gristmill Ln. Linfield, PA 19468-4261	Testing Individual
Mike Sheely	1000 Wolfe Rd. Enola, PA 17025-2683	Mitigation Individual
William Sterling	37 N Washington St. Wilkes-Barre, PA 18701-3109	Testing Individual
Jon Melvin	1024 Ledgeview Dr. West Pittston, PA 18643-1747	Testing Individual
Bruce Eichenlaub	535 Derr Hill Rd. Lock Haven, PA 17745-8508	Testing Individual
Sean Iannucci	P.O. Box 615 Goshen, NY 10924	Testing Individual
Jason Boni	300 Camp Horne Rd. Pittsburgh, PA 15202-1627	Testing Individual
Anthony Wilhelm	153 Crooked Hill Rd. Hummelstown, PA 17036-7341	Testing Individual
Tuan Nguyen	3537 Hartzdale Dr. Suite H Camp Hill, PA 17011-7227	Mitigation Individual
American Radon Solutions, Inc.	3537 Hartzdale Dr. Suite H Camp Hill, PA 17011-7227	Mitigation Firm
David Artigliere	P.O. Box 4475 Reading, PA 19606-0175	Testing Individual
Tina Artigliere	P.O. Box 4475 Reading, PA 19606-0175	Testing Individual
Joel Ruch	201 Furnace Rd. Lewisburg, PA 17837-8043	Testing Individual
Rick Siess	259 Meadowview Dr. Cannonsburg, PA 15317-2315	Testing Individual
Jarel Melendez	815 Washington St. Reading, PA 19601-3615	Testing Individual
Ryan Tipton	17 N State St. Warren, PA 16365-4811	Testing Individual
Accustar Labs	6951 Allentown Blvd Suite N Harrisburg, PA 17112-3374	Laboratory Firm
Philip Parke, Sr.	3201 Addison Dr. Wilmington, DE 19808-2407	Testing Individual
Timothy Swackhammer	811 Washington Ave. Carnegie, PA 15106-3121	Testing Individual
Timothy Swackhammer	811 Washington Ave. Carnegie, PA 15106-3121	Mitigation Individual

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<i>Name</i>	<i>Address</i>	<i>Certification</i>
Mold Medics, LLC	811 Washington Ave. Carnegie, PA 15106-3121	Testing Firm
Mold Medics, LLC	811 Washington Ave. Carnegie, PA 15106-3121	Mitigation Firm
Chase Millard	600 Chestnut St Suite 675 Philadelphia, PA 19106-3413	Testing Individual
Valueguard USA, Inc.	600 Chestnut St Suite 675 Philadelphia, PA 19106-3413	Testing Firm
Matthew Rodriguez	19 Silver Meadow Dr. Scott Township, PA 18411-7781	Testing Individual
Mark Achuff	14 E Main St Suite 100 Lansdale, PA 18411-7781	Mitigation Individual
Daniel Casciato	5353 Page Dr. Pittsburgh, PA 15236-2475	Testing Individual
Robbie Risley, II	2310 Wells Dr. Bethel Park, PA 15102-1932	Testing Individual
Timothy Gentry	P.O. Box 1956 Horsham, PA 19044-6956	Mitigation Individual
Kevin Barnaba	1220 E Joppa Rd. # C505 Towson, MD 21286	Testing Individual
EMSL Analytical, Inc.	200 Route 130 N Cinnaminson, NJ 08077-2892	Laboratory Firm
Greig Barnish	2224 Highland Ave. Huntingdon, PA 16652-9720	Testing Individual
Ronald Kuntz	309 Main St. Alexandria, PA 16611-0174	Testing Individual
James Domanico	1215 W Baltimore Pike Unit 3 Media, PA 19063	Testing Individual
Liberty Inspection Group	1215 W Baltimore Pike Unit 3 Media, PA 19063	Testing Firm
John Fordyce	7844 Old Route 56 Hwy. W Indiana, PA 15701-4937	Testing Individual
Nicole Kenny	47 Cook Rd. Duncannon, PA 17020-9723	Testing Individual
Vanessa Gress	5024 Doubs Rd. Adamstown, MD 21710-8921	Testing Individual
John Tuck, Jr.	1163 Edgemont Dr. West Chester, PA 19380-1562	Testing Individual
Timothy Bach	370 Brush Creek Rd. Irwin, PA 15642-6504	Testing Individual
Zachariah Kenny	47 Cook Rd. Duncannon, PA 17020-9723	Testing Individual
Robert A. Raishart	778 Armel Hollow Rd. Latrobe, PA 15650-9398	Certification Withdrawn

[Pa.B. Doc. No. 23-539. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Climate Change Advisory Committee Meeting Location Change

The Climate Change Advisory Committee (Committee) meeting scheduled for Tuesday, April 25, 2023, will be held in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, from 9 a.m. to 12 p.m. Individuals may attend the meeting in person or participate remotely. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Lindsay Byron at lbyron@pa.gov or (717) 772-8951.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Climate Change," then "Climate Change Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the April 25, 2023, meeting can be directed to Lindsay Byron at lbyron@pa.gov or (717) 772-8951.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-8951 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-540. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Federal Consistency under the Coastal Zone Management Act; Packer Marine Terminal Turning Basin Dredged Material Disposal at the Fort Mifflin Confined Disposal Facility

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C.A. § 1455(d)(14)), relating to public participation in consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that PhilaPort (applicant) is proposing to dispose of dredged material at the Fort Mifflin Confined Disposal Facility (CDF) in the City of Philadelphia (Project). The dredge material will be recovered during proposed maintenance dredging of the turning basin at the Packer Marine Terminal Turning Basin in the State of New Jersey.

The applicant is proposing to conduct maintenance dredging of the turning basin at the Packer Avenue Marine Terminal in the Delaware River near the City of Philadelphia. The proposed Project depth is 45 feet below Mean Lower Low Water with 1 foot of allowable overdredge. The applicant estimates the volume of mate-

rial to be dredged at approximately 69,000 cubic yards. Dredging is proposed to be conducted by mechanical method with dewatering and disposal at the Fort Mifflin CDF on the former Hog Island in the City of Philadelphia. Maintenance dredging is proposed to occur in the Delaware River within the State of New Jersey. The applicant is seeking Federal authorization for this activity from the United States Army Corps of Engineers under section 404 of the Clean Water Act (33 U.S.C.A. § 1344).

This Project is subject to Department review for Federal consistency because it is an activity requiring a Federal license or permit and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C.A. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the applicant has certified that the Project will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at (717) 772-2196 or RA-Fed_Consistency@pa.gov.

The Department will consider all comments received on or before Monday, May 8, 2023, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. 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 be submitted by e-mail to ecomment@pa.gov or by mail to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-541. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Interstate Pollution Transport Reduction; Final 2023 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice of the final Nonelectric Generating Unit (non-EGU) 2023 Ozone Season (OS) Nitrogen Oxide (NO_x) emission limitations established under 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO_x trading programs).

Specifically, 25 Pa. Code § 145.8(d) establishes a non-EGU NO_x Trading Program budget of 3,619 tons of NO_x, less a specified adjustment amount, to serve as a Statewide OS NO_x emissions cap for new and existing non-EGUs. This NO_x emissions cap also applies to Clean Air Interstate Rule exempt EGUs that are subject to the NO_x

Budget Trading Program. If the total emissions from all the units exceed the Statewide NO_x emissions cap of 3,438 tons, the owners and operators of non-EGUs must comply with the NO_x emission limitations established under 25 Pa. Code § 145.8(d). The NO_x emissions limitations for individual units ensure that non-EGUs in this Commonwealth continue to meet the emission limits of the NO_x Budget Trading Program. The difference between the calculated total OS NO_x limit for all units in Table 1 as follows and the total NO_x limit of 3,438 tons is due to rounding when calculating the NO_x limit for each individual unit.

The Statewide cap for 2022 was not exceeded. Therefore, non-EGUs did not need to purchase allowances to meet their 2022 OS NO_x emission limitations established under 25 Pa. Code § 145.8(d). The NO_x emissions for the 2022 OS (May through September) reported to the United States Environmental Protection Agency by the owners and operators of the affected non-EGUs are 644 tons. The Department's permanent retirement of 3,438 NO_x allowances under 25 Pa. Code § 145.8(b) covers all the NO_x emissions from the affected non-EGUs in 2022. Table 1, as follows, lists the final non-EGU 2023 OS NO_x emission limits.

In addition to the 3,438-ton non-EGU cap previously described, 25 Pa. Code § 145.8(d)(12) provides 181 tons of NO_x emissions annually for non-EGUs and other units that need to address their limits or emissions through accounting adjustments, including units that previously participated in the NO_x Budget Trading Program. The Department may use a portion of the 181 tons of the budgeted NO_x emissions, if necessary, to address rounding issues, mistakes or miscalculations. This year, the Department will use 2 of the 181 tons of NO_x emissions set aside from the non-EGU NO_x Trading Program budget for accounting adjustments. The accounting adjustment is needed due to the rounding errors in calculating individual unit limits to meet the 3,438-ton non-EGU NO_x

cap. Rounding resulted in an allocation limit totaling 3,440 tons of NO_x. This total is 2 tons of NO_x above the 3,438-ton non-EGU cap. The use of 2 additional tons of NO_x continues to remain within the total non-EGU NO_x Trading Program budget of 3,619 tons of NO_x.

In March of 2022, the Sunoco Partners Marketing and Terminals (SPMT)—Marcus Hook Industrial Complex changed its name to the Energy Transfer Marketing and Terminals, LP (ETMT)—Marcus Hook Terminal. The facility's ownership was originally transferred from Sunoco to SPMT in 2013. Other facilities listed in Table 1 as follows have changed their name in 2022, but not their ownership. They include Veolia Energy Philadelphia—Edison Station. The facility changed its name to Vicinity Energy Philadelphia—Edison Station. Veolia Energy Philadelphia—Schuylkill Station has changed its facility's name to Vicinity Energy Philadelphia—Schuylkill Station. Lastly, the Philadelphia Refinery was closed in 2022, and thus, Unit 150137 has been permanently retired.

The "Final Non-EGU 2023 Ozone Season NO_x Emission Limits" in Table 1 lists the following: the 'facility name,' 'ORIS code,' the 'unit ID' for each non-EGU unit; the '2022 NO_x mass,' in tons, for the 2022 OS emissions; the '2022 heat input,' in million British thermal units (MMBtu), for the 2022 OS; the 'county' location of the facility; the calculated '2023 rate,' in pounds (lbs) per MMBtu; and the '2023 OS limit,' in tons NO_x.

Notice of the proposed 2023 OS NO_x emission limitations was published at 53 Pa.B. 1116 (February 25, 2023) with a 17-day public comment period, which closed on March 13, 2023. The Department did not receive any comments during the public comment period.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921 or ranbordner@pa.gov. TDD users may contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Table 1: Final Non-EGU 2023 Ozone Season NO_x Emission Limits

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2022 NO_x Mass (tons)</i>	<i>Heat Input (MMBtu)</i>	<i>County</i>	<i>2023 Rate (lbs/MMBtu)</i>	<i>2023 OS Limit (tons NO_x)</i>
AdvanSix Resins & Chemicals, LLC	880007	52	20.764	617,303.8	Philadelphia	0.34	105
Armagh Compressor Station	880071	31301	0	0	Indiana	0.34	0
Bernville Station	880049	32001	0	0	Berks	0.34	0
Domtar Paper Company, LLC	54638	40	12.93	528,582.5	Elk	0.34	90
Domtar Paper Company, LLC	54638	41	16.476	668,625.4	Elk	0.34	113
Entriken Compressor Station	880072	31601	0	0	Huntingdon	0.34	0
ETMT Marcus Hook Terminal	880107	AB01	2.572	152,481.3	Delaware	0.34	26
ETMT Marcus Hook Terminal	880107	AB03	5.59	431,681.2	Delaware	0.34	73
ETMT Marcus Hook Terminal	880107	AB04	5.708	646,325.2	Delaware	0.34	110
Merck & Company—West Point	52149	39	7.426	173,088.4	Montgomery	0.34	29
Merck & Company—West Point	52149	40	21.864	1,548,397	Montgomery	0.34	262

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2022 NO_x Mass (tons)</i>	<i>Heat Input (MMBtu)</i>	<i>County</i>	<i>2023 Rate (lbs/MMBtu)</i>	<i>2023 OS Limit (tons NO_x)</i>
Pixelle Specialty Solutions	50397	36	237.587	1,812,508	York	0.34	307
Pixelle Specialty Solutions	50397	38	13.459	613,315.9	York	0.34	104
Pixelle Specialty Solutions	50397	39	17.305	681,968.7	York	0.34	116
Merck & Company— West Point	52149	40	21.864	1,548,397	Montgomery	0.34	262
Pixelle Specialty Solutions	50397	36	237.587	1,812,508	York	0.34	307
Pixelle Specialty Solutions	50397	38	13.459	613,315.9	York	0.34	104
Pixelle Specialty Solutions	50397	39	17.305	681,968.7	York	0.34	116
Procter & Gamble Paper Products	50463	328001	113.574	1,915,753	Wyoming	0.34	325
Procter & Gamble Paper Products	50463	328002	8.671	1,942,378	Wyoming	0.34	329
Shermans Dale Station	880050	31801	0	0	Perry	0.34	0
Trainer Refinery	880025	34	1.602	719,031.3	Delaware	0.34	122
Trainer Refinery	880025	35	1.609	748,862.4	Delaware	0.34	127
Trainer Refinery	880025	53	0.968	461,920.3	Delaware	0.34	78
US Steel (Clairton Coke)	50729	CLBLR1	78.594	1,109,875	Allegheny	0.34	188
US Steel (Clairton Coke)	50729	CLBLR2	72.64	1,105,528	Allegheny	0.34	187
US Steel (Edgar Thomson)	50732	ETBLR1	13.093	1,231,761	Allegheny	0.34	209
US Steel (Edgar Thomson)	50732	ETBLR2	17.482	1,459,844	Allegheny	0.34	247
US Steel (Edgar Thomson)	50732	ETBLR3	13.097	1,384,284	Allegheny	0.34	235
Vicinity Energy Philadelphia Edison Station	880006	1	0	0	Philadelphia	0.34	0
Vicinity Energy Philadelphia Edison Station	880006	2	0.763	4,859.2	Philadelphia	0.34	1
Vicinity Energy Philadelphia Edison Station	880006	3	6.383	38,627.7	Philadelphia	0.34	7
Vicinity Energy Philadelphia Edison Station	880006	4	6.577	40,255.9	Philadelphia	0.34	7
Vicinity Energy Philadelphia— Schuylkill	50607	23	0	0	Philadelphia	0.34	0
Vicinity Energy Philadelphia— Schuylkill	50607	24	0	0	Philadelphia	0.34	0
Vicinity Energy Philadelphia— Schuylkill	50607	26	3.935	87,481.02	Philadelphia	0.34	15
Vicinity Energy Philadelphia— Schuylkill	50607	RSB1	0.435	77,436.89	Philadelphia	0.34	13
Vicinity Energy Philadelphia— Schuylkill	50607	RSB2	0.479	86,881.71	Philadelphia	0.34	15
<i>Totals:</i>			701.583	20,289,058			3,440

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-542. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed a request for an exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for an exception relates to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Cedar Crest Surgery Center, LLC	28 Pa. Code § 569.35(7) (relating to general safety precautions)

The previously listed request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-543. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospital has filed a request for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
Wellspan Gettysburg Hospital	2.1-2.2.7.2(2) patient bathing facilities	22
	2.1-2.2.7.2(3)(a)—(c) patient bathing facilities	22
	2.1-2.8.9.1 location	22
	2.1-2.8.11.1 general	22
	2.1-2.8.12.1 general	22

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

² 2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons V/TT (717) 783-6154, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-544. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.18(e) (relating to management):

Concordia at Cedars
4363 Northern Pike
Monroeville, PA 15146
FAC ID # 062502

Harmony Physical Rehabilitation
4365 Northern Pike
Monroeville, PA 15146
FAC ID # 24280201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (k) (relating to prevention, control and surveillance of tuberculosis (TB)):

Sweden Valley Manor
1028 East Second Street
Coudersport, PA 16915
FAC ID # 455402

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-545. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Temporary Scheduling of Substance; Xylazine as a Schedule III Controlled Substance

The Acting Secretary of Health (Secretary) of the Department of Health (Department) is issuing this notice of intent to issue a final notice to temporarily schedule Xylazine which is not currently listed in any schedule of The Controlled Substance, Drug, Device and Cosmetic Act (act) (35 P.S. §§ 780-101—780-144). This temporary final notice will place Xylazine in Schedule III under the act.

The Secretary is taking this action because the scheduling of Xylazine in this Commonwealth on a temporary basis is necessary to avoid an imminent hazard to public safety.

At the time of publication in the *Pennsylvania Bulletin*, the Secretary will transmit a copy of the proposed notice to the Attorney General under section 3(d)(4) of the act for review (35 P.S. § 780-103(d)(4)). The Attorney General shall, by law, have 30 days from receipt of the proposed notice to provide written comments to the Department, if any.

A formal order may not be issued before the expiration of 14 days after both:

(i) The date of publication in the *Pennsylvania Bulletin* of this proposed notice of the intention to issue a final notice and the grounds upon which the order is to be issued.

(ii) The date the Secretary transmitted the notice of intent to the Attorney General.

Background

Although approved only for veterinary use, Xylazine is a nonopioid with an increasing presence as an adulterant, often in combination with opioids, in the illicit drug supply. Adulterants are frequently added to clandestine drugs to: (1) increase or decrease a drug's effects; or (2) increase a drug's resale value. Following these trends, the earliest reports of Xylazine indicate that it was being used to enhance the effects of heroin. Both isolated and in combination with other drugs, Xylazine is implicated as a cause or contributing cause of death in the United States. According to the United States Drug Enforcement Administration (DEA): (1) the emergence of Xylazine across the United States appears to be following the same path as Fentanyl, beginning in the Northeast before spreading to the South and then working its way into drug markets westward; and (2) its low cost contributes, in part, to Xylazine's expanded presence in the Nation's illegal drug supply.

Xylazine use may be accompanied by skin ulcers with wounds that excrete puss, have decaying tissue and bacterial infections, which can lead to amputation at higher rates than those who inject other drugs. Heroin and Xylazine have some similar pharmacological effects including bradycardia, hypotension, central nervous system depression and respiratory depression. When used in combination with an opioid, Xylazine may worsen respiratory depression in the event of a drug overdose. Because Xylazine is not an opioid, naloxone is not known to be effective at reversing overdoses caused by Xylazine.

Xylazine is not currently scheduled in the Commonwealth. In 2021, 30 counties across this Commonwealth saw cases where Xylazine contributed to individual deaths. In 2021, Xylazine contributed to 575 overdose deaths in the Commonwealth, a significant increase from 377 in 2020. Further, Philadelphia reported that 90% of street opioid samples in 2021 contained Xylazine. Because Xylazine poses a substantial risk to the residents of this Commonwealth, the Secretary has determined to schedule it as a Schedule III controlled substance on a temporary basis under section 4(3) of the act (35 P.S. § 780-104(3)). In doing so, the Secretary is acting to protect the residents of this Commonwealth. Substances in Schedule III are those that have a potential for abuse less than

those listed in Schedules I and II; a well-documented and currently accepted medical use in the United States; and abuse may lead to moderate or low physical dependence or high psychological dependence.

Legal Authority and Action

Under section 3 of the act, the Secretary shall control all substances listed in Schedules I through V of the act. Under section 3(d) of the act, the Secretary is authorized to schedule any substance on a temporary basis to avoid an imminent hazard to public safety. When determining whether a substance poses an imminent hazard to public safety, the Secretary is required to consider: (1) the substance's history and current pattern of abuse; (2) the substance's scope, duration and significance of its abuse; (3) the risk to the public health; and (4) whether the substance is controlled under Federal law. When a substance is already controlled under Federal law, the Secretary is not required to take the remaining factors into consideration.

In addition, the Secretary is authorized under section 3(d) of the act to schedule on a temporary basis a substance under one of the schedules in section 4 of the act, regarding schedules of controlled substances, if the substance is not listed in any other schedule in section 4 of the act or 28 Pa. Code §§ 25.72 and 25.75 (relating to schedules of controlled substances; and paregoric) and if no exception or approval is in effect for the substance under section 505 of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 355).

In taking this action, the Secretary has considered: (1) that Xylazine has a documented, acceptable and important use in veterinary medicine; however, it currently is not approved for legitimate use by humans in the United States; (2) that Xylazine, both isolated and in combination with other drugs, is a cause or contributing cause of an increasing number of deaths in this Commonwealth; (3) the rise of Xylazine as one of the most common adulterants in the drug supply; and (4) Naloxone and other reversal agents' lack of effectiveness in the event of an overdose involving Xylazine. Accordingly, although not currently scheduled at the Federal level, the Secretary has determined that Xylazine is a dangerous hazard to public safety in this Commonwealth.

To revise 28 Pa. Code § 25.72 to conform to any final notice issued by the Secretary under section 3(c) of the act to temporarily schedule Xylazine as a Schedule III controlled substance, the Department plans to promulgate a conforming amendment to 28 Pa. Code § 25.72 through final-form rulemaking with proposed rulemaking omitted.

Accessibility

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 Department of Health, Melissa Myers, Policy Office, 625 Forster Street, 8th Floor, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3104, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-546. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Temporary Scheduling of Substances; Nitazene Class of Compounds: Isotonitazene Protonitazene; Flunitazene; Metodesnitazene; Metonitazene; Etonitazene; Butonitazene; and Etodesnitazene as Schedule I Controlled Substances

The Acting Secretary of Health (Secretary) of the Department of Health (Department) is issuing this notice of intent to issue a final notice to temporarily schedule any material, compound, mixture or preparation which contains any quantity of the following Nitazene substances, their salts, isomers and salts of isomers: Isotonitazene; Protonitazene; Flunitazene; Metodesnitazene; Metonitazene; Etonitazene; Butonitazene; and Etodesnitazene (Nitazene class of compounds). These substances are not currently listed in any schedule of The Controlled Substance, Drug, Device and Cosmetic Act (act) (35 P.S. §§ 780-101—780-144). This temporary final notice will place this group of substances in Schedule I under the act. The Secretary is taking this action because the scheduling of this Nitazene class of compounds in this Commonwealth on a temporary basis is necessary to avoid an imminent hazard to public safety.

At the time of publication in the *Pennsylvania Bulletin*, the Secretary will transmit a copy of the proposed notice to the Attorney General under section 3(d)(4) of the act for review (35 P.S. §§ 780-103(d)(4)). The Attorney General shall, by law, have 30 days from receipt of the proposed notice to provide written comments to the Department, if any.

A formal order may not be issued before the expiration of 14 days after both:

(i) The date of publication in the *Pennsylvania Bulletin* of this proposed notice of the intention to issue a final notice and the grounds upon which the order is to be issued.

(ii) The date the Secretary transmitted the notice of intent to the Attorney General.

Background

The United States Drug Enforcement Administration (DEA) scheduled several Nitazenes including: Isotonitazene; Protonitazene; Flunitazene; Metodesnitazene; Metonitazene; Etonitazene; Butonitazene; and Etodesnitazene, as Schedule I controlled substances under the Federal Controlled Substance Act (CSA) (21 U.S.C.A. §§ 801—971).¹ Under the CSA, every controlled substance is classified into one of five schedules based upon its potential for abuse, its currently accepted medical use in treatment in the United States, and the degree of dependence the drug or other substance may cause. 21 U.S.C.A. § 812. The initial schedules of controlled substances established by Congress are found at 21 U.S.C.A. § 812(c), and the current list of all scheduled substances is published at 21 CFR Part 1308 (relating to schedules of controlled substances).

Substances in Schedule I are those that have a high potential for abuse, no currently accepted medical use in treatment in the United State and a lack of accepted safety for use under medical supervision. 21 U.S.C.A. § 812(b)(1). The DEA determined that, because Nita-

¹Isotonitazene was permanently placed on the list of Schedule I controlled substances under the CSA in 2021. Protonitazene, Flunitazene, Metodesnitazene, Metonitazene, Etonitazene, Butonitazene and Etodesnitazene were temporarily scheduled as Schedule I controlled substances under the CSA effective December 2021, and extended through April 2024.

zenes, including: Isotonitazene; Protonitazene; Flunitazene; Metodesnitazene; Metonitazene; Etonitazene; Butonitazene; and Etodesnitazene: (1) have high potential for abuse; (2) have no currently accepted medical use in treatment in the United States; (3) lack accepted safety for use under medical supervision; and (4) have been responsible for numerous deaths, it was, therefore, necessary to schedule these substances into Schedule I of the CSA to avoid an imminent and continued hazard to the public safety.

While scheduled Federally, such substances are not scheduled in the act. Pharmacological data suggest that this Nitazene class of compounds have potency similar to or greater than Fentanyl based on their structural modifications. Because the Nitazene class of compounds pose a substantial risk to the residents of this Commonwealth, the Secretary has determined to schedule them as Schedule I controlled substances on a temporary basis. In doing so, the Secretary is acting to protect the residents of this Commonwealth and bring the Commonwealth into conformity with Federal law.

Legal Authority and Action

Under section 3 of the act, the Secretary shall control all substances listed in Schedules I through V of the act. Under section 3(d) of the act, the Secretary is authorized to schedule any substance on a temporary basis to avoid an imminent hazard to public safety. When determining whether a substance poses an imminent hazard to public safety, the Secretary is required to consider: (1) the substance's history and current pattern of abuse; (2) the substance's scope, duration and significance of its abuse; (3) the risk to the public health; and (4) whether the substance is controlled under Federal law. When a substance is already controlled under Federal law, the Secretary is not required to take the other factors into consideration.

In addition, the Secretary is authorized under section 3(d) of the act to schedule on a temporary basis a substance under one of the schedules in section 4 of the act (35 P.S. § 780-104), regarding schedules of controlled substances, if the substance is not listed in any other schedule in section 4 of the act or 28 Pa. Code §§ 25.72 and 25.75 (relating to schedules of controlled substances; and paregoric) and if no exception or approval is in effect for the substance under section 505 of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 355). As previously noted, the United States Food and Drug Administration has not approved Isotonitazene, Protonitazene, Flunitazene, Metodesnitazene, Metonitazene, Etonitazene, Butonitazene or Etodesnitazene for any type of medical use.

Because these substances are Schedule I narcotics under the CSA, the Secretary has the authority to temporarily schedule these substances under the act. Although not required to do so in taking this action, the Secretary has considered: (1) that these Nitazene class compounds are currently not approved for legitimate use in the United States; (2) that these Nitazene class compounds have potency similar to or greater than fentanyl; (3) the availability of the Nitazene class compounds through online sites; and (4) the addictive nature of these Nitazene class compounds. Accordingly, the Secretary determined that these Nitazene class compounds are a dangerous hazard to public safety.

To revise 28 Pa. Code § 25.72 to conform to any final notice issued by the Secretary under section 3(c) of the act to temporarily schedule any material, compound,

mixture or preparation which contains any quantity of the following Nitazenes substances, their salts, isomers and salts of isomers: Isotonitazene, Protonitazene, Flunitazene, Metodesnitazene, Metonitazene, Etonitazene, Butonitazene and Etodesnitazene as Schedule I controlled substance, the Department plans to promulgate a conforming amendment to 28 Pa. Code § 25.72 through final rulemaking with proposed rulemaking omitted.

Accessibility

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 Department of Health, Melissa Myers, Policy Office, 625 Forster Street, 8th Floor, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3104, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-547. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Middle Smithfield Township, Monroe County. This parcel contains 3.717 acres of unimproved land located on the northeast corner of State Route 0402 and Oak Grove Drive. The estimated fair market value is \$45,000.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to the Department of Transportation, Engineering District 5-0, Attn: Right-of-Way, 1002 Hamilton Street, Allentown, PA 18101.

MICHAEL CARROLL,
Acting Secretary

[Pa.B. Doc. No. 23-548. Filed for public inspection April 21, 2023, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

West Penn Township, Schuylkill County. This parcel contains 0.404 acre of unimproved land located on the southeast corner of State Route 0309 and State Route 0433. The estimated fair market value is \$5,000.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to the Department of Transportation, Engineering District 5-0, Attn: Right-of-Way, 1002 Hamilton Street, Allentown, PA 18101.

MICHAEL CARROLL,
Acting Secretary

[Pa.B. Doc. No. 23-549. Filed for public inspection April 21, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

1332 Waiver—Request for Comment on Proposed Reinsurance Program Suspension; Notice 2023-05

The Insurance Department (Department) is proposing to submit a request to the Centers for Medicare & Medicaid Services (CMS), a division of the United States Department of Health and Human Services, and the Department of the Treasury for suspension of its approved Affordable Care Act (ACA) Section 1332 Innovation Waiver (2020 Waiver).

The Department’s 2020 waiver was submitted in 2019 under the act of July 2, 2019 (Pub.L. 294, No. 42), which authorized the Department to create and implement a reinsurance program for the individual health insurance market’s Qualified Health Plans (QHP). The 2020 waiver is valid for a period of up to 5 years, which began with Plan Year (PY) 2021 and is set to end with the conclusion of PY 2025, with the option to extend the program.

The Department seeks public comment on a proposed plan to suspend the 2020 Waiver beginning on January 1, 2024. Federal health insurance legislation in 2021 and 2022, known as the American Rescue Plan Act (ARPA) (Pub.L. No. 117-2), and Inflation Reduction Act (IRA), increased the number of individuals who qualify for ACA Advanced Premium Tax Credits or subsidies through the State-based health insurance exchange, Pennie® and increased the amount of the subsidies available through 2025. This important Federal legislation had the unintended consequence of minimizing the impact of the reinsurance program on insurance affordability.

The Commonwealth’s individual market for health insurance is stable and has continuously welcomed new insurers to the market and service area expansions of

existing insurers. Pennsylvania’s Reinsurance program (PA-Re) currently reimburses eligible individual health insurers for a percentage of individual qualified claims between an attachment point and a cap. Since 2021, the program has set an attachment point of \$60,000 with a cap of \$100,000, while the coinsurance rate has fluctuated between 53% to 64% depending on the expected size of the reinsurance pool. Before ARPA, reinsurance saved about 4% to 6% of premium for Pennie® customers with incomes above 400% of the Federal poverty level (FPL) as well as for individuals that purchased individual market coverage outside of Pennie®, since these populations are not eligible for subsidies.

However, ARPA and IRA eliminated the “subsidy cliff,” meaning that health insurance premiums for individuals at any income level (including above 400% FPL) are capped at 8.5% of household income. Customers previously benefiting from reinsurance saw the impact of reinsurance minimized and, instead, the ARPA subsidies available through Pennie® are now the main mechanism to ensure affordability. Following ARPA and IRA, nine out of ten Pennie® enrollees now qualify for enhanced subsidies.

The Department is considering innovative programs, such as a possible State subsidy wrap, to address and meet the unique needs of its markets and its residents. As ARPA/IRA subsidies continue to provide financial relief to customers above 400% FPL, the Department believes the State funding currently allocated to reinsurance could be put to better use addressing affordability challenges experienced by lower income customers enrolling in coverage through Pennie®. Having the flexibility to adjust to market needs will allow the Department to provide stability to consumers in these times of uncertainty following the end of the novel coronavirus (COVID-19) public health emergency. A focused subsidy program could also substantially increase enrollment, given that the end of the COVID-19 public health emergency is expected to increase the uninsured population. The reduced impact of reinsurance, coupled with Medicaid unwinding, presents the Commonwealth with an opportunity to redirect funding from reinsurance to a program that will more effectively address health insurance affordability for households with lower incomes.

To develop this proposed flexibility, legislation is needed. If legislation is enacted by July of 2023, the State portion of the reinsurance program funding would be redirected to a State-affordability program for lower income populations beginning January 1, 2024. Without timely-enacted legislation, reinsurance will continue for PY 2024. The request to suspend the reinsurance program will reserve an option to revert back to the reinsurance program in the future if deemed a beneficial option.

Draft Phase Out Plan

<i>PID Dates</i>	<i>Activity</i>
March 2023	Draft legislation to amend Act 42 to provide for Affordability Program is socialized.
March 2023	Department communicates proposed Phase Out plan to insurers and other stakeholders.
April 24, 2023	PA-Re proposed suspension Phase Out plan public comment period begins.
May 17, 2023	QHP rates and forms due for initial submission (assumes no reinsurance).
May 23, 2023	PA-Re proposed suspension Phase Out plan public comment period ends.
July 1, 2023	Proposed State reinsurance suspension request submitted to CMS with public comments or responses.
July to August 2023	PY 2022 PA-Re reimbursement commences.

<i>PID Dates</i>	<i>Activity</i>
July 31, 2023	Deadline for Affordability Program legislation to pass to impact PY 2024.
August 2023	If legislation does not pass by July—PY 2024 PA-Re parameters announced.
October 1, 2023	PY 2024 final rates published.
November 1, 2023	PY 2024 open enrollment begins.
January 1, 2024	If legislation is passed by July—Affordability Program implemented instead of reinsurance.
July to August 2024	PY2023 PA-Re reimbursement commences.

The Commonwealth is accepting public comments on the proposed Section 1332 Reinsurance request for suspension and phase out plan beginning Monday, April 24, 2023, and ending Wednesday, May 24, 2023. Comments may be directed to the Insurance Department by e-mail to RA-IN-PA1332Waiver@pa.gov or by mail to the Insurance Department, 1332 Innovation Waiver, Attn: Katie Merritt, Director of Policy and Planning, 1326 Strawberry Square, Harrisburg, PA 17120.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-550. Filed for public inspection April 21, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Notice to Insurance Companies Regarding Medicare Supplement Guaranteed Issue Eligibility Following the COVID-19 Public Health Emergency; Notice 2023-04

The novel coronavirus (COVID-19) Public Health Emergency (PHE) is unwinding, and Pennsylvania's Medical Assistance program (Medicaid) is beginning a redetermination process this month. The process to redetermine Medicaid eligibility for those residents in this Commonwealth is expected to be conducted throughout 2023 and well into 2024. For many individuals, this will mean enrollment in coverage through Pennie® or employer-sponsored coverage. Pennie®, along with the Department of Human Services (DHS), is coordinating that work. The Insurance Department (Department) urges insurers to work with DHS to get individuals enrolled in commercial coverage expeditiously.

The Department is particularly focused on individuals who ordinarily could have enrolled in Medicare Supplement (Med Supp or Medigap) coverage on a guaranteed issue basis but for the circumstances of the PHE Medicaid continuous coverage requirements. These individuals were enrolled in Medicaid, and therefore may not have enrolled in Medicare Part B. An individual enrolled in Medicaid is not permitted to be sold Medicare Supplement coverage. During the PHE, Medicaid was not permitted to redetermine the eligibility of any individual for Medicaid coverage, resulting in many remaining enrolled in Medicaid when they might otherwise have transitioned to Medicare coverage separate from any Medicaid program, regardless of eligibility changes.

On November 3, 2022, the United States Department of Health and Human Services (HHS) promulgated amendments to the Federal Medicare regulations, including amendments that effectuated the HHS Secretary's discretion to permit enrollment in Medicare Part B policies with an exemption from a late enrollment penalty. See Medicare Program; Implementing Certain Provisions of the Consolidated Appropriations Act, 2021 and Other Revisions to Medicare Enrollment and Eligibility Rules (87 FR 66454 (November 3, 2022)) (Medicare Final Rule).

Some of the impacted individuals may have missed or may miss their initial enrollment period for Part B coverage due to their Medicaid enrollment, or may seek to

re-enroll in Part B coverage that may have been dropped due to Medicaid enrollment. Still others may have been enrolled in Medicare Part B under a Medicaid buy-in program, but, because they were on Medicaid, under Federal law were not able to be sold a Medicare Supplement policy. Others of these individuals are in a similar circumstance of being unable to be sold a Medicare Supplement policy, but chose to enroll in Part B to avoid a late enrollment penalty, even though they were still covered by Medicaid. For reference, all individuals in Medicare Supplement enrollment situations impacted by the PHE or the Medicaid continuous coverage requirement, whether or not described previously, and including where Part B enrollment is being permitted with an exemption from a late enrollment penalty under the Medicare Final Rule, are referred to as Medicaid redetermination individuals.

For Medicaid redetermination individuals, the Department expects each insurer issuing Medicare Supplement coverage in the Commonwealth to treat impacted individuals as having a guaranteed issue enrollment period for Medicare Supplement coverage consistent with Federal and State law. Attached to this notice are Frequently Asked Questions that elaborate on expectations for specific situations.

Questions regarding this notice may be addressed to the Bureau of Life, Accident and Health, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, RA-RATEFORM@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

Frequently Asked Questions About Medicare Supplement Guaranteed Issue Eligibility Following the Medicaid Redetermination Process

Q.1. Were individuals who were provided health care coverage through Medicaid but turned 65 during the COVID-19 Public Health Emergency provided continuous Medicaid coverage?

A.1. Yes, these individuals continued to receive health care coverage through Medicaid, even if they otherwise would have been eligible for Medicare coverage as a result of turning 65. During the PHE, the Department of Human Services was not permitted to terminate Medicaid coverage, resulting in many remaining enrolled in Medicaid when they might otherwise have transitioned to Medicare coverage separate from any Medicaid program, regardless of eligibility changes.

Q.2. What circumstances might these individuals be in as a result of Medicaid unwinding the continuous coverage?

A.2. These individuals were enrolled in Medicaid, and therefore may not have been enrolled in Medicare Part B, and were not permitted under federal law to be sold Medicare Supplement coverage. Some of the impacted individuals may have missed or may miss their initial enrollment period for Part B coverage due to their Medicaid enrollment, or may seek to re-enroll in Part B coverage that may have been dropped due to Medicaid enrollment. Still others may have been enrolled in Part B pursuant to a Medicaid buy-in program, but, because they were on Medicaid, again under federal law were not able to be sold a Medicare Supplement policy. Others of these individuals are in a similar circumstance of being unable to be sold a Medicare Supplement policy, but chose to enroll in Part B to avoid a late enrollment penalty, even though they were still covered by Medicaid. For reference, in this FAQ, all individuals in Medicare Supplement enrollment situations impacted by the PHE or the Medicaid continuous coverage requirement, whether or not described above, and including where Part B enrollment is being permitted with an exemption from a late enrollment penalty under the Medicare Final Rule, are referred to as “Medicaid redetermination individuals.”

Q. 3. Has the federal government granted an exception to allow Medicaid redetermination individuals to enroll in Part B without a late enrollment penalty after they are found no longer eligible for Medicaid?

A.3. Yes. On November 3, 2022, the Department of Health and Human Services (HHS) promulgated amendments to the federal Medicare regulations, including amendments that effectuated the HHS Secretary’s discretion to permit enrollment in Medicare Part B policies with an exemption from a late enrollment penalty. See Medicare Program; Implementing Certain Provisions of the Consolidated Appropriations Act, 2021 and Other Revisions to Medicare Enrollment and Eligibility Rules, 87 Fed. Reg. 66454 et seq. (Nov. 3, 2022) (Medicare Final Rule).

Q.4. Should a Medicare Supplement guaranteed issue enrollment period be available to an individual who turned 65 and did not enroll in Medicare Part A or Part B or both while they were on Medicaid during the PHE?

A.4. Yes. The expectation is that a Medicaid redetermination individual should not be penalized as a result of the Medicaid continuous coverage provisions during the PHE. The federal government has waived the late enrollment penalty for individuals who enroll in Part B coverage after January 1, 2023. See Medicare Program; Implementing Certain Provisions of the Consolidated Appropriations Act, 2021 and Other Revisions to Medicare Enrollment and Eligibility Rules, 87 Fed. Reg. 66454 et seq. (Nov. 3, 2022) (Medicare Final Rule). For an individual that enrolls in Part B as contemplated in the Medicare Final Rule, the expectation is that the individual will be treated as if they are in their open enrollment period, and be eligible for a Medicare Supplement policy on a guaranteed issue basis. See 31 Pa. Code §§ 89.778, 89.790.

Q.5. If an individual is late signing up for Part B due to Medicaid continuous enrollment and only enrolls in Part B after a subsequent redetermination, should they be eligible for a guaranteed issue Medicare Supplement policy?

A.5. Yes. The expectation is that a Medicaid redetermination individual should not be penalized as a result of

the Medicaid continuous coverage provisions during the PHE. The federal government has waived the late enrollment penalty for individuals who enroll in Part B coverage after January 1, 2023. See Medicare Final Rule. For an individual that enrolls in Part B as contemplated in the Medicare Final Rule, the expectation is that the individual will be treated as if they are in their open enrollment period, and be eligible for a Medicare Supplement policy on a guaranteed issue basis. See 31 Pa. Code §§ 89.778, 89.790.

Q.6. Should a Medicare Supplement guaranteed issue enrollment period be available to an individual who turned 65 and was enrolled in Medicare Part B while they were on Medicaid during the PHE and prior to Medicaid eligibility redetermination, even if the Part B enrollment was paid for by the Medicaid program?

A.6. Yes. The expectation is that a Medicaid redetermination individual should not be penalized as a result of the Medicaid continuous coverage provisions during the PHE. For an individual who was enrolled in Medicare Part B but remained on Medicaid during the PHE, it is the expectation that the individual will be treated as if they are in their open enrollment period, and be eligible for a Medicare Supplement policy on a guaranteed issue basis. See 31 Pa. Code §§ 89.778, 89.790.

Q.7. What does guaranteed issue mean?

A.7. Guaranteed issue means that a Medicare Supplement issuer may not, with respect to a Medicaid reenrollment individual:

(i) Deny or condition the issuance or effectiveness of a Medicare Supplement policy that is offered and is available for issuance to new enrollees by the issuer;

(ii) Discriminate in the pricing of the Medicare Supplement policy because of health status, claims experience, receipt of health care, or medical condition; or

(iii) Impose an exclusion of benefits based on a preexisting condition under the Medicare Supplement policy.

31 Pa. Code § 89.790(a).

Q.8. How long should the guaranteed issue enrollment opportunity be available for a Medicaid redetermination individual?

A.8. The guaranteed issue enrollment opportunity should be consistent with the timeframes contemplated in the Pennsylvania Medicare Supplement regulations, as if the individual were newly eligible for Medicare Supplement enrollment at the time of the individual’s Medicaid redetermination.

The expectation is that a guaranteed issue Medicare Supplement policy will be available to a Medicaid redetermination individual who applies for the Medicare Supplement policy during the 63 days following the later of their notice of termination or disenrollment from Medicaid or their date of termination from Medicaid, or that the guarantee issue period will occur during the six-month period following the first day of the first month in which the individual is enrolled in Part B, and that the individual will submit evidence of the date of termination or disenrollment from Medicaid with the application for a Medicare Supplement policy.

[Pa.B. Doc. No. 23-551. Filed for public inspection April 21, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cancelation of Certificates of Public Convenience for Telecommunication Utilities; Failure to Oper- ate or Report Any Intrastate Operating Revenue

Public Meeting held
March 16, 2023

Commissioners Present: Gladys Brown Dutrieuille, Chair-
person; Stephen M. DeFrank, Vice Chairperson; Ralph
V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

*Cancelation of Certificates of Public Convenience for
Telecommunication Utilities; Failure to Operate or Report
Any Intrastate Operating Revenue; M-2022-3037353*

Tentative Order

By the Commission:

The Public Utility Code (Code) requires that by March 31st of each year, every public utility must file a report detailing its total gross intrastate operating revenue for the preceding calendar year. 66 Pa.C.S. § 510(b). This report is essential for the Commission to fund its operations and to properly allocate assessment costs among the regulated utility community. Id. Commission regulations authorize the cancelation of a telecommunication utility's Certificate of Public Convenience (CPC) for failure to comply with applicable reporting requirements such as the filing of annual financial reports. See 52 Pa. Code § 63.36.

The Commission has undertaken a review of its records which has revealed that a significant number of telecommunication utilities have repeatedly failed to file the required annual assessment report or have continually reported zero intrastate operating revenue in their filed annual assessment report. Specifically, each telecommunication utility listed in Appendix A, attached hereto, has failed to report any intrastate operating revenue to the Commission since calendar year 2019. The telecommunication utilities listed in Appendix B have either reported zero intrastate revenue since 2019 or reported zero intrastate revenue in any year since 2019 in combination with not reporting intrastate operating revenue.

The Commission's Bureau of Administration sent a final warning letter to each individual telecommunication utility listed in Appendix A and Appendix B, requesting that they either file an assessment report detailing their annual intrastate operating revenue for the applicable period or notify the Commission of their desire to abandon their CPCs. The telecommunication utilities were provided twenty (20) days to comply. The letter further warned the telecommunication utilities that their failure to comply with the filing directive would result in the Commission taking appropriate action to cancel their CPCs. None of the telecommunication utilities listed in Appendix A or Appendix B responded to the warning letter.

The Public Utility Code requires each telecommunication public utility to operate continuously and without unreasonable interruptions of service. 66 Pa.C.S. § 1501, 52 Pa. Code §§ 63.24. Section 510(b) of the Code requires these public utilities to file a report detailing their total gross intrastate operating revenue for the preceding calendar year based on the intrastate revenues it generates from the jurisdictional telecommunications services it offers within the Commonwealth of Pennsylvania. 66

Pa.C.S. § 510(b). Under the present circumstances, the failure of the telecommunication utilities listed in Appendix A to file an annual assessment report for various years has created a rebuttable presumption that they are not operating in the Commonwealth of Pennsylvania. Additionally, the continual filing of zero intrastate operating revenue in their annual assessment form by the telecommunication utilities listed in Appendix B has created a rebuttable presumption that they are not providing jurisdictional telecommunications services in the Commonwealth of Pennsylvania.

As such, we determine that the actions of failing to file an annual assessment report with the Commission or reporting zero intrastate operating revenue in each successive calendar year since 2019 indicates that there is no need for these non-reporting or zero reporting telecommunication utilities to possess a CPC in Pennsylvania. These carriers are not in compliance with the reporting requirements of 66 Pa.C.S. § 510(b) nor are they in compliance with the operational requirements of 66 Pa.C.S. § 1501, 52 Pa. Code §§ 63.24. Based on their failure to cure these deficiencies in a timely manner, we tentatively conclude that it is in the public interest to initiate the process for canceling the telecommunication utilities' CPCs listed in Appendix A and Appendix B; *Therefore,*

It Is Ordered:

1. That cancelation of the Certificates of Public Convenience of each telecommunication utility listed in Appendix A and Appendix B is hereby tentatively approved as being in the public interest.

2. That all parties listed in Appendices A and B, to the extent they challenge the rebuttable presumption created by their actions and inactions which led to the conclusion that cancelation of their CPC remains appropriate and in the public interest, must file comments in support of their challenge no later than 20 days after publication of this Tentative Order in the *Pennsylvania Bulletin*. The comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

3. Alternatively, the telecommunication utilities listed in Appendices A and B may file an Assessment Report with the Commission's Fiscal Office reflecting their total gross intrastate operating revenues for calendar years 2019, 2020 and 2021, no later than 20 days after publication of this Tentative Order in the *Pennsylvania Bulletin*.

4. That absent the timely filing of any comment challenging cancelation of the CPC, or the timely reporting of a telecommunication utility's gross intrastate operating revenues from calendar years 2019, 2020 and 2021, the Law Bureau shall prepare a Final Order for entry by the Secretary canceling the telecommunication utility's CPC.

5. That upon entry of the Final Order described in Ordering Paragraph No. 4 above, the CPC of each non-compliant carrier shall be canceled, and each non-compliant carrier listed in Appendix A and Appendix B will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Fiscal & Assessments Section of the Bureau of Administration.

6. That upon entry of the Final Order described in Ordering Paragraph No. 4 above canceling the CPC of each non-compliant carrier listed in Appendix A and Appendix B, all rights and privileges existing under the CPC subject to cancelation, including but not limited to all rights and privileges with eminent domain authority, zoning exemptions, and public right-of-way occupancy, shall be revoked.

7. That the Law Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: March 16, 2023

ORDER ENTERED: March 16, 2023

Appendix A
Carriers Not Reporting Revenue Since 2019

<i>Utility Code</i>	<i>Utility Name</i>	<i>Application Number</i>
310507	American Telecommunications Systems	A-310507
3110196	Momentum Telecom, Inc.	A-2008-2045159, A-2008-2046169
3110551	Total Holdings, Inc.	A-2008-2069549

Appendix B
Carriers Reporting Zero Revenue Since 2019 or Reporting Zero Revenue in Combination With Not Reporting Revenue In Any Year Since 2019

<i>Utility Code</i>	<i>Utility Name</i>	<i>Application Number</i>
310197	Nosva Limited Partnership	A-310197
3111047	Broadvox-Clec, LLC	A-2009-2104391, A-2009-2104393
3111706	Airus, Inc.	A-2010-2152263, A-2010-2152282, A-2010-2152284, A-2010-2152286
3111908	Worldwide Marketing Solutions, Inc.	A-2010-2165627
3114607	Peg Bandwidth PA, LLC	A-2012-2301870
3116309	RCLEC, Inc.	A-2014-2403435
3119113	Correct Solutions, LLC	A-2016-2562526
3119947	ITC Global Networks, LLC	A-2017-2607469
3119952	Pennsylvania MSA, LLC	A-2017-2607866, A-2017-2607867
3119957	Consolidated Telecom, Inc.	A-2017-2608094
3120378	Time Clock Solutions, LLC	A-2017-2632817, A-2017-2632820
3121484	Delta Telecom of PA, Inc.	A-2018-3005390
3122100	NGA 911, LLC	A-2019-3009273, A-2019-3009292
311391	Euro Connect, Inc.	A-311391
3115091	Local Access, LLC	A-2012-2322682, A-2012-2322693, A-2012-2322696
3120524	IRU Networks, LLC	A-2017-2638921, A-2017-2638923, A-2017-2638926

[Pa.B. Doc. No. 23-552. Filed for public inspection April 21, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 8, 2023. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania

Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by May 8, 2023. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2023-3039821. H. Leonard Good (49 North Whisper Lane, New Holland, Lancaster County, PA 17557) to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning and operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2023-3039178. Comfort Healthcare Solutions, LLC (1246 Elson Road, Brookhaven, Delaware County, PA 19015) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Berks, Bucks, Chester, Delaware, Lancaster and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2023-3039299. D-SAL Transportation, LLC (42 Abby Lane, Beech Creek, Clinton County, PA 16822) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Counties of Berks, Centre, Chester, Clinton, Huntingdon, Lancaster, Lebanon, Mifflin, Montour, Northumberland, Schuylkill and Union.

A-2023-3039342. M&A Trans, LLC (913 22nd Avenue, Altoona, Blair County, PA 16601) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, from points in Blair County to points in Pennsylvania, and return.

A-2023-3039570. Easy Connection Transportation, LLC (9270 Jamison Avenue, # B, Philadelphia, Philadelphia County, PA 19115) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia to points in Pennsylvania, and return. *Attorney:* David J. Averett, Esquire, 7719 Castor Avenue, Second Floor, Philadelphia, PA 19152.

A-2023-3039777. Jere and Juanita Cassel, LLC (16 Brethren Church Road, Leola, Lancaster County, PA 17540) to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

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-2023-3039572. Leona G. Paul (218 Oakridge Drive, Johnstown, Cambria County, PA 15904) for the discontinuance and cancellation of its right to operate as a broker, to arrange for the transportation of persons between points in Pennsylvania, as originally approved at Docket # A-2010-2205693.

A-2023-3039662. Robert Reyes (41 West Grant Street, McAdoo, Schuylkill County, PA 18237-1514) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2017-2636268, persons in paratransit service, between

points in Luzerne County, within an airline radius of 10 statute miles of the City of Hazleton.

A-2023-3039713. Jeanette Kauffman (P.O. Box 93, Goodville, Lancaster County, PA 17528-0093) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2023-3039720. New Horizons Transportation, LLC (1941 Paradise Trail, East Stroudsburg, Monroe County, PA 18301) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-8923546, household goods in use, between points in Pennsylvania.

A-2023-3039776. Advanced Life Support Ambulance, Inc. (1695 Huntingdon Road, Huntingdon Valley, Montgomery County, PA 19006) for the discontinuance and cancellation of the right to transport as a common carrier, by motor vehicle, persons in paratransit service from points in the City and County of Philadelphia, to points in Pennsylvania, and return, as originally captioned at Docket 2010-2180179.

A-2023-3039801. Esther A. Shinski (P.O. Box 32, Gordonville, Lancaster County, PA 17529) for the discontinuance and cancellation of the right to transport, as a common carrier, persons in paratransit service, from points within a 20-mile airline distance of carrier's domicile at 706 Georgetown Road, Paradise, Lancaster County, and from points in said territory to points within Lebanon County, and return, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, as originally captioned at Docket A-00123627.

A-2023-3039809. Pottsville Moving and Storage Co., Inc. (762 Water Street, P.O. Box 779, Pottsville, Schuylkill County, PA 17901) partial discontinuance of the rights, authorized at A-00100606, F.1, F.1 Am-A. Carrier is discontinuing Folder 1, right No. 1 of the original ordering paragraph which states: to transport, as a Class D carrier, household goods, office furniture and equipment, in use, between points in Schuylkill County; and Folder 1, right No. 2 of the original ordering paragraph which states: to transport as a Class D carrier, household goods, office furniture and equipment, in use, from points in Schuylkill County to other points in Pennsylvania, and vice versa; and Folder 1 Am-A of the original ordering paragraph which states: to transport, as a Class D carrier, household goods in use between points in the County of Northumberland, and from points in said county, to points in the Counties of Adams, Berks, Blair, Bucks, Centre, Chester, Clinton, Cumberland, Dauphin, Delaware, Franklin, Huntingdon, Juniata, Lancaster, Lycoming, Mifflin, Montgomery, Perry, Philadelphia, Snyder, Union and York. After the partial discontinuance of household goods rights, carrier's rights will read as such: to transport, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-553. Filed for public inspection April 21, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service

A-2023-3039812. Pennsylvania-American Water Company. In the matter of the application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply wastewater service to the public in an additional portion of Sadsbury Township, Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 8, 2023. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055

Through and By Counsel for: Erin Fure, Esquire, Pennsylvania-American Water Company, 852 Wesley

Drive, Mechanicsburg, PA 17055, Erin.fure@amwater.com, (717) 550-1556

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-554. Filed for public inspection April 21, 2023, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Marissa L. Crile, LPN; Case No. 19-51-008969

On July 5, 2022, Marissa L. Crile, license No. PN305678, last known of Amity, Washington County, was indefinitely suspended until she completes her criminal probation based on her conviction of a felony crime directly related to the profession.

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 23-555. Filed for public inspection April 21, 2023, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/ Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Jeffrey D. Zimmerman—Turkey Farm 409 Short Road Clearville, PA 15535	Bedford County/ Monroe Township	248.5	Turkey	New	Approved

<i>Ag Operation Name, Address</i>	<i>County/ Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Louis Martin—Poultry Farm 483 Old Road East Earl, PA 17519	Lancaster County/ East Earl Township	190.6	Broilers	New	Approved
Tim and Debra Shuey—Poultry Farm 22 Fort Swatara Road Jonestown, PA 17038	Lebanon County/ Union Township	175.73	Broilers Cattle Swine	Amended	Approved
Scott R. Walter—Broiler Breeder Ben-Walt Lane Farm 502 Ben-Walt Lane Selinsgrove, PA 17870	Snyder County/ Jackson Township	174.5	Layers	New	Approved
Brian Eckman—Black Barren Road Farm 357 Black Barren Road Peach Bottom, PA 17563	Lancaster County/ Fulton Township	250	Broilers	Amended	Approved

RICHARD NEGRIN,
Acting Chairperson

[Pa.B. Doc. No. 23-556. Filed for public inspection April 21, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

The Susquehanna River Basin Commission lists the following Grandfathering (GF) Registration for projects under 18 CFR Part 806, Subpart E (relating to registration of grandfathered projects) from March 1, 2023, through March 31, 2023.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists GF Registration for projects, described as follows, under 18 CFR Part 806, Subpart E, for the time period previously specified:

1. Penn-View, Inc.—Wyncote Golf Club, GF Certificate No. GF-202303243, Lower Oxford Township, Chester County, PA; On-site Well; Issue Date: March 6, 2023.
2. Red Hill Farms, Inc., GF Certificate No. GF-202303244, Various Municipalities and Counties, PA; see Addendum; Issue Date: March 6, 2023.
3. Ski Roundtop Operating Corp—Roundtop Mountain Resort, GF Certificate No. GF-202303245, Warrington Township, York County, PA; Well 1; Issue Date: March 6, 2023.
4. Village of South Corning—Public Water Supply System, GF Certificate No. GF-202303246, Village of South Corning, Steuben County, NY; Well 1; Issue Date: March 6, 2023.
5. Strasburg Lancaster County Borough Authority—Public Water Supply System, GF Certificate No. GF-202303247, Paradise and Strasburg Townships, Lancaster County, PA; combined withdrawal from the King Well and Rohrer Well; Issue Date: March 14, 2023.
6. Knouse Foods Cooperative, Inc.—Peach Glen Plant, GF Certificate No. GF-202303248, Tyrone and Hunting-

don Townships, Adams County and Dickinson Township, Cumberland County, PA; combined withdrawal from Wells 2, 4, 5, 7—10 and 13; Issue Date: March 16, 2023.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: April 7, 2023

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-557. Filed for public inspection April 21, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following projects from March 1, 2023, through March 31, 2023.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified.

Water Source Approval—Issued Under 18 CFR 806.22(f):

1. Repsol Oil & Gas U.S.A., LLC; Pad ID: DCNR 587 (02 015); ABR-201012012.R2; Ward Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 14, 2023.
2. Seneca Resources Company, LLC; Pad ID: Crittenden 593; ABR-201012016.R2; Richmond Township,

Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 14, 2023.

3. Seneca Resources Company, LLC; Pad ID: Hitesman 580; ABR-201012052.R2; Covington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 14, 2023.

4. SWN Production Company, LLC; Pad ID: BOMAN PAD; ABR-201212011.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 14, 2023.

5. SWN Production Company, LLC; Pad ID: CONKLIN EAST; ABR-201212009.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 14, 2023.

6. SWN Production Company, LLC; Pad ID: SWEENEY PAD; ABR-201212005.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 14, 2023.

7. SWN Production Company, LLC; Pad ID: Swisher (Pad R); ABR-201212012.R2; Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 14, 2023.

8. SWN Production Company, LLC; Pad ID: TINGLEY PAD; ABR-201212010.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 14, 2023.

9. Coterra Energy, Inc.; Pad ID: ZickW P1; ABR-201212008.R2; Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 21, 2023.

10. Pennsylvania General Energy Company, LLC; Pad ID: COP Tract 322 Pad A; ABR-201301004.R2; Cummings and McHenry Townships, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: March 21, 2023.

11. Pennsylvania General Energy Company, LLC; Pad ID: COP Tract 322 Pad B; ABR-201301005.R2; McHenry Township, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: March 21, 2023.

12. Range Resources—Appalachia, LLC; Pad ID: Ogontz Fishing Club # 18H—# 23H Drilling Pad; ABR-201011073.R2; Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 21, 2023.

13. Range Resources—Appalachia, LLC; Pad ID: Ogontz Fishing Club # 24H—# 29H Drilling Pad; ABR-201011077.R2; Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 21, 2023.

14. Range Resources—Appalachia, LLC; Pad ID: Ogontz Fishing Club # 30H—# 35H; ABR-201012043.R2; Cummings Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 21, 2023.

15. Range Resources—Appalachia, LLC; Pad ID: Paulhamus, Frederick Unit # 5H and # 6H Drilling Pad; ABR-201011074.R2; Mifflin Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 21, 2023.

16. Seneca Resources Company, LLC; Pad ID: Buckwalter 429; ABR-201012049.R2; Delmar Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 23, 2023.

17. Seneca Resources Company, LLC; Pad ID: Stratton 885; ABR-201101008.R2; Farmington Township, Tioga

County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 23, 2023.

18. Chesapeake Appalachia, LLC; Pad ID: Weisbrod; ABR-201011010.R2; Sheshequin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 27, 2023.

19. Coterra Energy, Inc.; Pad ID: MacDowallR P1; ABR-201201002.R2; Harford Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 27, 2023.

20. STL Resources, LLC; Pad ID: Hillside Pad; ABR-20091233.R2; Gaines Township, Tioga County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 27, 2023.

21. Seneca Resources Company, LLC; Pad ID: Bielski 628; ABR-201101009.R2; Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 27, 2023.

22. Seneca Resources Company, LLC; Pad ID: Violet Bieser Revoc Liv Tr 833; ABR-201101010.R2; Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 27, 2023.

23. SWN Production Company, LLC; Pad ID: WALKER WEST PAD 14; ABR-201301010.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 27, 2023.

24. Chesapeake Appalachia, LLC; Pad ID: Castle A Drilling Pad # 1; ABR-201202012.R2; Canton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 28, 2023.

25. Chesapeake Appalachia, LLC; Pad ID: SGL 12 M NORTH DRILLING PAD; ABR-201802002.R1; Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 28, 2023.

26. Coterra Energy, Inc.; Pad ID: KropaT P1; ABR-201301017.R2; Springville Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 28, 2023.

27. EXCO Resources (PA), LLC; Pad ID: Dale Bower East Unit Pad; ABR-201202009.R2; Penn Township, Lycoming County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: March 28, 2023.

28. JKLM Energy, LLC; Pad ID: Headwaters 146; ABR-201803006.R1; Ulysses Township, Potter County, PA; Consumptive Use of Up to 3.2000 mgd; Approval Date: March 28, 2023.

29. JKLM Energy, LLC; Pad ID: Judson Hollow 302; ABR-201802003.R1; Pike Township, Potter County, PA; Consumptive Use of Up to 3.2000 mgd; Approval Date: March 28, 2023.

30. STL Resources, LLC; Pad ID: Sturgis Pad; ABR-201802001.R1; Gallagher Township, Clinton County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 28, 2023.

31. Seneca Resources Company, LLC; Pad ID: DCNR 100 Pad T; ABR-201301013.R2; Lewis Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 28, 2023.

32. Chesapeake Appalachia, LLC; Pad ID: SGL 12 K UNIT PAD; ABR-201702004.R1; Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 31, 2023.

33. Chesapeake Appalachia, LLC; Pad ID: Taylor Drilling Pad B; ABR-201703003.R1; Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 31, 2023.

34. Coterra Energy, Inc.; Pad ID: LoffredoJ P1; ABR-201211017.R2; Nicholson Township, Wyoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 31, 2023.

35. Inflection Energy (PA), LLC; Pad ID: Brass Well Site; ABR-201802004.R1; Upper Fairfield Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 31, 2023.

36. Range Resources—Appalachia, LLC; Pad ID: Bobst A Unit 25H—27H; ABR-201202018.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 31, 2023.

37. Range Resources—Appalachia, LLC; Pad ID: Goodwill Hunting Club Unit # 4H—# 9H Drilling Pad; ABR-201011054.R2; Lewis Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 31, 2023.

38. Seneca Resources Company, LLC; Pad ID: Covington Pad M; ABR-201102031.R2; Covington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 31, 2023.

39. SWN Production Company, LLC; Pad ID: FLICKS RUN EAST PAD; ABR-201302003.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 31, 2023.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: April 6, 2023

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-558. Filed for public inspection April 21, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Minor Modifications

The Susquehanna River Basin Commission (Commission) lists the minor modifications approved for a previously approved project from March 1, 2023, through March 31, 2023.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists a previously approved project receiving approval of minor modifications, described as follows, under 18 CFR 806.18 (relating to approval modifications) or to Commission Resolution Nos. 2013-11 and 2015-06 for the time period previously specified:

1. East Cocalico Township Authority (Wells 3A, 5—7), Docket No. 20230318, East Cocalico Township, Lancaster

County, PA; modification to remove Well 4 from approved sources; Approval Date: March 17, 2023.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: April 7, 2023

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-559. Filed for public inspection April 21, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on May 4, 2023, at 6:30 p.m. The public hearing will end at 9 p.m. or at the conclusion of public testimony, whichever is earlier. The Commission will hold this hearing in-person and telephonically. Individuals may attend in person at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA or join by telephone using toll free number (877) 304-9269 and then enter guest passcode 2619070 followed by #. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 15, 2023, which will be noticed separately. The public should note that this public hearing will be the only opportunity to offer oral comments to the Commission for the listed projects. The deadline for the submission of written comments is May 15, 2023.

For further information contact Jason Oyler, General Counsel and Secretary, (717) 238-0423, joyler@srbc.net.

Information concerning the project applications is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

Supplementary Information

The public hearing will cover the following projects:

Projects Scheduled for Action:

1. Project Sponsor: Biglerville Borough Authority. Project Facility: Biglerville Borough Water Company, Biglerville Borough and Butler Township, Adams County, PA. Application for renewal of groundwater withdrawal of up to 0.112 mgd (30-day average) from Well 7 (Docket No. 19930503).

2. Project Sponsor and Facility: Blackhill Energy, LLC (Susquehanna River), Ulster Township, Bradford County, PA. Application for surface water withdrawal of up to 3.024 mgd (peak day).

3. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Sugar Creek), North Towanda Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20180602).

4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Asylum Township, Bradford County, PA. Application for surface water withdrawal of up to 3.000 mgd (peak day).

5. Project Sponsor: Coal Mountain Development and Recreation, LLC. Project Facility: Eagles Ridge Golf Course, Ferguson Township, Clearfield County, PA. Application for renewal of consumptive use of up to 0.099 mgd (30-day average) (Docket No. 20080613).

6. Project Sponsor and Facility: Dillsburg Area Authority, Carroll Township, York County, PA. Application for renewal of groundwater withdrawal of up to 0.460 mgd (30-day average) from Well 7 (Docket No. 20070907).

7. Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Naginey Facility (Naginey Quarry Processing Pond), Armagh Township, Mifflin County, PA. Modification to increase groundwater withdrawal (30-day average) by an additional 0.425 mgd, for a total groundwater withdrawal of up to 0.725 mgd (Docket No. 20211204).

8. Project Sponsor: Hazleton City Authority. Project Facility: Delano Division, Mahanoy Township, Schuylkill County, PA. Application for groundwater withdrawal of up to 0.275 mgd (30-day average) from Park Place Well 1.

9. Project Sponsor and Facility: Hillandale-Gettysburg, LP, Tyrone Township, Adams County, PA. Application for groundwater withdrawal of up to 0.050 mgd (30-day average) from Well 5.

10. Project Sponsor and Facility: LDG Innovation, LLC (Tioga River), Lawrenceville Borough, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20180603).

11. Project Sponsor: Milton Hershey School. Project Facility: Spring Creek Golf Course, Derry Township, Dauphin County, PA. Application for renewal of consumptive use of up to 0.081 mgd (peak day) (Docket No. 20080615).

12. Project Sponsor and Facility: Mountain Energy Services, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 1.498 mgd (peak day) (Docket No. 20180605).

13. Project Sponsor: New Enterprise Stone & Lime Co., Inc. Project Facility: Laflin Quarry, Plains Township, Luzerne County, PA. Applications for consumptive use (peak day) of up to 0.040 mgd and groundwater withdrawals (30-day averages) of up to 0.110 mgd from Well 1, 0.132 mgd from Well 2, 0.484 mgd from Well 3, 0.110 mgd from Well 4, 0.209 mgd from Well 5 and 0.209 mgd from Well 6.

14. Project Sponsor and Facility: Nicholas Meat, LLC, Greene Township, Clinton County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.288 mgd from Well WS-1, 0.173 mgd from Well WS-3 and 0.144 mgd from Well WS-4.

15. Project Sponsor and Facility: Northeast Marcellus Aqua Midstream I, LLC (Susquehanna River), Tunkhannock Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 5.000 mgd (peak day) (Docket No. 20200919).

16. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (Pine Creek), Watson Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.918 mgd (peak day) (Docket No. 20180608).

17. Project Sponsor and Facility: Pilgrim's Oak Golf Course (Peters Creek and Unnamed Tributary to Peters Creek), Drumore Township, Lancaster County, PA. Applications for renewal of surface water withdrawal of up to 0.237 mgd (peak day) and consumptive use of up to 0.237 mgd (30-day average) (Docket No. 19980505).

18. Project Sponsor and Facility: Pro-Environmental, LLC (Martins Creek), Lathrop Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20180609).

19. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Fall Brook), Troy Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.176 mgd (peak day) (Docket No. 20180610).

20. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Unnamed Tributary to North Branch Sugar Creek), Columbia Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.926 mgd (peak day) (Docket No. 20180611).

21. Project Sponsor and Facility: State College Borough Water Authority, Benner Township, Centre County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 2.160 mgd from Well 62, 0.720 mgd from Well 63, 0.850 mgd from Well 64 and 0.720 mgd from Well 65 (Docket No. 19920102).

22. Project Sponsor and Facility: Sugar Hollow Water Services, LLC (Bowman Creek), Eaton Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.249 mgd (peak day) (Docket No. 20180612).

23. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC (Susquehanna River), Meshoppen Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 1.650 mgd (peak day) (Docket No. 20180614).

24. Project Sponsor and Facility: SWN Production Company, LLC (Cowanesque River), Deerfield Township, Tioga County, PA. Application for surface water withdrawal of up to 1.500 mgd (peak day).

25. Project Sponsor and Facility: Titanium Metals Corporation (TIMET), Caernarvon Township, Berks County, PA. Application for renewal of consumptive use of up to 0.177 mgd (30-day average) (Docket No. 20080616).

26. Project Sponsor and Facility: Town Big Flats, Chemung County, NY. Applications for renewal with an increase of groundwater withdrawals (30-day averages) of up to 0.577 mgd from WD 2-Well 1 and 0.365 mgd from WD 2-Well 2 (Docket No. 19910304).

27. Project Sponsor and Facility: Town of Erwin, Steuben County, NY. Application for groundwater withdrawal of up to 1.440 mgd (30-day average) from Well 7.

Commission-Initiated Project Approval Modification

28. Project Sponsor and Facility: Village of Oxford, Town of Oxford, Chenango County, NY. Conforming the grandfathered amount with the forthcoming determination for groundwater withdrawals (30-day averages) of up to 0.402 mgd from Well 1 and 0.099 mgd from Well 2 (Docket No. 20040601).

Opportunity to Appear and Comment:

Interested parties may call into the hearing to offer comments to the Commission on any business previously listed required to be the subject of a public hearing. Given the nature of the meeting, the Commission strongly

encourages those members of the public wishing to provide oral comments to pre-register with the Commission by e-mailing Jason Oyler at joyler@srbc.net prior to the hearing date. The presiding officer reserves the right to limit oral statements in the interest of time and to control the course of the hearing. Access to the hearing by telephone will begin at 6:15 p.m. Guidelines for the public hearing are posted on the Commission's web site, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any business previously listed that is required to be the subject of a public hearing may also be mailed to Jason Oyler, Secretary, Susquehanna River Basin Commission,

4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <https://www.srbc.net/regulatory/public-comment/>. Comments mailed or electronically submitted must be received by the Commission on or before Monday, May 15, 2023, to be considered.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 6, 2023

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-560. Filed for public inspection April 21, 2023, 9:00 a.m.]

