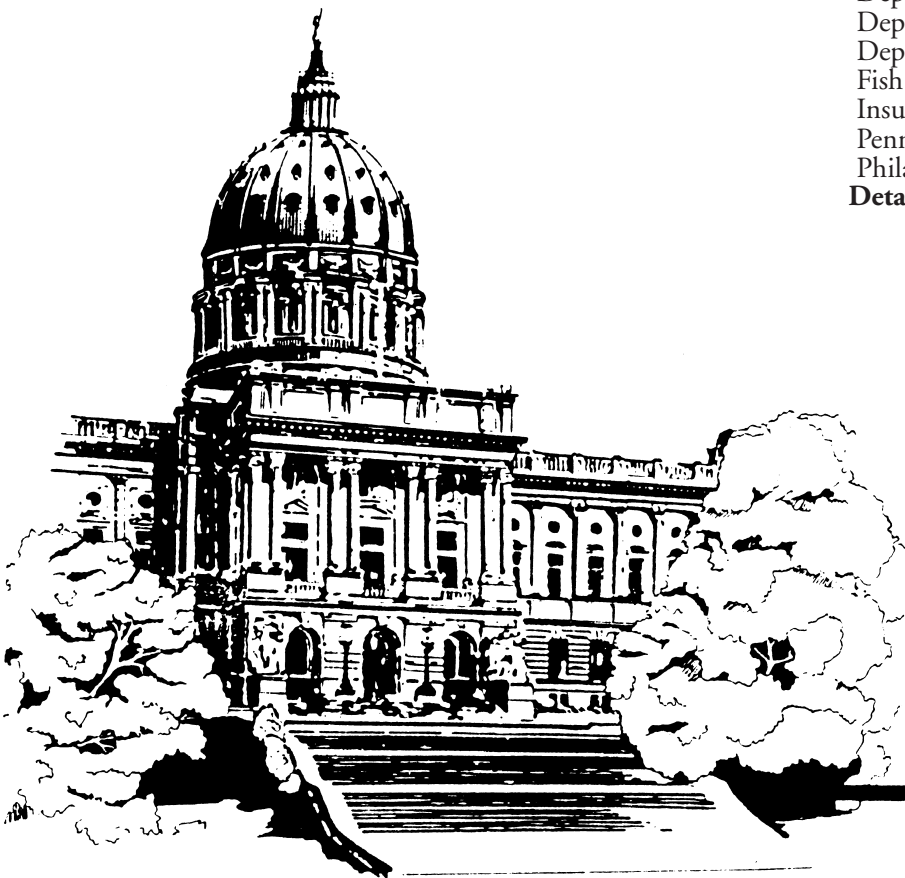


# PENNSYLVANIA BULLETIN

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**Agencies in this issue**

The Governor  
The Courts  
Delaware River Basin Commission  
Department of Agriculture  
Department of Banking and Securities  
Department of Community and Economic  
Development  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Fish and Boat Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
**Detailed list of contents appears inside.**



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

**No. 579, February 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](http://www.pacodeandbulletin.gov).

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

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

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

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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**.

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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 GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 7 ]

[ EXECUTIVE ORDER 2023-04 ]

### Executive Branch Employee Gift Ban

January 20, 2023

*Whereas*, public trust and confidence in the integrity of those individuals appointed and employed to serve the Commonwealth is of paramount importance; and

*Whereas*, the Governor is responsible to establish standards for the integrity of Commonwealth Executive Employees with regard to the receipt of gifts, gratuities, entertainment, loans, or any other thing of monetary value, including in-kind gifts, from persons doing or seeking to do business with the Commonwealth or with interests that are substantially affected by decisions of the Commonwealth.

*Now, Therefore*, I, Josh Shapiro, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby reaffirm the Code of Conduct for Commonwealth Employees, Executive Order 1980-18 Amended, and promulgate the following amendments to such Code of Conduct regarding prohibitions on the receipt of gifts.



Governor

**Fiscal Note:** GOV-2023-04. No fiscal impact; recommends adoption.

*(Editor's Note:* Executive Order 2023-04 is effective immediately.)

#### Annex A

#### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 7. MISCELLANEOUS PROVISIONS

#### Subchapter K. CODE OF CONDUCT FOR APPOINTED OFFICIALS AND STATE EMPLOYEES

#### RESTRICTED ACTIVITIES: CONFLICTS OF INTEREST

#### § 7.153. Gifts and favors.

##### (a) *Policy.*

(1) No employee, appointee or official of the Executive Branch of the Commonwealth shall accept or solicit cash or cash equivalent; a gift or other item of more than nominal or de minimis value; admission to a recreational event; a personal loan; or a personal or professional service in connection with their employment, from another person or entity whom the employee, appointee or official knows:

(i) Is seeking to obtain business or an outcome from or has financial relations with the Commonwealth.

(ii) Conducts operations or activities that are regulated by the Commonwealth.

(iii) Is engaged, either as principal or attorney, in proceedings before the Commonwealth or in court proceedings in which the Commonwealth is an adverse party.

(iv) Has interests that may be substantially affected by the performance or nonperformance of the official duty of the employee, appointee or official.

(b) *Limited exceptions.*

(1) Ordinary social hospitality may be accepted only when incidental to officially sanctioned Commonwealth trainings (for example, approved continuing education and working lunches); or in connection with an official government function or other event in which the employee, appointee or official is representing the Commonwealth in an official capacity.

(2) Gifts from a friend, parent, spouse, child or other close relative may be accepted when the circumstances make it clear that the motivation for the action is a family or personal relationship.

(3) Receipt of a plaque, certificate or other similar item of de minimis value may be accepted for recognition of the employee's, appointee's or official's professional work or personal community service.

(4) Tangible items, benefits or discounts which are unsolicited may be accepted when the same or similar benefit or discount is available to members of the general public.

(5) Food or refreshment of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meetings may be accepted and recreation, entertainment, food or refreshments of nominal value in the furtherance of a charitable event may be accepted.

(6) Unsolicited advertising or promotional material, such as pens, pencils, note pads, mugs, t-shirts, calendars and other items of nominal intrinsic value may be accepted.

(7) Bona fide reimbursement for actual expenses for travel and other necessary subsistence may be received if it is compatible with other restrictions set forth in this section and if no Commonwealth payment or reimbursement is made. However, an employee, appointee or official may not be reimbursed and payment may not be made on his/her behalf for excessive personal living expenses, gifts, entertainment or other personal benefits nor may an employee, appointee or official be reimbursed by a person for travel on official business under Commonwealth orders.

(8) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement from a charitable, religious, professional, social, fraternal or nonprofit educational, recreational, public service or civic organization is permitted.

(9) A voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness or retirement may be accepted.

(10) The Commonwealth reserves the right to make determinations regarding the appropriate application of these exceptions in its sole discretion.

(c) *Applicability.* The limited exceptions contained in subsection (b) are not applicable to any gifts, cash, cash equivalent, discounts, loans, services or any other items or other benefits of any kind or of any value received from a lobbyist, lobbying firm or principal as those terms are defined by 65 Pa.C.S. § 13A03 (relating to definitions).

(d) *Personal time.* This policy does not prohibit attendance at or acceptance of ordinary social hospitality in accordance with the guidelines set forth in this policy, at functions, events or fundraisers scheduled on the employee's, appointee's or official's personal time unrelated to the individual's Commonwealth employment.

(e) *Financial disclosure forms.* Nothing in this policy shall override an employee's, appointee's or official's duty to comply with and timely file Federal, State or local, financial disclosure forms.



(f) *Definitions.*

(1) *Cash equivalent.* An asset that is readily convertible to cash (for example, credit/debit card, prepaid gift card for any commercial establishment, foreign currency, certified check, cashier's check, money order or similar negotiable instrument).

(2) *De minimis.* An item of nominal value or a meal which is equal to or less in value than that of ordinary social hospitality.

(3) *Gift.* A gratuity, entertainment, loans or any other thing of monetary value, including in-kind gifts offered to an employee, during the course of their employment.

(4) *Ordinary social hospitality.* The value of food or refreshment not to exceed the General Services Administration rate for the applicable time period and location.

(5) *Person.* An individual, partnership, corporation, non-profit organization, political subdivision or other entity, but does not include State agencies or agencies of the United States government.

(6) *Personal loan.* A temporary financial assistance requiring repayment to an individual or organization, with or without interest.

(7) *Personal or professional service.* An intangible service of economic value or benefit performed by a person or business.

(8) *Recreational event.* A professional or semi-professional sports event, theater event, musical concert or similar event, including transportation thereto and therefrom.

(9) *Tangible item.* A material item or item of more than nominal or de minimis intrinsic value.

## RESCISSIONS

### § 7.179. Rescissions.

(a) Executive Orders 1974-6 and 1978-7 are rescinded. This amended Order replaces Executive Order 1980-18, dated September 3, 1980, and revised 1—9 thereto. Executive Order 1980-18 Revision No. 2, date July 5, 2004, is rescinded.

(b) Executive Order 2015-01 is rescinded by Executive Order 2023-04.

[Pa.B. Doc. No. 23-174. Filed for public inspection February 10, 2023, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1915 ]

#### Order Amending Rules 1915.11-2 and 1915.21 of the Pennsylvania Rules of Civil Procedure; No. 737 Civil Procedural Rules Docket

##### Order

##### *Per Curiam*

And Now, this 27th day of January, 2023, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment at 50 Pa.B. 7007 (December 12, 2020) and re-published for public comment at 51 Pa.B. 6141 (September 25, 2021):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1915.11-2 and 1915.21 of the Pennsylvania Rules of Civil Procedure are amended in the attached forms.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective April 1, 2023.

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

Deletions from the rule are shown in bold and brackets.

##### Annex A

#### TITLE 231. RULES OF CIVIL PROCEDURE

##### PART I. GENERAL

#### CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

##### Rule 1915.11-2. [ Appointment of Guardian Ad Litem ] Guardian Ad Litem.

(*Editor's Note:* Pa.R.C.P. 1915.11-2 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

[ (a) The court may, on its own motion or the motion of a party, appoint a guardian ad litem to represent the best interests of the child in a custody action. The guardian ad litem shall be a licensed attorney or licensed mental health professional. The guardian ad litem shall not act as the child's counsel or represent the child's legal interests. Prior to appointing a guardian ad litem, the court shall make a finding that the appointment is necessary to assist the court in determining the best interests of the child.

(b) The court may order either or both parties to pay all or part of the costs of appointing a guardian ad litem.

(c) The guardian ad litem shall file of record and provide copies of any reports prepared by the guardian ad litem to each party and the court not later than 20 days prior to trial. The admissibility of the report shall be determined at the hearing. Prior to disclosure to the parties of confidential information prohibited by 23 Pa.C.S. § 5336, the court shall make a determination of whether the information may be disclosed. The guardian ad

litem shall attend all proceedings and be prepared to testify. The guardian ad litem shall be subject to cross-examination if called to testify by either party or the court.

(d) The order appointing a guardian ad litem shall be in substantially the form set forth in Rule 1915.21.

*Note:* 23 Pa.C.S. § 5334 is suspended insofar as it (1) requires that a guardian ad litem be an attorney, (2) permits the guardian ad litem to represent both the best interests and legal interests of the child, (3) provides the guardian ad litem the right to examine, cross-examine, present witnesses and present evidence on behalf of the child, and (4) prohibits the guardian ad litem from testifying.]

(This is entirely new text.)

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

##### (a) *Appointment.*

(1) On its own motion or a party's motion, the court may appoint a guardian *ad litem* if the court finds that the appointment is necessary for determining the child's best interest.

(2) As set forth in Pa.R.Civ.P. 1915.21, the court's order appointing the guardian *ad litem* may apportion to the parties the reasonable cost of the guardian *ad litem*.

(b) *Qualifications.* The guardian *ad litem* shall be a licensed attorney or licensed mental health professional.

##### (c) *Duties.*

(1) As provided in 23 Pa.C.S. § 5334, which has been suspended in part by Pa.R.Civ.P. 1915.25, the guardian *ad litem* shall perform the duties as enumerated in Section 5334, including representing the child's best interest.

(2) The guardian *ad litem* shall not represent the child's legal interest or act as the child's legal counsel.

(d) *Report.* The guardian *ad litem* shall prepare a written report, which shall include specific recommendations relating to the child's best interest.

##### (1) *Child's Statement.*

(i) The written report may include a subject child's statement to the guardian *ad litem* that would be otherwise inadmissible as hearsay under the Pennsylvania Rules of Evidence, provided the requirements of Pa.R.E. 703 are satisfied.

(ii) A child's statement included in the written report under subdivision (d)(1)(i) shall not be considered substantive evidence.

(2) The guardian *ad litem* shall file the written report with the prothonotary, which shall become part of the record.

(3) *Confidential.* The guardian *ad litem's* filed report and a party's filed response to the report as provided in subdivision (d)(5) shall be confidential and shall not constitute a public record.

(4) The guardian *ad litem* shall provide the report to the parties and the court when filed but not later than 20 days prior to a hearing or trial or as otherwise ordered by the court.

(5) *Comments. Objections.*

(i) Within ten days of receiving the guardian *ad litem*'s report, a party may file with the prothonotary and serve on the other party and the court:

(A) a comment to the report, which shall become part of the record; or

(B) an objection to the report's admissibility, in whole or in part, including a subject child's statement to the guardian *ad litem*.

(ii) The court shall determine the report's admissibility prior to the hearing or trial.

(6) Subject to Pa.R.Civ.P. 1915.11, a party may subpoena:

(i) an individual interviewed by the guardian *ad litem* or identified in the report to appear and testify at the hearing or trial; or

(ii) the guardian *ad litem* for the production of a document relied upon by the guardian *ad litem* in preparing the report.

(e) *Testimony.*

(1) When determined necessary by the trial court, the guardian *ad litem* shall participate in court proceedings by attending, and by providing sworn testimony if called to testify by a party or the court. The guardian *ad litem* shall not be permitted to provide argument, unsworn opinions, or unsworn testimony to the court.

(2) If called to testify by a party, the guardian *ad litem* shall be subject to cross-examination by opposing parties. If called to testify by the court, the guardian *ad litem* shall be subject to cross-examination by any party.

(3) *Child's Statement.*

(i) Except as precluded by the court in subdivision (d)(5)(ii), the guardian *ad litem*'s testimony may include the subject child's statement to the guardian *ad litem* that would be otherwise inadmissible as hearsay under the Pennsylvania Rules of Evidence, provided the requirements of Pa.R.E. 703 are satisfied.

(ii) A child's statement included in the guardian *ad litem*'s testimony under subdivision (e)(3)(i) shall not be considered substantive evidence.

(f) *Order.* The order appointing a guardian *ad litem* shall be substantially in the form set forth in Pa.R.Civ.P. 1915.21.

**Comment:**

Subdivision (a)(1) states that the guardian *ad litem* may be appointed when "the appointment is necessary." Such appointments should be limited to extraordinary cases in which the trial judge determines that the level of conflict is unusually high or that the parties will be absolutely unable to provide the court with the information necessary to evaluate and determine the subject child's best interests. Regardless of appointment of a GAL, the duty and responsibility to determine the best interests of the children involved lies solely with the trial judge.

The Supreme Court of Pennsylvania suspended 23 Pa.C.S. § 5334 insofar as it (1) requires that a guardian *ad litem* be an attorney, (2) permits the guardian *ad litem* to represent both the best interests and legal interests of the child, (3) provides the guardian *ad litem* the right to examine, cross-examine, present witnesses, and present evidence on behalf of the child, and (4) prohibits the guardian *ad litem* from testifying.

See 23 Pa.C.S. § 5336, prohibiting disclosure of certain records and information to parents and parties.

Subdivision (d)(1) and (e)(3) reference the requirements of Pa.R.E. 703. Rule 703 relates to the bases for expert opinion testimony. While the requirements of Rule 703 must be satisfied for any written report that includes statements made by a subject child, the guardian *ad litem* is not an expert witness and need not be qualified as an expert prior to testifying. However, the guardian *ad litem* remains subject to questions and cross-examination regarding qualifications and experience.

In addition, the guardian *ad litem* cannot serve as a mere conduit for hearsay or for the opinions of another person, including the subject child. The guardian *ad litem* cannot relate the opinion of a non-testifying witness unless the guardian *ad litem* has reasonably relied upon it. Upon appropriate objection from any party, the trial court shall strike any testimony or portion of the guardian *ad litem*'s written report that is inadmissible as hearsay if the requirements for Pa.R.E. 703 are not met.

Subdivision (d)(6) provides that a party may subpoena an individual interviewed by the guardian *ad litem*, an individual that is identified in the guardian *ad litem*'s report, or a document relied upon by the guardian *ad litem* in producing the report. The subdivision shall not be construed to limit a party's ability to subpoena other individuals or for the production of documents for a trial or hearing, or for discovery purposes, if the court had previously authorized discovery pursuant to Pa.R.Civ.P. 1915.5(c).

**Rule 1915.21. Form of Order Appointing Guardian Ad Litem.**

The order appointing a guardian *ad litem* in a child custody action pursuant to Rule 1915.11-2 shall be in substantially the following form:

(Caption)

## ORDER OF COURT

AND NOW, THIS \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, it is hereby ordered as follows:

Pursuant to Pa.R.[ C ]Civ.P. No. 1915.11-2, is appointed as guardian *ad litem* for the minor child \_\_\_\_\_ (D.O.B. \_\_\_\_\_) in connection with the civil proceedings related to the custody of the minor child.

The child's guardian *ad litem* shall represent the best interests of the child. The guardian *ad litem* shall not act as the child's attorney or represent the child's legal interests.

It is ordered and decreed that all relevant schools, police departments, hospitals and social service agencies including home and school agencies who have records, reports and/or information pertaining to the child relevant to the custody of the child, shall allow the guardian *ad litem* access to all files and records in its possession, custody or control and shall cooperate in responding to all relevant inquires. These files/records may include but are not limited to medical, psychological or psychiatric charts including evaluations and progress notes and records, X-rays, photographs, tests, test evaluations, intake and discharge summaries, police records, and school records including report cards, educational assessments and educational plans, relevant to this custody dispute and/or relevant to any special needs or requirements of the child. The guardian *ad litem* shall have the right to copy any part of the files and records maintained in connection with the child.

It is further ordered and decreed that the guardian *ad litem* shall be permitted to see and speak with the child, and family, medical and/or social service providers connected with this case, and take all steps appropriate to and consonant with this order.

The guardian *ad litem* shall provide copies of any reports prepared by the guardian *ad litem* to each party, or to their counsel, and to the court **when filed but not later than 20 days prior to a hearing or trial or as otherwise ordered by the court.**

The guardian *ad litem* shall attend all proceedings and be prepared to testify. The guardian *ad litem* shall be subject to cross-examination **in accordance with Pa.R.Civ.P. 1915.11-2(e)(2)** if called to testify **[ by either party or the court ]**.

The fees for the guardian *ad litem* shall be paid as follows:

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This appointment shall terminate upon the entry of a final order resolving the petition pending as of the date of this order or as provided in subsequent order of court.

BY THE COURT:

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J.

**SUPREME COURT OF PENNSYLVANIA  
DOMESTIC RELATIONS PROCEDURAL RULES  
COMMITTEE  
ADOPTION REPORT**

On January 27, 2023, the Supreme Court of Pennsylvania amended Pa.R.Civ.P. 1915.11-2 and 1915.21, which address the appointment of a guardian *ad litem* (GAL) in a custody action, as authorized by 23 Pa.C.S. § 5334. Specifically, the amendments permit a GAL to include the subject child's statement to the GAL in the GAL's report, and to testify at trial about the statement as well, provided the requirements of the Pennsylvania Rule of Evidence 703 are satisfied. The Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained in this Adoption Report are those of the Committee, not the Court.

The Committee received a request for rulemaking on the admissibility of a child's statement to a GAL in a custody hearing or trial. The Rules of Civil Procedure provide for a GAL's appointment when the court finds that a GAL is necessary for the court to determine the child's best interest. As set forth in 23 Pa.C.S. § 5334(b), a GAL is required to meet with a child of an appropriate age to ascertain the facts. The GAL shall also interview potential witnesses, investigate facts and documents, and make specific recommendations in a written report to the court relating to the best interests of the child.

While meeting with the GAL, a child may make a statement to the GAL that could impact a court's best interest analysis. However, the Pennsylvania Rules of Evidence do not provide a categorical exception to Pa.R.E. 802 (Rule Against Hearsay) for a child's statement made to a GAL. Unlike dependency actions under the Juvenile Act, 42 Pa.C.S. §§ 6301 *et seq.*, in which a hearsay statement may be admissible in dispositional hearings, similar statements in a child custody action do not have a similar statutory exception and, as such, are inadmissible unless an enumerated hearsay exception applies. Never-

theless, as a matter of practice, a child's statement is often included in a GAL's report or testimony in custody matters.

As reported to the Committee, the admissibility of a child's hearsay vis-à-vis a GAL varies from court to court. Some courts will allow the statement into evidence because it could impact the child's best interest. Other courts will disallow the statement as hearsay unless a hearsay exception applies. To remedy the disparate treatment of the child's statement to a GAL, the Committee proposed amending the rules.

The Committee originally published proposed amendments for public comment in the *Pennsylvania Bulletin*, 50 Pa.B. 7007 (December 12, 2020). After reviewing the comments received from the original publication and additional deliberations, the Committee re-published the proposal for comment in the *Pennsylvania Bulletin*, 51 Pa.B. 6141 (September 25, 2021).

Pa.R.Civ.P. 1915.11-2 is rewritten in its entirety. In addition to substantive amendments, the rule reflects stylistic and format changes. Further, the Note was removed, and its content placed in a Comment.

One of the substantive amendments includes subdivision (d)(1), which addresses the admissibility of a child's hearsay statement to a GAL. The GAL's report and testimony may include the child's statement to the GAL. If the child's statement complies with Pa.R.E. 703 (Bases of an Expert's Opinion Testimony), *i.e.*, is the type of statement or information a GAL would rely upon in forming their recommendation on the child's best interest, the statement or information should be admissible and may be incorporated into the GAL's report or testimony. The revised rule reflects that a GAL may rely upon hearsay, as may be permitted pursuant to Pa.R.E. 703, as a basis for their recommendation. The amendment also confirms that a child's statement included in the GAL's report or testimony shall not be considered substantive evidence by the court.

Subdivision (d)(5) allows parties to file with the prothonotary, and serve on the other party and the court, a comment to the report or an objection to the report's admissibility, in whole or in part. The objection may be related to the child's statement.

Post-publication, the Committee added a subdivision related to the confidentiality of the report and a party's filed response. Subdivision (d)(3) states that the report and response shall be confidential and shall not constitute a public record.

Another substantive change is the deletion of the reference to 23 Pa.C.S. § 5336 in the rule text. Section 5336(b) identifies specific information that is expressly prohibited from disclosure to the parties. Of course, the court retains the discretion under Section 5336(c) to limit a party's access to certain records or information set forth in Section 5336(a). A reference to 23 Pa.C.S. § 5336 is included in the Comment.

The revised rule also clarifies that a party may subpoena an individual interviewed by the guardian *ad litem* or identified in the report to appear and testify at the hearing or trial. A party may also subpoena the guardian *ad litem* for the production of a document relied upon by the guardian *ad litem* in preparing the report. Post-publication, the rule was further revised in subdivision (d)(6) confirming a subpoena shall be "subject to Pa.R.Civ.P. 1915.11," related to the appointment of an attorney for the child. Commentary was added confirming

that this subdivision shall not be construed to limit a party's ability to subpoena other individuals, or limit the production of documents, if the court previously authorized discovery pursuant to Pa.R.Civ.P. 1915.5(c).

There were several post-publication revisions to the Comment to provide further guidance to the reader. The amended Comment confirms that "appointments should be limited to extraordinary cases. . ." and "the duty and responsibility to determine the best interests of the children involved lies solely with the trial judge." Furthermore, while the requirements of Pa.R.E. 703 (Bases of an Expert's Opinion Testimony) must be satisfied, the guardian *ad litem* is not an expert witness and need not be qualified as an expert prior to testifying. Finally, the amendments clarify the guardian *ad litem* cannot simply relate the opinion of a non-testifying witness unless the guardian *ad litem* has reasonably relied upon it.

Additional post-publication revisions include amending Pa.R.Civ.P. 1915.21 concerning the form order appointing a guardian *ad litem*. Specifically, the form order was revised to align with the language of Pa.R.Civ.P. 1915.11-2(d)(4) governing the guardian *ad litem*'s report. The general language informing the guardian *ad litem* that they may be subject to cross-examination "by either party or the court" was also amended to refer the reader to Pa.R.Civ.P. 1915.11-2(e)(2).

The following text in the Note was removed:

23 Pa.C.S. § 5334 is suspended insofar as it (1) requires that a guardian *ad litem* be an attorney, (2) permits the guardian *ad litem* to represent both the best interests and legal interests of the child, (3) provides the guardian *ad litem* the right to examine, cross-examine, present witnesses and present evidence on behalf of the child, and (4) prohibits the guardian *ad litem* from testifying.

The amendments become effective April 1, 2023.

[Pa.B. Doc. No. 23-175. Filed for public inspection February 10, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### VENANGO COUNTY

#### Electronic Filing and Service of Legal Papers; MD. No. 3-2023

##### Administrative Order

##### Order of Court

*And Now*, this 20th day of January, 2023, pursuant to Pennsylvania Rule of Criminal Procedure 576.1, it is *Hereby Ordered and Decreed* that the electronic filing of legal papers through the PACFile system with the Venango County Clerk of Court for cases in the Venango County Court of Common Pleas is authorized and shall be governed by V.C.R.Crim.P. 576.1, which is adopted. This rule shall be continuously available for public inspection and copying in the office of the prothonotary/clerk of courts. This rule is effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

*By the Court*

MARIE T. VEON,  
*President Judge*

#### V.C.R.Crim.P. 576.1. Electronic Filing and Service of Legal Papers.

(A) *Agreement.* The Administrative Office of Pennsylvania Courts and the 28th Judicial District of Venango County have agreed upon an implementation plan for electronic filing, as that term is defined Pa.R.Crim.P. 576.1(C), in the 28th Judicial District of Venango County through the statewide system known as PACFile, effective April 4, 2022.

(B) *Purpose.*

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

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

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

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

"*electronic filing*," the electronic transmission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

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

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

(1) applications for search warrants,

(2) applications for arrest warrants,

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

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

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

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

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

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

(D) *Participation.*

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

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

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

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

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

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

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

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

1) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

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

3) Once converted to .pdf, the .pdf version of the legal paper shall be deemed and treated as the original legal paper and may be used by the parties and the Court for all purposes, including but not limited to, court hearings and trials in the Venango County Court of Common Pleas.

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

(F) *Filing.*

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

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

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

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

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

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

(G) *Signature.*

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

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

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

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

(H) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Courts or the Court whether filed electronically or in a paper format.

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

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

[Pa.B. Doc. No. 23-176. Filed for public inspection February 10, 2023, 9:00 a.m.]

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**DISCIPLINARY BOARD  
OF THE SUPREME COURT**  
**Revised Notice of Suspension**

By Order of the Supreme Court of Pennsylvania dated January 26, 2023, Jin-Ho Cynn (# 41534), whose registered address is Fairfax, VA, is suspended from the practice of law in this Commonwealth for a period of ninety days, effective February 25, 2023. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 23-177. Filed for public inspection February 10, 2023, 9:00 a.m.]

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**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 21st Judicial District of the Commonwealth of Pennsylvania; No. 488 Magisterial Rules Docket**

**Amended Order**

*Per Curiam*

*And Now*, this 1st day of February, 2023, the Order dated June 14, 2022, that Reestablished the Magisterial Districts of the 21st Judicial District (Schuylkill County) of the Commonwealth of Pennsylvania, is hereby *Amended* as follows: Gilberton Borough and the Altamont Section of West Mahanoy Township shall be included in Magiste-

rial District 21-2-01 and not in Magisterial District 21-3-05. The Order of June 14, 2022 shall remain in effect in all other respects.

[Pa.B. Doc. No. 23-178. Filed for public inspection February 10, 2023, 9:00 a.m.]

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**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 38th Judicial District of the Commonwealth of Pennsylvania; No. 525 Magisterial Rules Docket**

**Amended Order**

*Per Curiam*

*And Now*, this 1st day of February, 2023, the Order dated December 27, 2022, that Reestablished the Magisterial Districts of the 38th Judicial District (Montgomery County) of the Commonwealth of Pennsylvania is hereby *Amended* as follows: Magisterial District 38-1-22 shall include Hatboro Borough and all voting districts within Horsham Township. The Order of December 27, 2022 shall remain in effect in all other respects.

[Pa.B. Doc. No. 23-179. Filed for public inspection February 10, 2023, 9:00 a.m.]

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**SUPREME COURT**

**Reestablishment of the Magisterial Districts within the 44th Judicial District of the Commonwealth of Pennsylvania; No. 511 Magisterial Rules Docket**

**Amended Order**

*Per Curiam*

*And Now*, this 1st day of February, 2023, the Order dated September 13, 2022 that Reestablished the Magisterial Districts of the 44th Judicial District (Wyoming and Sullivan Counties) of the Commonwealth of Pennsylvania, is hereby *Amended* as follows: Tunkhannock Borough, included in Magisterial District 44-3-01 is hereby removed and added in Magisterial District 44-3-02; and Exeter Township, Falls Township and Mehoopany Township, included in Magisterial District 44-3-02, are hereby removed from 44-3-02 and added in Magisterial District 44-3-01. The Order of September 13, 2022 shall remain in effect in all other respects.

[Pa.B. Doc. No. 23-180. Filed for public inspection February 10, 2023, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 12—COMMERCE, TRADE AND LOCAL GOVERNMENT

### DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

[ 12 PA. CODE CH. 145 ]

#### Notice of Implementation—Industrialized Buildings and Components

The Department of Community and Economic Development (Department), is providing notice of the implementation of the regulations published at 46 Pa.B. 6976 (November 5, 2016) found at <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol46/46-45/1901.html>.

Under section 5 of the Industrialized Housing Act (act) (35 P.S. § 1651.5), the amendments of Chapter 145 (relating to industrial housing and components) expanded the Department's role to include monitoring the production of industrialized buildings and building components.

The implementation of the regulations published at 46 Pa.B. 6976 begins on February 22, 2023.

The certification program under Chapter 145 requires the Department to oversee the production, installation and inspection of new industrialized buildings. Industrialized buildings that are produced under this certification program, by evidence of the notice of approval, will be deemed to comply with the Pennsylvania Construction Code Act (35 P.S. §§ 7210.101—7210.1103). This type of certification program mirrors the current program established for industrialized housing.

This will be a “phase-in” period. As manufacturers are approved under the program, the notice of approval for industrialized buildings, like industrialized housing, will be issued. This period will end on December 31, 2023. At that time, all industrialized buildings and building components must be certified under the act (35 P.S. §§ 1651.1—1651.12) and Chapter 145, to be approved for placement in the Commonwealth.

All other aspects of Chapter 145 remain the same.

Program inquiries should be directed to Michael Moglia, Director, Housing and Buildings Standards Division, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7416, [mmoglia@pa.gov](mailto:mmoglia@pa.gov).

FREDERICK SIGER,  
*Acting Secretary*

[Pa.B. Doc. No. 23-181. Filed for public inspection February 10, 2023, 9:00 a.m.]

## Title 25—ENVIRONMENTAL PROTECTION

### DELAWARE RIVER BASIN COMMISSION

[ 25 PA. CODE CHS. 901 AND 903 ]

#### Importations of Water Into and Exportations of Water From the Delaware River Basin; Discharges of Wastewater from High Volume Hydraulic Fracturing and Related Activities

*Proposed:* *Pennsylvania Bulletin* (51 Pa.B. 7471 (December 4, 2021)).

*Adopted:* December 7, 2022, by the Delaware River Basin Commission, Pamela M. Bush, Esq., Commission Secretary.

*Filed:* December 12, 2022, as a final regulation.

*Summary:* By Resolution No. 2022-04 on December 7, 2022, the Delaware River Basin Commission (“DRBC” or “Commission”) approved amendments to its Comprehensive Plan and the Delaware River Basin Water Code concerning importations of water into and exportations of water from the Delaware River Basin; its *Special Regulations—High Volume Hydraulic Fracturing*, to prohibit discharges to waters or land within the basin of wastewater from high volume hydraulic fracturing (“HVHF”) and HVHF-related activities; and its *Water Quality Regulations*, to facilitate the implementation in state-issued permits of the prohibition on such discharges.

*Dates:* This final rule is effective thirty days after publication in the *Federal Register*.

*For Further Information Contact:* Pamela M. Bush, Esquire, Commission Secretary and Assistant General Counsel, at [pam.bush@drbc.gov](mailto:pam.bush@drbc.gov) (preferred) or 609-477-7203.

*Supplementary Information:* The Delaware River Basin Commission is a Federal-interstate compact agency charged with managing the water resources of the Delaware River Basin on a regional basis without regard to political boundaries. Its members are the governors of the four basin states—Delaware, New Jersey, New York and Pennsylvania—and the Division Engineer, North Atlantic Division of the U.S. Army Corps of Engineers, representing the Federal Government.

#### *Background*

By a Resolution for the Minutes on February 25, 2021, the DRBC Commissioners directed the Executive Director to prepare and publish for public comment a set of amendments to the Comprehensive Plan and implementing regulations to update the Commission's policies and provisions concerning inter-basin transfers of water and



wastewater from and into the basin and to “include in the draft regulations such other proposed amendments. . . as [the Executive Director, in consultation with the Commissioners] deem necessary or appropriate.” The directive accompanied the Commission’s decision not to include in its final rule adopted in 2021, portions of a proposed rule published in the *Federal Register* in January 2018 that concerned the exportation of water to support high volume hydraulic fracturing and the importation, treatment, and discharge of “produced water” and “CWT wastewater” (with accompanying definitions).<sup>1</sup> In accordance with the Commission’s February 25, 2021 directive, the Commission published a new proposed rule on its website on October 28, 2021.<sup>2</sup> A notice of proposed rulemaking and accompanying rule text appeared in the *Federal Register*, 86 Fed. Reg. 66250, on November 22, 2021; the *Delaware Register of Regulations*, 25 Del. Reg. 548, 559, on December 1, 2021; the *New Jersey Register*, 53 N.J.R. 1994, on December 6, 2021; the *New York Register* on November 17, 2021, p. 2; and the *Pennsylvania Bulletin*, 51 Pa.B. 7471, on December 4, 2021.

Opportunity for public input on the proposed rules was provided during a comment period that ran from October 28, 2021, through February 28, 2022. In addition to accepting written comments, the Commission accepted oral comment at five hearings conducted via Zoom and telephone. The fifth hearing included toll-free telephone access and real-time English-to-Spanish and Spanish-to-English professional translation, which allowed attendees to listen and participate in either English or Spanish. The Commission received a total of 2,461 public comment submissions, consisting of 2,388 in writing and 73 oral comments. Notably, in many cases, a single written submission consisted of comments with multiple signatories or parts, and many similar or identical comments were separately submitted by multiple commenters using form letters or template language provided by organizations.

The Commission reviewed the statements, consultant reports, scientific literature and other materials submitted by commenters. The staff, in consultation with the Commissioners, prepared a Comment and Response Document summarizing the comments on the proposed rule and setting forth the Commission’s responses and revisions in detail. By Resolution No. 2022-04 on December 7, 2022, the Commission adopted the Comment and Response Document simultaneously with its adoption of the final rule.

#### *Final Rule*

The elements of the Commission’s final rule are summarized below.

*Water Code.* With respect to imports and exports of water into and from the Delaware River Basin, the Commission in its proposed and final rule reaffirms and expands on findings and policies it previously added to the Water Code (at Section 2.30) and Comprehensive Plan by Resolution No. 1991-9 in June of 1991. The December 2022 amendments restate and provide for the implementation of these policies with greater specificity.

*Special Regulations—High Volume Hydraulic Fracturing.* The final amendments to the Special Regulations at 18 CFR part 440 include as proposed a new Section 440.4(a) comprising the Commission’s determination that

“[t]he discharge of wastewater from HVHF and HVHF-related activities poses significant, immediate and long-term risks to the development, conservation, utilization, management, and preservation of the basin’s water resources” and further, that “[c]ontrolling future pollution by prohibiting discharges of wastewater from HVHF and HVHF-related activities to waters or land within the basin is required to effectuate the Comprehensive Plan, avoid injury to the waters of the basin as contemplated by the Comprehensive Plan, and protect the public health and preserve the waters of the basin for uses in accordance with the Comprehensive Plan.” The final amendments at new Section 440.4(b) prohibit the discharge of wastewater from high volume hydraulic fracturing and HVHF-related activities (hereinafter “HVHF wastewater”) to waters or land within the basin.

*Water Quality Regulations.* The amendments to the Commission’s Water Quality Regulations, consisting of a new Section 4.50, facilitate the implementation in state-issued permits of the prohibition set forth in the Special Regulations at 18 CFR 440.4.

*Incorporation by Reference.* The final rule incorporates by reference into the Code of Federal Regulations at 18 CFR part 410 the Commission’s Water Quality Regulations and the Delaware River Basin Water Code as amended by the Commission on December 7, 2022.

#### *Changes From the Proposed Rule*

*Water Code.* After careful consideration of the comments received, the Commission revised its proposed amendments to Section 2.30 of the Delaware River Basin Water Code (the “Water Code”) concerning the exportation of wastewater to better align these aspects of the rule with the Commission’s policies for water conservation and pollution prevention.

The language originally proposed at Section 2.30.2 C.3 of the Water Code would have allowed the Commission to approve any exportation of wastewater, subject to an evaluation of factors designed to ensure no harm to the basin’s water resources or the health and safety of the basin community. Many commenters were concerned that this exception was too broad. Upon further consideration, the Commission agrees. It concluded that to consider and, subject to an evaluation of the factors set forth at Section 2.30.3, approve any exportation of wastewater risks undercutting the conservation objectives served by limiting exportations of basin water in accordance with the introductory paragraph and paragraphs 1 and 2 of Section 2.30.2 C. of the proposed, now final, amendments. Accordingly, the final language of section 2.30.2 C.3 narrows the circumstances in which the Commission may approve an exportation of wastewater to instances in which the project sponsor demonstrates either (i) that the wastewater is to be conveyed to a straddled or adjacent public wastewater collection system; or (ii) that the wastewater may not lawfully be discharged to a public wastewater collection system and is being exported to a waste management facility that has all state and federal approvals required to lawfully receive it.

Thus, the final rule subjects proposed exportations of wastewater to limitations that are consistent with those applicable to exportations of water generally. Because water and wastewater service areas often straddle basin boundaries, the final rule also ensures that straddled and adjacent wastewater collection systems, including for both sewer and hauled septage, may continue to operate, and if necessary, expand, normally. And it recognizes that in the interest of preserving water quality, state-

<sup>1</sup> See 86 FR 20628 (April 21, 2021) and 83 FR 1586, pp. 1589, 1591 (January 12, 2018).

<sup>2</sup> By a Resolution for the Minutes dated September 9, 2021, the DRBC Commissioners extended from September 30, 2021 to November 30, 2021 the date by which draft regulations would be published.

permitted facilities and federal-permitted facilities for the proper treatment and disposal of difficult-to-treat wastewater that may be located outside the basin must remain available to wastewater generators within the basin.

To clarify the changes to Section 2.30.2 C.3 of the Water Code, Section 2.30.1 of the final rule includes definitions of “Public wastewater collection system,” “Adjacent public wastewater collection system,” and “Straddled public wastewater collection system” that were not included in the proposed rule. The definitions are designed to parallel those previously proposed for “Public water system,” “Adjacent public water system,” and “Straddled public water system,” respectively.

The final rule includes additional non-substantive changes in two sections. Language in Section 2.30.1 A., defining “Adjacent public water system,” was revised for greater stylistic consistency and clarity. The wording of Section 2.30.2 C.2. was changed slightly to make clear that any exportation under that provision must be for the purpose of meeting public health and safety needs of the receiving system regardless of whether the exportation is intended to be temporary, short-term, or in response to an emergency.

*Special Regulations—High Volume Hydraulic Fracturing.* The final rule in § 440.2 includes a new defined term, “Discharge of wastewater from HVHF and HVHF-related activities,” to make the meaning of the rules more explicit. In the same section, two words were added to subsection (1) of the definition of “Wastewater from HVHF and HVHF-related activities”. The words “or” and “containing” were inserted to clarify that the definition refers to wastewater, brine, or sludge containing (as opposed to constituting) the various listed contaminants. Additional non-substantive changes were made to conform proposed rule text in § 440.2 to Code of Federal Regulations standards.

*Water Quality Regulations.* The final rule includes no changes from the amendments proposed to the Water Quality Regulations.

#### *Activities Prohibited and Activities not Regulated by the Final Rule*

Many commenters urged the Commission to prohibit activities that were prohibited by the language of the rule as proposed and are now prohibited by the final rule at 18 CFR 440.4. The final rule at Section 440.4(b) prohibits the discharge of wastewater “from high volume hydraulic fracturing and HVHF-related activities to waters or land within the basin.” The terms “HVHF-related activities” and “wastewater from HVHF and HVHF-related activities” are defined in detail in Section 440.2. Activities about which multiple commenters expressed concern and that are prohibited by the final rule include (but are not necessarily limited to) the following:

- discharge of HVHF wastewater to waters or land within the basin;
- road spreading of HVHF wastewater;
- injection of HVHF wastewater into deep wells within the basin;
- disposal of HVHF wastewater in basin landfills;
- discharge of leachate from any landfill in the basin that accepts HVHF waste after the effective date of the final regulations, including after treatment at an onsite or off-site leachate or wastewater treatment plant; and
- spills and leaks during transport, transfer, or storage of HVHF wastewater within the basin if not fully cap-

tured by a containment system in place throughout the duration of the spill or leak and thereafter promptly removed or remediated.

Other commenters urged the Commission to prohibit activities that are beyond the scope of the proposed rule. As explained in detail in the Commission’s Comment and Response document, the final rule does not:

- regulate air emissions from HVHF activities;
- categorically prohibit the transfer of HVHF wastewater into the basin when no resulting discharge is proposed;
- regulate the transportation and storage of HVHF materials, which are regulated under detailed state and federal programs focused on these activities;
- categorically prohibit the transfer of water from the basin if it would be used to support HVHF (or any other specified activity). However, the rule does limit the circumstances under which transfers of water from the basin will be considered and provides for an evaluation of such proposals based on factors designed to ensure no harm to the basin’s water resources or the health and safety of the basin community; or
- prohibit road spreading of wastewater from conventional drilling activities, an activity not within the scope of DRBC’s proposed rulemaking. The Commission will continue to coordinate with the basin states to review the scientific evidence regarding harm to water resources caused by road spreading of conventional oil and gas production wastewater and may in the future consider whether additional regulation of the practice is needed in the basin.

#### *Additional Materials*

Additional materials can be found on the Commission’s website, [www.drbc.gov](http://www.drbc.gov), at [https://www.nj.gov/drbc/about/regulations/final-rule\\_import-export-hvfh-discharge.html](https://www.nj.gov/drbc/about/regulations/final-rule_import-export-hvfh-discharge.html). These include links to Resolution No. 2022-04 of December 7, 2022 adopting the final rule; the Commission’s Comment and Response Document; mark-ups comparing the final to the proposed rule text for Section 2.30 of the Water Code and for the Commission’s Special Regulations at 18 CFR part 440; mark-ups comparing the amended to the existing rule text for 18 CFR part 440 and the Commission’s Water Quality Regulations; and clean drafts of the amended and existing Section 2.30 of the Water Code for comparison.

The Commission’s notice of proposed rulemaking, proposed rule text, written comments received, and transcripts of public hearings can be found on the DRBC website at [https://www.state.nj.us/drbc/meetings/proposed/notice\\_import-export-rules.html](https://www.state.nj.us/drbc/meetings/proposed/notice_import-export-rules.html).

For the reasons set forth in the preamble, effective thirty days after publication in the *Federal Register*, the Commission’s rule adoption amends the *Pennsylvania Code*, Title 25, Part V, Chapters 901 and 903 (incorporating by reference the appropriate sections of 18 CFR chapter III). The rule text is set forth below:

#### **DELAWARE RIVER BASIN WATER CODE**

1. Amend Section 2.30 of the Delaware River Basin Water Code by repealing the existing text and replacing it in its entirety as set forth below:

#### **2.30 IMPORTATIONS AND EXPORTATIONS OF WATER, INCLUDING WASTEWATER**

2.30.1 *Definitions (Resolutions Nos. 91-9 and 2022-04).*  
For purposes of this section 2.30:

A. “Adjacent public water system” means a public water system (as defined herein) located outside the

Delaware River Basin that has a service area directly bordering the service area of a public water system located in whole or in part within the Basin.

B. “Adjacent public wastewater collection system” means a public wastewater collection system (as defined herein) located outside the Delaware River Basin that has a service area directly bordering the service area of a public wastewater collection system located in whole or in part within the Basin.

C. “Basin water” (also, “waters of the Basin”) means water in, on, under or above the ground within the Delaware River Basin. “Basin water” includes wastewater.

D. “Delaware River Basin” (or “Basin”) has the meaning assigned to it by Section 1.2(a) of the *Delaware River Basin Compact*—the area of drainage into the Delaware River and its tributaries, including Delaware Bay.

E. “Exportation” means the conveyance, transfer, or diversion of Basin water from a source within the Delaware River Basin to a location outside the Basin without return of such water to the Basin. Exportations from the Basin of consumer goods or foods that have been manufactured, bottled, packaged, or processed using Basin water are not considered “exportations” for purposes of this rule.

F. “Importation” means the conveyance, transfer, or diversion of water, including wastewater, into the Delaware River Basin from a source outside the Basin, resulting in a discharge of the imported water to land or water within the Basin, with or without prior treatment.

G. “Public water system” means a system primarily for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals. A “public water system” may be publicly or privately owned.

H. “Public wastewater collection system” means a system with all required state and federal approvals that serves more than 250 people or conveys more than 25,000 gallons of wastewater per day and is primarily for the collection and conveyance of domestic sewage from private, commercial, institutional, or industrial sources, to a treatment system with all necessary state and federal approvals. A “public wastewater collection system” may be publicly or privately owned.

I. “Straddled public water system” means a public water system that serves an area partially within and partially outside of the Delaware River Basin.

J. “Straddled public wastewater collection system” means a public wastewater collection system that serves an area partially within and partially outside of the Delaware River Basin.

K. “Wastewater” means water that is stored, transported or discharged after use, including, but not limited to, any water for which a National Pollutant Discharge Elimination System (NPDES) permit under the federal Clean Water Act or any state or DRBC approval is required before the water can lawfully be discharged to waters or land within the Basin.

2.30.2 *Protection and Preservation*

A. The waters of the Delaware River Basin are limited in quantity, and the Basin is frequently subject to drought warnings, drought declarations, and drought operations due to limited water supply storage and streamflow during dry periods. In addition, portions of

the Basin have been delineated by the Commission as groundwater protected areas due to water shortages. Therefore, it is the policy of the Commission to promote the conservation and preservation of water and related natural resources, including aquatic ecosystems, and effectuate the Comprehensive Plan and the uses of the water resources of the Basin identified therein, by discouraging, limiting, or placing conditions on the exportation of Basin water as may be required to protect the health and safety of Basin residents, aquatic ecosystems and the uses of water identified in the Compact and Comprehensive Plan.

B. The Commission shall review a proposed new exportation of Basin water, including any proposed increase in the rate or volume of an existing exportation, and may impose conditions, obligations and release requirements related thereto, pursuant to Sections 3.3, 3.8, 5.2, 10.3, 10.4 and Article 11 of the Compact and the regulations and docket approvals implementing these provisions.

C. A proposed new exportation of Basin water that is subject to review under the Compact and implementing regulations, including any proposed increase in the rate or volume of an existing exportation, may be approved by the Commission after consideration of the factors set forth at Section 2.30.3 below, if:

1. the sponsor demonstrates that the exportation of Basin water is required to serve a straddled or adjacent public water system;
2. the sponsor demonstrates that the exportation of Basin water is required to meet public health and safety needs on a temporary, short-term, or emergency basis; or
3. the sponsor is proposing an exportation of wastewater and demonstrates either (i) that the wastewater is being conveyed to a straddled or adjacent public wastewater collection system; or (ii) that the wastewater may not lawfully be discharged to a public wastewater collection system and is being exported for treatment, disposal or both at a waste management facility that has all required state and federal approvals to lawfully receive it.

D. Basin waters have limited capacity to assimilate pollutants without significant impacts to the health and safety of Basin residents, the health and functioning of aquatic ecosystems in the Basin, and the effectuation of the Comprehensive Plan. Accordingly, it is the policy of the Commission to discourage, limit, or condition the importation of wastewater into the Delaware River Basin as necessary to avoid impairment of Basin waters. A proposed new importation of water, including any proposed increase in the rate or volume of an existing importation, shall be reviewed by the Commission consistent with the factors set forth at Section 2.30.3 below.

E. This Section 2.30 shall not apply to importations and exportations of water, including wastewater, that existed prior to enactment of the Compact or that were approved by the DRBC prior to December 7, 2022.

2.30.3 *Commission Considerations (Resolutions Nos. 91-9 and 2022-04)*. In evaluating importations and exportations, the Commission’s review will include consideration of the following factors:

- A. For exportations of Basin water (including wastewater):
1. the effect of the exportation on the health and safety of the Basin community;
  2. the effect of the exportation on existing or future water availability or shortages, including, but not limited

to, sources within areas designated by the Commission as protected areas pursuant to Section 10.2 of the Compact, sources within Delaware River reaches with flows that are frequently augmented by reservoir releases due to low flows, and sources in areas subject to DRBC drought operations or state drought declarations within the past five years;

3. the effect of the exportation on aquatic ecosystems;
4. the effect of the exportation on water quality and waste assimilation;
5. the effect of the exportation on salinity concentrations;
6. the effect of the exportation on the water uses protected by the Comprehensive Plan, DRBC regulations or DRBC docket approvals, or on the ability of DRBC to effectuate the Comprehensive Plan;
7. the effect of the exportation, including its volume, rate, timing and duration, on passby or instream flow requirements contained in DRBC regulations or project approvals;
8. the sponsor's planned use for the water and any resulting public benefits;
9. the availability to the sponsor of alternatives to the exportation of Basin water and whether these alternatives have been diligently pursued, including without limitation a review of the sponsor's uses of water outside the sponsor's service area, if any; conservation measures undertaken by the sponsor or a public water system in the service area where the sponsor is located to forestall the need for a transfer of Basin water; and the results of a water audit (or audits) performed by the sponsor in accordance with Section 2.1.8 of the Delaware River Basin Water Code; and
10. whether the exportation would contravene sections 3.3 and 3.5(a) of the Compact by impeding or interfering with the rights, powers, privileges, conditions or obligations contained in the Supreme Court Decree in *New Jersey v. New York*, 347 U.S. 995 (1954), as modified by the Commission with the unanimous consent of the parties to the Decree.

B. For importations of water (including wastewater):

1. the effect of the importation on the health and safety of the Basin community with due consideration of the available alternatives to the importation;
2. the characterization and treatability of the water, if it consists of wastewater;
3. the potential impacts on water resources of the Delaware River Basin of the proposed importation and of each available alternative, including alternatives that avoid an importation of water, including wastewater. The potential impacts considered will include the effects of the quality, volume, flow rate, timing and duration of the proposed importation in relation to:
  - a. flow objectives or passing or instream flow requirements contained in DRBC regulations or project approvals;
  - b. the record of hydrologic conditions in the proposed receiving region and the larger Delaware River Basin;
  - c. water uses as established by the Comprehensive Plan, including the DRBC Water Code;
  - d. the effect of the importation on aquatic ecosystems;
  - e. water quality and waste assimilation capacity in the affected receiving streams; and

f. prior regulations or orders of the Commission which may be identified during the course of the Commission's review.

- 2.30.4 *Analyses by Applicant for Section 3.8 Approval.* When an importation or exportation of water or wastewater is subject to review by the Commission, the applicant shall furnish the Commission with such analyses of the factors set forth in Sections 2.30.2 and 2.30.3 above and as the Commission may direct.
- 2.30.5 *Water Charges (Resolutions Nos. 91-9 and 2022-04).* Exportation of Basin water constitutes consumptive water use and will be subject to the water charges in effect at the time of transfer in accordance with the Commission's Water Supply Charges regulations (18 CFR Part 420), as amended.
- 2.30.6 *Wastewater Treatment Requirements (Resolution No. 91-9).* It is the policy of the Commission to give no credit toward meeting wastewater treatment requirements for importations of wastewater. An effluent loading or concentration authorized in accordance with a water-quality-based effluent limit such as a wasteload allocation may not include loadings attributable to an importation of wastewater.
- 2.30.7 *Existing Allocations (Resolution No. 91-9).* It is the policy of the Commission to charge all exportations of Basin water against any special regional allocation or any depletive use allocation as may exist at the time of receipt of a completed application for exportation.
- 2.30.8 *1954 Supreme Court Decree.* This Section 2.30 is intended to preserve the diversions, compensating releases, rights, conditions, and obligations of the parties to the U.S. Supreme Court Decree of 1954 in *New Jersey v. New York*, 347 U.S. 995 (1954), as modified by the Commission with the unanimous consent of the parties to the Decree.

**WATER QUALITY REGULATIONS**

1. Amend Section 4.40.2 by replacing references to "Section 4.50" with references to "Section 4.60" as set forth below:

**Section 4.40.2 Enforcement Procedures.** The enforcement procedure of Section 4.60 with respect to effluent quality requirements for discharges shall be deemed applicable to the enforcement of this Section and Section 3.40. For the purposes thereof, the word "discharger" as used in Section 4.60 includes any party affected by this Section.

2. Amend Article 4 by adding a new Section 4.50 as set forth below:

**Section 4.50 Wastewater from High Volume Hydraulic Fracturing.** The provisions of 18 CFR 440.4 and the purpose and definitions applicable thereto, encompassing 18 CFR 440.1 and 18 CFR 440.2, are hereby incorporated into these Water Quality Regulations.

3. Amend Article 4 by renumbering prior Section 4.50 as new Section 4.60 as set forth below. Asterisks represent no change to existing text:

**Section 4.60 Enforcement Procedures.**

- 4.60.1 **Scope.** \* \* \*
- 4.60.2 **Abatement Schedules and Permits.**

\* \* \* \* \*
- 4.60.3 **Waste Load Allocations.** \* \* \*
 

\* \* \* \* \*
- 4.60.4 **Inspection and Surveillance.**

\* \* \* \* \*

4.60.5 Noncompliance; Notice.

\* \* \* \* \*

4.60.6 Order of Abatement; Sanctions. \* \* \*

18 C.F.R. PART 410—BASIN REGULATIONS; WATER CODE AND ADMINISTRATIVE MANUAL—PART III WATER QUALITY REGULATIONS

1. The authority citation for part 410 continues to read as follows:

Authority: Delaware River Basin Compact, 75 Stat. 688.

2. Amend § 410.1 by revising paragraph (c) to read as follows:

§ 410.1 Basin Regulations—Water Code and Administrative Manual—Part III Water Quality Regulations.

\* \* \* \* \*

(c) Work, services, activities and facilities affecting the conservation, utilization, control, development or management of water resources within the Delaware River Basin are subject to regulations contained within the Delaware River Basin Water Code with Amendments through December 7, 2022 and the Administrative Manual—Part III Water Quality Regulations with Amendments through December 7, 2022. Both the Delaware River Basin Water Code and the Administrative Manual—Part III Water Quality Regulations are incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain or inspect copies at the Delaware River Basin Commission (DRBC), 25 Cosey Road, West Trenton, New Jersey 08628-0360, 609-883-9500, www.drbc.gov, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations.html or email fr.inspection@nara.gov.

PART 440—HIGH VOLUME HYDRAULIC FRACTURING

3. The authority citation for part 440 continues to read as follows:

Authority: Delaware River Basin Compact (75 Stat. 688).

4. Amend § 440.1 by revising paragraph (d) to read as follows:

§ 440.1 Purpose, authority, and relationship to other requirements.

\* \* \* \* \*

(d) Relationship to other Commission requirements. The provisions of this part are in addition to all applicable requirements in other Commission regulations, dockets, permits, and determinations.

\* \* \* \* \*

5. Amend § 440.2 by revising the introductory paragraph, adding in alphabetical order definitions for “Discharge of wastewater from HVHF and HVHF-related activities,” “HVHF-related activities,” and “Wastewater from HVHF and HVHF-related activities”, and revising the definition of “Water resource(s)”, to read as follows:

§ 440.2 Definitions.

For purposes of this part, the following terms and phrases have the meanings provided. Some definitions differ from those provided in regulations of one or more

agencies of the Commission’s member states and the Federal Government. Other definitions are consistent with terms defined by the Delaware River Basin Compact.

\* \* \* \* \*

Discharge of wastewater from HVHF and HVHF-related activities is an intentional or unintentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, emitting, emptying, spreading, spraying, injecting, leaching, dumping, or disposing of such wastewater to waters or land within the Basin, and including the abandonment or discarding of barrels, containers, and other receptacles containing such wastewater.

\* \* \* \* \*

HVHF-related activities are:

- (1) Construction of an oil or natural gas production well that is to be stimulated using HVHF as defined in this section;
(2) Chemical mixing or storage of proppant, chemicals and other additives to make fracturing fluid; and
(3) Management of wastewater from hydraulic fracturing, including storage, disposal, treatment, or reuse in hydraulic fracturing operations or other uses.

\* \* \* \* \*

Wastewater from HVHF and HVHF-related activities is:

- (1) Any wastewater, brine, or sludge containing chemicals, naturally occurring radioactive materials, heavy metals or other contaminants that have been used for or generated by high volume hydraulic fracturing or HVHF-related activities;
(2) Leachate from solid wastes associated with HVHF-related activities, except if the solid wastes were lawfully disposed of in a landfill within the Basin prior to March 6, 2023; and
(3) Any products, co-products, byproducts or waste products resulting from the treatment, processing or modification of the wastewater described in paragraphs (1) and (2) of this definition.

Water resource(s) is, in accordance with section 1.2(i) of the Delaware River Basin Compact, “water and related natural resources in, on, under, or above the ground, including related uses of land, which are subject to beneficial use, ownership or control” within the Delaware River Basin.

6. Add § 440.4 to read as follows:

§ 440.4 Wastewater from high volume hydraulic fracturing and related activities.

(a) Determination. The Commission has determined that the discharge of wastewater from high volume hydraulic fracturing and HVHF-related activities poses significant, immediate and long-term risks to the development, conservation, utilization, management, and preservation of the Basin’s water resources. Controlling future pollution by prohibiting such discharge is required to effectuate the Comprehensive Plan, avoid injury to the waters of the Basin as contemplated by the Comprehensive Plan and protect the public health and preserve the waters of the Basin for uses in accordance with the Comprehensive Plan.

(b) *Prohibition.* No person may discharge wastewater from high volume hydraulic fracturing or HVHF-related activities to waters or land within the Basin.

PAMELA M. BUSH,  
*Secretary*

**Fiscal Note:** Fiscal Note 68-61 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION**

**PART V. DELAWARE RIVER BASIN COMMISSION**

**CHAPTER 901. GENERAL PROVISIONS**

**§ 901.2. Comprehensive Plan and water quality.**

The Comprehensive Plan regulations as set forth in 18 CFR Part 401, Subpart A (2014) and the Water Code and Water Quality Regulations as set forth in 18 CFR Part 410 (2023) are hereby incorporated by reference and made a part of this title.

**CHAPTER 903. HYDRAULIC FRACTURING IN SHALE AND OTHER FORMATIONS**

**§ 903.1. Hydraulic fracturing in shale and other formations.**

The hydraulic fracturing in shale and other formation regulations, as set forth in 18 CFR Part 440 (2023), are hereby incorporated by reference and made part of this title.

[Pa.B. Doc. No. 23-182. Filed for public inspection February 10, 2023, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### General Permit Standards and Requirements for Hemp

#### *Recitals.*

This Notice amends and replaces the previous Notice “General Permit Standards and Requirements for Hemp” published in the April 3, 2021 *Pennsylvania Bulletin* (51 Pa.B. 1831, Saturday, April 3, 2021).

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

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

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

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

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

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

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

H. The 2018 Farm Bill defined “hemp” as the plant species *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

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

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

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

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

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

#### *General Permit.*

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

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

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

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

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

(2) To establish requirements under which persons may apply to plant, grow, propagate or cultivate hemp in the Commonwealth for the purpose of research or commercial production.

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

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

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

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

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

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

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

(c) *Definitions*

*Acceptable hemp THC level.* When a laboratory tests a sample, it must report the total delta-9 tetrahydrocannabinol content concentration level on a dry weight basis and the measurement of uncertainty. The acceptable hemp THC level for the purpose of compliance with the requirements of this General Permit is when the application of the measurement of uncertainty to the reported total delta-9 tetrahydrocannabinol content concentration level on a dry weight basis produces a distribution or range that includes 0.3 percent or less. For example, if the reported total delta-9 tetrahydrocannabinol content concentration level on a dry weight basis is 0.35 percent and the measurement of uncertainty is  $\pm 0.06$  percent, the measured total delta-9 tetrahydrocannabinol content concentration level on a dry weight basis for this sample ranges from 0.29 percent to 0.41 percent. Because 0.3 percent is within the distribution or range, the sample is within the acceptable hemp THC level for the purpose of plan compliance.

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

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

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

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

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

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

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

*Conviction.* Any plea of guilty or nolo contendere, or any finding of guilt, except when the finding of guilt is subsequently overturned on appeal, pardoned, or expunged.

*Culpable mental state greater than negligence.* To act intentionally, knowingly, willfully or recklessly.

*Decarboxylation.* The removal or elimination of carboxyl groups from a molecule or organic compound. Refers to the completion of the chemical reaction that converts THCA into delta-9 THC, the intoxicating component of cannabis. The decarboxylated value is also calculated using a molecular mass conversion ratio that sums delta-9 THC and eighty-seven and seven tenths (87.7) percent of THC-acid ((delta-9 THC) + (0.877\*THCA)).

*Delta-9 tetrahydrocannabinol.* Also referred to as “Delta-9 THC” or “THC” is the primary psychoactive component of cannabis. For the purposes of this General Permit, delta-9 THC and THC are interchangeable.

*Department.* The Department of Agriculture of the Commonwealth.

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

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

*Dry weight basis.* The ratio of the amount of moisture in a sample to the amount of dry solid in a sample. A basis for expressing the percentage of a chemical in a substance after removing the moisture from the substance. Percentage of THC on a dry weight basis means the percentage of THC, by weight, in a cannabis item (plant, extract, or other derivative), after excluding moisture from the item.

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

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

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

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

*Key participants.* A sole proprietor, a partner in partnership, or a person with executive managerial control in a corporation. A person with executive managerial control includes persons such as a chief executive officer, chief operating officer, and chief financial officer. This definition does not include non-executive managers such as farm, field, or shift managers.

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

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

*Lot.* The term “lot”, as defined in the Agricultural Marketing Service Final Rule (FR) on the Establishment of a Domestic Hemp Production Program (86 FR 5596), refers to a contiguous area in a field, greenhouse or indoor growing structure containing the same variety or strain of cannabis throughout the area. In addition, “lot” refers to the batch of contiguous, homogeneous whole of a product being sold to a single buyer at a single time. To be defined by the producer in terms of farm location, field acreage and variety (i.e. cultivar) and to be reported as such to the Department and the FSA.



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

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

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

*Processor.* Any person who converts hemp material from its form while in the field into a different form or product, as well as any person who receives viable hemp material from a secondary supplier, to further convert into a different form or product

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

*Remediation.* The process of rendering non-compliant cannabis, compliant. Remediation can occur by removing and destroying flower material while retaining stalk, stems, leaf material, and seeds. Remediation can also occur by shredding the entire plant into a bio-mass like material, then re-testing the shredded biomass material for compliance.

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

*THC.* The chemical delta-9 tetrahydrocannabinol. For the purposes of this General Permit, THC shall include total potential delta-9 tetrahydrocannabinol in a plant or product. THC value is determined after the process of decarboxylation, or the application of a conversion factor if the testing methodology does not include decarboxylation, that expresses the potential total delta-9 tetrahydrocannabinol content derived from the sum of the THC and THCA content and reported on a dry weight basis. This post-decarboxylation value of THC can be calculated by using a chromatograph technique using heat, such as gas chromatography, through which THCA is converted from its acid form to its neutral form, THC. Thus, this test calculates the total potential THC in a given sample. The total THC can also be calculated by using a liquid chromatograph technique, which keeps the THCA intact. This technique requires the use of the following conversion: (Total THC = (0.877 × THCA) + THC) which calculates the potential total THC in a given sample.

*USDA.* The United States Department of Agriculture.

## *Article II. Procedure for Application and Permitting.*

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

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

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

(3) Research permits shall only be issued to Institutes of Higher Education or established research institutes.

(4) Conditions and terms of this General Permit may change upon future conditions, including requirements imposed by USDA in acceptance of the Pennsylvania

State Hemp Plan, legal standards imposed by another Federal agency, statutory or regulatory changes or changes in other legal requirements.

(5) Application periods will be announced by the Department and published at <https://agriculture.pa.gov/hemp>. Persons anticipating late season or indoor planting must submit their applications during published application periods.

(6) The permit application will be available for download from the Department's Hemp Program website at <https://agriculture.pa.gov/hemp>. At that website, there will also be announcements of availability of the hemp application process online through PA Plants. Applications may also be requested by contacting The Bureau of Plant Industry Hemp Program at 223-666-2561 or by mail at:

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

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

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

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

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

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

(2) *Location Information.* Provide the physical location, including a detailed plot map and description of the site to be planted or the site where the hemp will be propagated, cultivated, stored or processed. A separate "Permit Location Information" page is required and shall be submitted for each physical address (individually titled property) of a growing, cultivating, propagating, researching or processing location. Storage location information is optional at time of application but must be provided before any hemp is moved into storage.

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

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

(iii) If the address/facility is not owned by the applicant:

(A) The applicant must attest to the fact that the property is completely controlled by this applicant.

(B) A lease shall be executed between the property owner and the permit holder for the land on which hemp will be planted, propagated, cultivated, stored or processed and must be retained by the applicant and provided to the Department upon request. This lease shall specifically grant access to the property by the Department during the entirety of the lease agreement.

(C) With the application, the applicant must provide an agreement signed by both the property owner and the lessee granting the Department access to the property for up to 3 years following the termination of the lease and allowing for the destruction of any hemp plants found on the property (at the expense of the hemp permit holder) in that time. A template of this access agreement is available on the Department's website.

(iv) *Location Restrictions:*

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

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

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

(D) A person may not plant less than 50 hemp plants in any outdoor location nor less than 1,000 square feet and 50 hemp plants in any indoor facility, unless prior written approval is provided by the Department. Any written approval may establish additional requirements set forth by the Department therein.

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

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

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

(H) Each hemp lot planted must be distinct and separate from any other planted hemp lot, so that plants from separate lots are not co-mingled and may be clearly distinguished for sampling purposes.

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

(3) *Hemp Variety Information.* Applicants shall list the type and amount of seed, clones, propagules or cuttings they have acquired or intend to acquire and hemp varieties they intend to plant, propagate and cultivate. (The Planting Report Form will provide a field to report changes to this information at the time of planting.)

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

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

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

(4) *Criminal History Information.* Applications shall be accompanied by proof of completed criminal history reports for the applicant and any other key participants in hemp program activities. This shall include a Federal Bureau of Investigation (FBI) background check. These must be dated no more than sixty (60) days prior to the date the application is received by the Department in the initial year the information is submitted.

(i) Key participants are a person or persons who have a direct or indirect financial interest in the entity producing hemp, such as a sole proprietor, a partner in partnership, or a person with executive managerial control in a corporation.

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

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

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

(v) FBI background checks are valid for 3 years. Directions for obtaining FBI background checks meeting the Hemp Program requirements are available on the Department's website at <https://agriculture.pa.gov/hemp>.

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

(i) That subject to the criminal penalties for unsworn falsifications to authorities, at 18 Pa.C.S.A. § 4904, they have not had a felony drug conviction in the past 10 years, and that during the time period of the application, this permit and the General Permit, they will immediately report to the Department any key participant of the permit that is convicted of a state or Federal controlled-substance-related felony.

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

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

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

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

(1) Permits are not transferrable in any manner.

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

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

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

(5) Permits will be valid until December 31 of each calendar year. Extensions may be announced, at the discretion of the Department, if application and renewal processes do not allow for continuity of operations.

(d) *Permit Holder Responsibilities.*

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

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

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

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

(i) A Permit holder must notify the Department immediately should there be any change in the contact information provided on the Permit application or any change in ownership of the permitted land, via a Hemp Permit Change form provided by the Department.

(ii) A Permit holder must report changes to hemp varieties and/or sources, hemp plant part planted, type of hemp cultivated and/or size of plantings to the Department via the Hemp Planting Report form.

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

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

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

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

*Article III. Propagation and Cultivation.*

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

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

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

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

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

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

(ii) *Hemp Varieties of Concern.* Hemp Varieties of Concern are varieties that have tested higher than 0.3% THC in some Pennsylvania planting locations in previous years, or have tested high in other states, resulting in crop destruction. Hemp Varieties of Concern are listed by the Department as an aid to growers making variety choices, since these varieties may present greater risk for loss. There is, however, no prohibition on planting, propagation, cultivation, sale, transfer, retail, wholesale, distribution, transportation, storage, warehousing, or processing of Hemp Varieties of Concern in the Commonwealth.

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

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

(ii) *Hemp seed labeling.* All seed shall meet the labeling requirements of the PA Seed Act (3 Pa.C.S.A. § 7101 et

seq.). A summary of these requirements is available on the Department's Hemp Program webpage: <https://agriculture.pa.gov/hemp>.

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

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

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

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

(C) Any seed produced from a permit holder's hemp breeding may only be sold/planted for production upon the variety's acceptance by AOSCA Variety Review Board or USDA's Plant Variety Protection Office.

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

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

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

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

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

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

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

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

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

3. *Records of planting material sales:* Records of the sale or distribution of hemp nursery stock shall be

maintained for a minimum of three (3) years and shall contain the following information for each sale or distribution.

(aa) Date of the sale or distribution.

(bb) Date of shipment.

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

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

(ee) Source of mother plants for nursery stock.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (A) Date planted.
- (B) Stage of development at the time of planting (seed, cutting, etc).
- (C) Variety and quantity of each variety planted.

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

(iii) *Inactive Permit report, filed with the Department.* The permit holder shall submit this report to the Department on a form provided by the Department, when the permit holder determines that there will be no activity under the permit.

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

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

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

- (i) For each permitted location.
  - (A) The information provided on the application for a permit.
  - (B) Permit document received from the Department.
  - (C) A detailed map of the permitted site meeting all the requirements of subsection above (Article II(b)(2)).
  - (D) For each leased location, a copy of the fully-executed lease.

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

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

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

- (ii) For each individual lot
  - (A) Acreage (outdoor) or square footage (indoor).

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

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

(D) Planting Date.

(E) Harvest Date.

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

(G) The yield of the site at harvest.

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

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

(d) *General Responsibilities.*

(1) Assure all hemp plants and products are within the boundaries of the legal description of the land, plot map and geospatial location submissions made to the Department as required by subsection (ii) above. Cannabis plants found planted, cultivated, propagated or growing outside of the boundaries will not be covered by the permit, will constitute a violation of this General Permit and will be subject to destruction.

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

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

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

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

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

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

(1) *Sampling*

(i) Official samples must be collected by a Department-certified sampling agent and in accordance with the sampling procedures and requirements established by the Department and set forth on the Department's Hemp Program webpage: <https://agriculture.pa.gov/hemp>.

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

shall be obtained from the flowering tops of plants when flowering tops are present, and shall be approximately five to eight inches in length from the “main stem” (that includes the leaves and flowers), “terminal bud” (that occurs at the end of a stem), or “central cola” (cut stem that could develop into a bud) of the flowering top of the plant.

(iii) The method used for sampling must be sufficient at a confidence level of 95 percent that no more than one percent of the plants in each lot would exceed the acceptable hemp THC Level and ensure that a representative sample is collected that represents a homogeneous composition of the lot. Alternatively, the Department may adopt a performance-based alternative sampling procedure following the standard in parts (A) through (E) below:

(A) Detailed description of the performance-based sampling procedure will be published on the Department’s Hemp Program webpage: <https://agriculture.pa.gov/hemp>, and will be subject to USDA approval.

(B) The performance-based sampling method will have the potential to ensure, at a confidence level of 95 percent, that the lots subject to this alternative sampling will not test above the acceptable hemp THC level.

(C) Performance based sampling will be considered for situations in which material obtained from a single source has been planted in non-contiguous areas that may be identified and tracked independently from other source materials. In this case, a composite sample across multiple lots may be allowable.

(D) Performance based sampling will be considered for lots for which a seed certification process has consistently demonstrated the variety represented in that lot to be compliant, or when the Department can demonstrate the variety to have tested compliant on a consistent basis in previous years.

(E) Alternative sampling will be considered when a permittee is conducting research on hemp.

(iv) Samples must be collected no more than thirty (30) days prior to harvest. If THC results are returned within the THC compliance level, but the permittee fails to complete harvest within thirty (30) days of sample collection, a second pre-harvest sample of the lot shall be required to be submitted for testing.

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

(vi) A sample receipt shall be completed by the certified sampling agent or Department employee conducting the sampling and signed by the hemp permit holder or an authorized representative thereof, who must be present at the growing site.

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

(2) It shall be the responsibility of the hemp permit holder to assure that each hemp lot described in their permit is sampled and tested according to the standards established in this Order, including any alternative standards as allowed above.

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

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

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

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

(v) A permit holder may request that the laboratory run a second test on an official sample retained by the laboratory, if the grower questions the results of that first test. The permitted grower shall pay the fees and costs of retesting.

(vi) A permit holder may request a second official pre-harvest sampling and testing if it is believed that the original results were in error. The permittee may choose to use the same or a different laboratory for the test. No more than two official samples per lot will be considered by the Department; only the final official sample will be considered by the Department when determining compliance. The permitted grower shall pay the fees and costs of resampling and retesting.

(vii) The permitted grower shall agree to the release of all official test results from the laboratory directly to the Department.

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

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

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

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

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

(2) Any sample taken after harvest shall not be accepted, the crop will no longer be compliant, a notice of violation may be issued, and the harvested material may be required to be destroyed. Limited exceptions may be made, at the discretion of the Department, if errors in the process of sampling and testing rendered an official sample suspect or untestable, and the permit holder had already begun legal harvest before a second sample could be obtained.

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

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

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

(d) *THC Testing.*

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

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

(3) Harvested plants and plant parts must be separated and stored separately from each other according to lot, in a manner that maintains identity sufficient to associate that harvested material with specific THC test results, such as signage on bays of a storage facility, or tags on bales or packages, that provide lot or sample information.

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

(1) Testing shall be done at the Department laboratory or an independent laboratory approved by the Department and able to meet all requirements for testing and reporting outlined in Article IV sections (e) and (f). The Department's approval process for laboratories will be published on the Department's Hemp Program webpage: <https://agriculture.pa.gov/hemp>.

(2) USDA has required that all testing of samples for THC potency be conducted by DEA-registered laboratories, however, enforcement of this requirement will be delayed until a date specified on the USDA AMS Hemp Production website: <https://www.ams.usda.gov/rules-regulations/hemp>. The Department will delay its enforcement of this requirement until the date specified by USDA.

(3) Sample preparation shall include grinding of entire sample to ensure homogeneity of plant material prior to testing.

(4) Testing for THC will be conducted using post-decarboxylation or other similarly reliable method approved by the Department and by USDA where the THC concentration level measured includes the potential to convert tetrahydrocannabinolic acid (THCA) into THC. Testing methodologies currently meeting these requirements include those using gas or liquid chromatography with detection. The Department will provide additional instructions to laboratories on approved procedures via posting on the Department's hemp website.

(5) Testing shall be done and reported on a dry weight basis, determined either through testing of dried samples or calculation using moisture content analysis of samples.

(6) The laboratory must report a Measurement of Uncertainty (MU) with each hemp test result. The laboratory must be able to provide documentation for derivation of the measurement of uncertainty if requested by the Department. Laboratories shall use appropriate, validated methods and procedures for all testing activities and evaluate measurement of uncertainty.

(7) If through audit sampling, records review or other means the Department determines that a laboratory is not meeting an acceptable standard of quality in required hemp testing, it may prohibit permittees from using that laboratory for the purpose of the regulatory testing required under this General Permit.

(f) *Test Results.*

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

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

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

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

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

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

(b) All non-compliant hemp plants, plant parts and products shall be subject to destruction or remediation measures. The Department will issue a control order outlining options for destruction and remediation, as well as procedures the Department will use for verification of crop destruction or remediation.

(c) If the permittee opts to destroy the crop, that non-compliant crop shall be held for disposal in a manner that complies with the provisions of the control order. The disposal must be conducted either on site at the farm or hemp production facility, or by using a DEA-registered reverse distributor or law enforcement.

(d) If a producer elects to perform remediation activities, only those remediation activities outlined in the control order may be considered. An additional official sampling and testing of the post-remediated crop must occur to determine THC concentration levels, with results sent directly from the laboratory to the Department. Any non-compliant material resulting from the remediation process shall be disposed of in a manner established by the Department in the control order.

(e) If testing of a remediated lot results in a THC level above 0.3% (with the measurement of uncertainty taken into account), then that lot would be considered non-compliant and will receive a control order for crop destruction.

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

- (1) DEA or USDA issued order of destruction, if any.
- (2) Anticipated date of removal, if any.
- (3) Anticipated date of destruction.
- (4) Method of destruction.

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

(1) Removal and destruction shall be performed by an entity approved by the Department.

(2) The permittee shall provide the Department with a copy of the documentation, including verification statements, pictures, videos or other proof approved by the Department, of disposal provided by the approved entity performing the removal and destruction; and

(3) Compliance with the reporting requirements established by the Department and USDA.

*Article VI. Transportation.*

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

(1) Conspicuous marking and individual identification of each package, bale, or load.

(2) Provides permit information to the transporter that can be utilized by law enforcement to verify the material is hemp, sets forth the manner of packaging, variety(s) and quantity and variety of material in each package.

(3) Provides information setting forth each variety of hemp plant, hemp part and hemp product in the shipment.

(4) Provides test results for all hemp, hemp parts and hemp product being transported, verifying they meet the THC standards established by law and regulation.

(b) All movement of hemp plants, plant parts and hemp products from a planting, cultivation, propagation or growing site or initial processing site shall be conducted in a manner to prevent any release of viable plant material to the environment and to maintain the identification of the producer, permit number and lot information.

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

- (1) Shipping date,
- (2) Origin of the shipment,
- (3) Permit holders name, address, phone number,
- (4) Growing location address (if different),
- (5) Permit number,
- (6) Variety information,
- (7) Copy of the certificate(s) of THC analysis covering all material in the shipment, (not required for seedlings),
- (8) Number of packages included in the shipment by variety,
- (9) Description of the plant or plant parts in the packaging (Ex. Seedlings, mature whole plants, buds, leaf, retted stems),
- (10) Destination of the shipment,

(11) For seedlings and clones, variety information and producers permit number shall be available for each tray or box, and accompanying documentation shall also include permit number of the person receiving the shipment,

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

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

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

*Article VII. Warehousing and Storage.*

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

(b) *Movement Upon Notification of Acceptable Test Results.* Once documentation of acceptable test results are received, movement of hemp, including hemp plants, hemp parts, hemp materials and hemp products to an offsite storage location, buyer, processor or any other location shall be accompanied by all required transportation and shipping documents required under this General Permit, Article VI.

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

(d) *Off-site Storage or Warehousing Location.* The permitted grower shall provide the Department with the following information for storage or warehousing locations that are not on the permitted growing site but where the hemp crop shall remain under the permit holder's control/possession. If not provided directly on the initial application, this information shall be provided either on a form provided by the Department or via the PaPlants web application.

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

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

(3) Date of each delivery.

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

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

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

*Article VIII. Processing.*

(a) Hemp processors located in the Commonwealth are required to obtain a permit before receiving hemp materials at their facility. Some examples of processing hemp material include drying, grinding, trimming, bucking, extracting, etc. Further guidance for processing permits can be found on the Department's Hemp Program webpages.



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

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

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

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

(1) From a permitted or licensed grower; and

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

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

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

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

(i) Permit or license number of the grower.

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

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

(iv) Date of delivery.

(v) Amount and description of materials received.

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

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

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

#### *Article IX. Distribution and Sale.*

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

(b) *Branding.* The name, symbols, and logos of the Commonwealth of Pennsylvania or any of its agencies, including the Pennsylvania Department of Agriculture, may not in any way be used in the labeling, promotion or

marketing of any hemp products associated with the permit without explicit written permission from the Department.

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

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

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

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

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

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

#### *Article XI. Violations and Effective Date.*

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

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

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

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

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

(3) production of plants exceeding the acceptable hemp THC level. The Department will not consider hemp producers as committing a negligent violation if they produce plants exceeding the acceptable hemp THC level if they use reasonable efforts to grow hemp and the lot does not have a THC concentration of more than 1.0 percent on a dry weight basis.

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

(i) Planting Report or Inactive Permit Report must be submitted to the Department by September 1 of the permit year. Extensions may be granted at the discretion of the Department.

(ii) Harvest Report or Crop Loss Report must be submitted to the Department by November 15 of the permit year. Extensions to filing deadline may be granted at the discretion of the Department.

(d) Producers shall not receive more than one negligent violation per growing season in respect to part XI (c)(3)

above. The Department may assign more than one negligent violation in a growing season, when violations include more than one type described in Section XI (c) (1—4).

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

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

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

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

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

RUSSELL REDDING,  
*Acting Secretary*

[Pa.B. Doc. No. 23-183. Filed for public inspection February 10, 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 January 31, 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

##### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
01-25-2023	Princeton Bancorp, Inc. and Bank of Princeton Princeton Mercer County, NJ Application for approval to acquire 100% of Noah Bank, Elkins Park, PA.	Filed

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
01-25-2023	Noah Bank Elkins Park Montgomery County Application for approval to merge TBOP Acquisition Company, a wholly-owned subsidiary of The Bank of Princeton, Princeton, NJ, with and into Noah Bank, Elkins Park, 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>
01-27-2023	Kish Bank Belleville Mifflin County	615 Pleasant Valley Boulevard Altoona Blair County	Approved

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
01-31-2023	Atlantic Community Bankers Bank Camp Hill Cumberland County	Approved

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
	Amendment to Article II of the institution's Articles of Incorporation provides for the principal place of business to be relocated from 1400 Market Street, Camp Hill, Cumberland County, PA, to 225 Grandview Avenue, Suite 401, Camp Hill, Cumberland County, PA. Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	

**CREDIT UNIONS**

No activity.

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

SARAH HAMMER,  
*Acting Secretary*

[Pa.B. Doc. No. 23-184. Filed for public inspection February 10, 2023, 9:00 a.m.]

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0913848	Joint DEP/PFBC Pesticides Permit	Renewal	Village Shires Community Assoc 3001 E Village Road Holland, PA 18966-2935	Northampton Township Bucks County	SERO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0919822	Joint DEP/PFBC Pesticides Permit	Amendment	New Britain Walk c/o Trident Properties Management P.O. Box 645 Downingtown, PA 19335	Chalfont Borough Bucks County	SERO
1598409	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	West Pikeland Township Chester County	SERO
3814404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Fredericksburg S&W Authority Lebanon Co. P.O. Box 161 Fredericksburg, PA 17026-0161	Bethel Township Lebanon County	SCRO
6397407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	East Bethlehem Township Municipal Authority Washington County P.O. Box 136 Fredericktown, PA 15333-0136	East Bethlehem Township Washington County	SWRO
NNOEXSC43	No Exposure Certification	Renewal	Godiva Chocolatier, Inc. 650 E Neversink Road Reading, PA 19606-3208	Exeter Township Berks County	SCRO
NOEXNC179	No Exposure Certification	New	BK Medical Holding Co., Inc. 401 Science Park Road State College, PA 16803-2217	Ferguson Township Centre County	NCRO
NOEXNE006	No Exposure Certification	Renewal	Quality Carriers Inc. 102 Pickering Way Suite 105 Exton, PA 19341	Scranton City Lackawanna County	NERO
NOEXNW072	No Exposure Certification	Renewal	Lord Corp 124 Grant Street Cambridge Springs, PA 16403-1014	Cambridge Springs Borough Crawford County	NWRO
NOEXSC393	No Exposure Certification	New	Stericycle Inc. 3614 Hoskins Circle Fairfield Township, OH 45011-6447	Manheim Township Lancaster County	SCRO
NOEXSE351	No Exposure Certification	New	WuXi Apttec 4751 League Island Boulevard Philadelphia, PA 19112-1220	Philadelphia City Philadelphia County	SERO
NOEXSW212	No Exposure Certification	Renewal	R&D Coatings, Inc. 1320 Island Avenue McKees Rocks, PA 15136	McKees Rocks Borough Allegheny County	SWRO
PAG030028	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pitt Ohio Express, LLC 15 27th Street Pittsburgh, PA 15222-4729	Upper Providence Township Montgomery County	SERO
PAG030080	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	The Rock Kamps, LLC 500 Independence Way Coatesville, PA 19320-1689	West Caln Township Chester County	SERO
PAG033552	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	GEA System North American, LLC 3475 Board Road York, PA 17406-8414	Manchester Township York County	SCRO
PAG033609	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Interstate Container, LLC dba DS Smith Pkg 100 N Grace Street Reading, PA 19611	Reading City Berks County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033615	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Kinsley Const, Inc. 2700 Water Street P.O. Box 2886 York, PA 17405	Springettsbury Township York County	SCRO
PAG033643	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Kinsley Const, Inc. 2700 Water Street York, PA 17403-9306	West Manchester Township York County	SCRO
PAG034839	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Clean Harbors 160 Logan Drive Muncy, PA 17756-7061	Muncy Borough Lycoming County	NCRO
PAG038302	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Reed Oil Co. 511 Montgomery Avenue New Castle, PA 16102-1111	New Castle City Lawrence County	NWRO
PAR120008	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Zentis North American, LLC 1741 Tomlinson Road Philadelphia, PA 19116	Philadelphia City Philadelphia County	SERO
PAR150003	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Penn Color, Inc. 2801 Richmond Road Hatfield, PA 19440-1808	Hatfield Township Montgomery County	SERO
PAR203579	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Boose Alum Foundry Co., Inc. 77 N Reamstown Road Stevens, PA 17578-9493	East Cocalico Township Lancaster County	SCRO
PAR203601	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Arconic US, LLC 1480 Manheim Pike Lancaster, PA 17601-3152	Manheim Township Lancaster County	SCRO
PAR203623	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	All Quality Alum Foundry P.O. Box 276 Smoketown, PA 17576-0276	East Lampeter Township Lancaster County	SCRO
PAR212233	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	B & D Stone Co. 474 Bell Mt Road Greenfield Twp, PA 18407	Harford Township Susquehanna County	NERO
PAR230060	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Richardsapex, Inc. 4202-24 Main Street Philadelphia, PA 19127	Philadelphia City Philadelphia County	SERO
PAR233517	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Graham Recycling Co. LP 700 Indian Springs Drive Lancaster, PA 17601	Spring Garden Township York County	SCRO
PAR233552	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pretium Pkg, LLC 1 Devco Drive Manchester, PA 17345-1337	East Manchester Township York County	SCRO
PAR600118	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	611 Metals Recycling, LLC 6776 Easton Road Pipersville, PA 18947-9749	Bedminster Township Bucks County	SERO
PAR800155	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Colmar Depot, LLC 113 E Reliance Road Souderton, PA 18964-1336	Hatfield Township Montgomery County	SERO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAR802215	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pitt Ohio Express, LLC 15 27th Street Pittsburgh, PA 15222-4729	Upper Saucon Township Lehigh County	NERO
PAR802236	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pitt Ohio Express, LLC 15 27th Street Pittsburgh, PA 15222-4729	Hazle Township Luzerne County	NERO
PAR802266	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Luzerne County Luzerne County Courthouse 200 North River Street Wilkes-Barre, PA 18711	Forty Fort Borough Luzerne County	NERO
PAR803624	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pitt Ohio Express, LLC 15 27th Street Pittsburgh, PA 15222-4729	Swatara Township Dauphin County	SCRO
PAR803659	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	H E Rohrer, Inc. Dba Rohrer Bus Service P.O. Box 100 1515 State Road Duncannon, PA 17020-0100	Penn Township Perry County	SCRO
PAG123784	PAG-12 NPDES General Permit for CAFOs	Amendment	Todd Chestnut 50 Eberly Road Newville, PA 17241-8509	Upper Mifflin Township Cumberland County	SCRO
PAG123833	PAG-12 NPDES General Permit for CAFOs	Amendment	Mercer Vu Farms, Inc. 12275 Mount Pleasant Road Mercersburg, PA 17236-9745	Montgomery Township Franklin County	SCRO
PAG123941	PAG-12 NPDES General Permit for CAFOs	New	Martin Brian 30 Valley Drive Jonestown, PA 17038-8324	Swatara Township Lebanon County	SCRO
PAG123942	PAG-12 NPDES General Permit for CAFOs	New	Ronald Snyder Farm 3356 Sweet Arrow Lake Road Pine Grove, PA 17963-9050	Washington Township Schuylkill County	SCRO
PAG134823	PAG-13 NPDES General Permit for MS4s	Renewal	Orange Township Columbia County 2028 State Route 487 Orangeville, PA 17859-9029	Orange Township Columbia County	NCRO
PA0288951	Single Residence STP Individual NPDES Permit	Transfer	Marian & Randall Brinkman 1020 South Lake Road Mercer, PA 16137	Jefferson Township Mercer County	NWRO
0423400	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Becker Paul 101 Greensboro Lane Pittsburgh, PA 15220	Marion Township Beaver County	SWRO
2523401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Dale & Joyce Sherman 9735 Sherman Road Albion, PA 16401-8705	Elk Creek Township Erie County	NWRO
2828401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Ott Anthony L 280 Feaster Road Chambersburg, PA 17202-9262	Guilford Township Franklin County	SCRO
4321402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Marian & Randall Brinkman 1020 South Lake Road Mercer, PA 16137	Jefferson Township Mercer County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4323401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Root Bradley 172 Shenango Park Road Transfer, PA 16154-2148	Pymatuning Township Mercer County	NWRO
6723401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kocoronis Haralambos 504 Stonewood Road York, PA 17402-9309	Springettsbury Township York County	SCRO
0723401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Coley Judy G 573 Loop Road Hollidaysburg, PA 16648-3503	Frankstown Township Blair County	SCRO
2022416	Small Flow Treatment Facility Individual WQM Permit	New	Welcheck Jody 17880 Cole Road Conneautville, PA 16406-4010	Conneaut Township Crawford County	NWRO
WQG02102301	WQG-02 WQM General Permit	New	Western Butler County Authority 607 Market Street Zelienople, PA 16063-1830	Zelienople Borough Butler County	NWRO

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## 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.

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### *Southcentral Regional Office*

**Application No. PA0234087**, Concentrated Animal Feeding Operation (CAFO), **Philip D. Courter (Courter's Finisher Farm)**, 6527 Jacksonville Road, Mill Hall, PA 17751-8876.

Philip Courter has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Courter's Finisher Farm, located in Porter Township, **Clinton County**.

The CAFO is situated near Cedar Run (HQ-CWF, MF) in Watershed 9-C, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 1,035.95 animal equivalent units (AEUs) consisting of 7,000 Swine Grow Finish, 20 Beef Cows, 20 Beef Calf, 6 Beef Finishers, 6 Meat Goat Doe, 12 Meat Goat Kid, and 6 Layer Brown Egg. Liquid Swine Manure is collected in 3 separate underbarn manure storages. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

### *Southcentral Regional Office*

**PA0021695**, Sewage, SIC Code 4952, **Orbisonia & Rockhill Borough Joint Municipal Authority, Huntingdon County**, P.O. Box 346, Orbisonia, PA 17243-0346. Facility Name: Orbisonia Rockhill STP. This existing facility is located in Orbisonia Borough, **Huntingdon 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), Blacklog Creek (CWF), is located in State Water Plan watershed 12-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 0.183 MGD.—Limits.

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



Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	38.0	61.0	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Wkly Avg. Report	XXX	Report	XXX	XXX
Total Suspended Solids	45.0	65.0	XXX	30.0	45.0	60.0
Total Suspended Solids Raw Sewage Influent	Report	Wkly Avg. Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen	18.0	XXX	XXX	12.0	XXX	25.0
Copper, Total	XXX	XXX	XXX	Report	Report	XXX

Daily Max

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Parameter	Mass Units (lbs)		Effluent Limitations Concentrations (mg/L)		
	Monthly	Annual	Monthly Average	Maximum	Instant. Maximum
Ammonia—N	Report	Report	Report	XXX	XXX
Kjeldahl—N	Total Qrtly	XXX	Avg. Qrtly	XXX	XXX
	Report		Report		
Nitrate-Nitrite as N	Total Qrtly	XXX	Avg. Qrtly	XXX	XXX
	Report		Report		
Total Nitrogen	Total Qrtly	Report	Avg. Qrtly	XXX	XXX
	Report		Report		
Total Phosphorus	Total Qrtly	Report	Avg. Qrtly	XXX	XXX
	Report		Report		

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

- Permit re-opener clause for total copper
- Stormwater prohibition
- Notification of the designation of responsible operator
- Hauled-in waste restriction
- Chlorine minimization

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

**PA0024457**, Sewage, SIC Code 4952, **Halifax Area Water & Sewer Authority, Dauphin County**, P.O. Box 443, 203 Armstrong Street, Halifax, PA 17032-0443. Facility Name: Halifax STP. This existing facility is located in Halifax Borough, **Dauphin 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 Susquehanna River (WWF), is located in State Water Plan watershed 6-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 .21 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	XXX	XXX	XXX	XXX

Daily Max

<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>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	44	70	XXX	25.0	40.0	50
BOD <sub>5</sub>	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	53	79	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)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report Daily Max	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Daily Max	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX Daily Max	XXX	Report

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

- Stormwater prohibition, approval contingencies, solids management and restriction on receipt of hauled in waste under certain conditions.

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*

**PA0031968**, Sewage, SIC Code 7032, **PA DPW**, 4534 Tar Kiln Road, James Creek, PA 16657-7102. Facility Name: Youth Forestry Camp 3. This existing facility is located in Todd Township, **Huntingdon 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 Great Trough Creek (TSF), is located in State Water Plan watershed 11-D 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 0.0095 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	5.5	XXX	11.0
Nov 1 - Apr 30	XXX	XXX	XXX	16.5	XXX	33.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	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 in effect.

Southcentral Regional Office

**PA0041581**, Sewage, SIC Code 4952, **Liverpool Municipal Authority, Perry County**, P.O. Box 357, Liverpool, PA 17045-0357. Facility Name: Liverpool STP. This existing facility is located in Liverpool 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), is located in State Water Plan watershed 6-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 .175 MGD.—Limits.

Parameters	Mass Units (lbs/day)		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 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	36	58	XXX	25	40	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	44	66	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

The proposed effluent limits for Outfall 001 are based on a design flow of .175 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .175 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0082643**, Sewage, SIC Code 7992, **Flatbush Athletics, LLC**, 5000 Hanover Road, Hanover, PA 17331-9077. Facility Name: Flatbush Golf Course. This existing facility is located in Union Township, **Adams County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.16
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids (TSS)	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report

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*

**PA0291731**, Sewage, SIC Code 6514, **Scott Allison**, 10575 Allentown Boulevard, Annville, PA 17003-8417. Facility Name: Allentown Boulevard SFTF. This proposed facility is located in East Hanover Township, **Lebanon County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0012 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Inst Min 10.0	XXX	XXX	20
Total Suspended Solids	XXX	XXX	10.0	XXX	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	XXX
				Geo Mean		

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*

**PA0291781**, Sewage, SIC Code 6514, **Railroad Ave Apartments, LLC**, 41 Run Valley Road, Conestoga, PA 17516-9734. Facility Name: Railroad Ave Apartments. This proposed facility is located in East Donegal Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Susquehanna River (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 .002 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	Daily Min XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	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 717-705-4732.

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0044059**, Industrial, SIC Code 0921, **Pennsylvania Fish and Boat Commission**, Benner Spring Fish Research Station, State College, PA 16801. Facility Name: Reynoldsdale Fish Culture Station. This existing facility is located in East Saint Clair Township, **Bedford County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 4.7304 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Temperature (deg F) (°F)	XXX	XXX	Inst Min XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Nov 1 - Apr 30	213	427	XXX	16.0	32.0	40
May 1 - Oct 31	106	213	XXX	8.0	16.0	20
Total Suspended Solids	133	266	XXX	10.0	20.0	25
Ammonia-Nitrogen						
Nov 1 - Apr 30	80	160	XXX	6.0	12.0	15
May 1 - Oct 31	26	53	XXX	2.0	4.0	5

The proposed effluent limits for Outfall 001 are based on a design flow of 4.7304 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0082481**, Industrial, SIC Code 4941, **Mifflin County Municipal Authority**, 70 Chestnut Street, Lewistown, PA 17044-2216. Facility Name: Lewistown Borough Water System. This existing facility is located in Armagh Township, **Mifflin County**.

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

The receiving stream(s), Laurel Creek (HQ-CWF, MF), is located in State Water Plan watershed 12-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .32 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.6
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Aluminum, Total	6.27	12.54	XXX	2.35	4.70	5.88
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Silver, Total	Report	Report	XXX	Report	Report	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of .27 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75

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

- Approval contingencies
- Proper waste/solids management
- Collected screenings, slurries, sludges, and solids management
- Chlorine minimization condition
- Requirement during cleaning of lagoons

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*

**PA0086878**, Industrial, SIC Code 4941, **Hamburg Municipal Authority**, 61 N 3rd Street, Hamburg, PA 19526-1501. Facility Name: Hamburg Municipal Authority Water Filtration Plant. This existing facility is located in Windsor Township, **Berks County**.

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

The receiving stream(s), Furnace Creek (HQ-CWF), is located in State Water Plan watershed 3-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .13 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Total Dissolved Solids	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .13 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Total Suspended Solids (Total Load, lbs)	XXX	2,739	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	91	XXX	XXX	XXX	XXX
		Total Annual				

The proposed effluent limits for Outfall 001 are based on a design flow of .13 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>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.12	XXX	0.41
Total Suspended Solids	Report	Report	XXX	14.0	28.0	35
Total Suspended Solids (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo			0.5	1.0	1.5
Total Phosphorus (Total Load, lbs) (lbs)	Report	Report	XXX	XXX	XXX	XXX
Aluminum, Total	Report	Report	XXX	0.86	1.35	2.2
Copper, Total	XXX	Report	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	Report	XXX	XXX	Report	XXX
Iron, Total	Report	Report	XXX	1.4	2.8	3.5
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Zinc, Total	XXX	Report	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0266400**, Industrial, SIC Code 4941, **Newport Borough Water Authority, Perry County**, 497 N Front Street, Newport, PA 17074-1609. Facility Name: Newport Borough Wells # 10 and # 14. This existing facility is located in Howe Township, **Perry County**.

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

The receiving stream(s), Unnamed Tributary to Juniata River (WWF, MF), is located in State Water Plan watershed 12-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 .01 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>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Arsenic, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX
Silver, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .01 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>Semi-Annual Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
				Avg Mo		
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
				Avg Mo		
Aluminum, Total	Report	Report	XXX	4.0	8.0	9
				Avg Mo		
Iron, Total	Report	Report	XXX	2.0	4.0	5
				Avg Mo		
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
				Avg Mo		

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*

**PAI133536**, MS4, **Antrim Township, Franklin County**, 10655 Antrim Church Road, Greencastle, PA 17225-9577.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Antrim Township, **Franklin County**. The receiving stream(s), Unnamed Tributary to Conococheague Creek (WWF, MF), Unnamed Tributary to Muddy Run (HQ-CWF, MF), and Unnamed Tributary of Paddy Run (WWF, MF), is located in State Water Plan watershed 13-C and is classified for High Quality—Cold Water, Migratory Fish, Warm Water Fishes, and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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 for small MS4s and is not in effect for large MS4s.

*Southeast Regional Office*

**PA0245453**, Sewage, SIC Code 8800, **Andrews Robert T**, 2800 Quarry Road, Bryn Athyn, PA 19009-8006. Facility Name: 2800 Quarry Road. This proposed facility is located in Bryn Athyn Borough, **Montgomery 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 Pennypack Creek (TSF, MF), is located in State Water Plan watershed 3-J 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 .0008 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	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

- Sludge use and disposal description and location(s): Septic tanks cleaned out by pump and hauler.

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0052515**, Industrial, SIC Code 4941, **Ambler Borough, Montgomery County**, 131 Rosemary Avenue, Ambler, PA 19002. Facility Name: Ambler Borough Water Department. This existing facility is located in Whitemarsh Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .013 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	2.63	5.25	XXX	30.0	60.0	75
Aluminum, Total	0.35	0.70	XXX	4.0	8.0	10
Iron, Total	0.18	0.35	XXX	2.0	4.0	5
Manganese, Total	0.09	0.18	XXX	1.0	2.0	2.5
Gasoline Range Organics	XXX	XXX	XXX	Report	Report	XXX
Diesel Range Organics	XXX	XXX	XXX	Report	Report	XXX



The proposed effluent limits for Outfall 002 and 004 are based on a design flow of .45 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Gasoline Range Organics	XXX	XXX	XXX	XXX	Report	XXX
Diesel Range Organics	XXX	XXX	XXX	XXX	Report	XXX

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

- Necessary property rights
- Proper sludge disposal
- NPDES supersedes prior permits
- BAT reopener
- No discharge of stripper tower cleaning wastewater
- Chemical additives

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PAI130052**, MS4, **Avondale Borough, Chester County**, P.O. Box 247, Avondale, PA 19311-0247.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Avondale Borough, **Chester County**. The receiving stream(s), East Branch White Clay Creek (CWF, MF), Trout Run (CWF, MF), and Unnamed Tributary to East Branch White Clay Creek (CWF, MF), is located in State Water Plan watershed 3-I and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Total Maximum Daily Load (TMDL) Plan

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

The EPA waiver is in effect for small MS4s and is not in effect for large MS4s.

*Southwest Regional Office*

**PA0002437**, Industrial, SIC Code 2951, **Lindy Paving Inc.**, 2340 2nd Avenue, Pittsburgh, PA 15219-3106. Facility Name: Neville Terminal—Shenango Parcel. This existing facility is located in Neville Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharges of storm water associated with industrial activities.

The receiving stream, the Ohio River (WWF), is located in State Water Plan watershed 20-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Outfall 007 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>IMAX</i>
	XXX	Report Daily Max		XXX	XXX	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Average Monthly</i>	<i>Average Weekly Report Daily Max</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>IMAX</i>
Flow (MGD)	XXX		XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are for variable storm water discharges.—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 Report Daily Max</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions: requirements for the management of salt stockpiles and storm water runoff.

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*

**PA0205991**, Industrial, SIC Code 4941, **Moon Township Municipal Authority, Allegheny County**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108-3109. Facility Name: Moon Township Municipal Authority. This existing facility is located in Moon Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste from a municipal water treatment plant.

The receiving stream, Ohio River (WWF), is located in State Water Plan watershed 20-G 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 .065 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.6
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	Avg Qrtly 1.0	2.0	XXX

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0254185**, Industrial, SIC Code 1389, **Reserved Environmental Services, LLC**, 1373 Washington Pike, Suite 100, Bridgeville, PA 15017-2837. Facility Name: New Stanton Plant. This existing facility is located in Hempfield Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of storm water and emergency overflows from a treated wastewater storage impoundment.

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

The proposed effluent limits for Outfall 002 are for storm water discharges and emergency overflows from IMP 102.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Internal Monitoring Point 102 are for emergency overflows.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Internal Monitoring Point Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	53.0	163.0	XXX
Internal Monitoring Point Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Internal Monitoring Point Total Dissolved Solids	XXX	XXX	XXX	500.0	750.0	XXX
Internal Monitoring Point Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	50.0	50.0	XXX
Internal Monitoring Point Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Internal Monitoring Point Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Internal Monitoring Point Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Internal Monitoring Point Alkalinity, Total (as CaCO <sub>3</sub> ) Effluent Net	XXX	XXX	0.0	XXX	XXX	XXX
Internal Monitoring Point Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Internal Monitoring Point Antimony, Total	XXX	XXX	XXX	0.0056	0.0112	XXX
Internal Monitoring Point Barium, Total	XXX	XXX	XXX	2.4	4.8	XXX
Internal Monitoring Point Boron, Total	XXX	XXX	XXX	1.6	3.2	XXX
Internal Monitoring Point Copper, Total	XXX	XXX	XXX	0.009	0.018	XXX
Internal Monitoring Point Iron, Dissolved	XXX	XXX	XXX	0.30	0.30	XXX
Internal Monitoring Point Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Internal Monitoring Point Lead, Total	XXX	XXX	XXX	0.003	0.005	XXX
Internal Monitoring Point Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Internal Monitoring Point Mercury, Total (ug/L)	XXX	XXX	XXX	0.05	0.10	XXX
Internal Monitoring Point Strontium, Total	XXX	XXX	XXX	4.0	8.0	XXX
Internal Monitoring Point Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Internal Monitoring Point Uranium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Internal Monitoring Point Thallium, Total (ug/L)	XXX	XXX	XXX	0.24	0.48	XXX
Internal Monitoring Point Zinc, Total	XXX	XXX	XXX	0.12	0.12	XXX
Internal Monitoring Point o-Cresol	XXX	XXX	XXX	0.561	1.92	XXX
Internal Monitoring Point 2,4,6-Trichlorophenol	XXX	XXX	XXX	0.0015	0.0030	XXX
Internal Monitoring Point						

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Acetone Internal Monitoring Point	XXX	XXX	XXX	3.5	7.0	XXX
Acetophenone Internal Monitoring Point	XXX	XXX	XXX	0.0562	0.114	XXX
Ethylbenzene Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
Benzene Internal Monitoring Point	XXX	XXX	XXX	0.001	0.002	XXX
BTEX, Total Internal Monitoring Point	XXX	XXX	XXX	0.1	0.2	XXX
Chloride Internal Monitoring Point	XXX	XXX	XXX	250.0	500.0	XXX
Bromide Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
2-Butanone Internal Monitoring Point	XXX	XXX	XXX	1.85	4.81	XXX
p-Cresol Internal Monitoring Point	XXX	XXX	XXX	0.16	0.32	XXX
Phenanthrene Internal Monitoring Point	XXX	XXX	XXX	0.001	0.002	XXX
Phenolics, Total (ug/L) Internal Monitoring Point	XXX	XXX	XXX	5.0	5.0	XXX
Pyrene Internal Monitoring Point	XXX	XXX	XXX	0.02	0.04	XXX
Pyridine Internal Monitoring Point	XXX	XXX	XXX	0.182	0.370	XXX
Toluene Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
Xylenes, Total Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
Gross Alpha Radioactivity (pCi/L) Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
Radium-226 and Radium-228, Total (pCi/L) Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX

In addition, the permit contains the following major special conditions: requirements for stormwater discharges and water quality limits below quantitation limits.

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.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150287	New	Camphill Village Kimberton Hills 1601 Pughtown Road Phoenixville, PA 19460	West Vincent Township Chester County	SERO
PAD150288	New	Downingtown Area School District 50 Devon Drive Exton, PA 19341	Uwchlan Township Chester County	SERO
PAC010001	Renewal	CCD Rock Creek, LLC S Side of Shriver's Corner Road SR 0394 Gettysburg, PA 17234	Straban Township Adams County	SCRO
PAD360097	New	Quarryville Resorts 340 Blackburn Road Quarryville, PA 17566-9697	East Drumore Township Lancaster County	SCRO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150275	New	B.K. Campbell Enterprises, Inc. 410 Connor Road Oxford, PA 19363	Lower Oxford Township Chester County	SERO
PAD060082	New	Wawa, Inc. 1946 North 11th Street Reading, PA 19604	City of Reading Berks County	SCRO
PAD380024	New	Merlin High 263 South Mountain Road Robesonia, PA 19551-9216	Millcreek Township Lebanon County	SCRO
PAD450174	New	PennDOT District 5-0 1002 W. Hamilton Street Allentown, PA 18101	Pocono Township Monroe County	NERO
PAC670077	New	Jeffrey L Henry, Inc Chambers Road York, PA 17402	York Township York County	SCRO
PAC670076	New	Holstein Capital Management, LLC 2430 Cape Horn Road Red Lion, PA 17402	York Township York County	SCRO
PAD670044	Transfer	New Hope Presbyterian Church 2685 Delta Road Brogue, PA 17309	Chanceford Township York County	SCRO
PAD060081	New	Spring Township Old Mill Road Wyomissing, PA 19610	Wyomissing Borough Berks County	SCRO
PA340001D	New	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517-9039	Lack Township Milford Township Tuscarora Township Grantville Township Lewistown Borough Juniata County Mifflin County	SCRO
PAD020036 A-4	Major Amendment	Pennsylvania Turnpike Commission 700 S Eisenhower Blvd Middletown, PA 17057	West Mifflin Borough Dravosburg Borough Allegheny County	RPCO

## 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>
Herbruck's Blue Springs Egg Farm 8069 Corner Road Mercersburg, PA 17236	Franklin County	74.8	6,908.0	Poultry—Layers	NA	Renewal

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

*Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.*

**Application No. 6622504**, Construction, Public Water Supply.

Applicant	<b>Mehoopany Baptist Church</b>
Address	4301 SR 87 P.O. Box 162 Mehoopany, PA 18629
Municipality	Mehoopany Township
County	<b>Wyoming County</b>

Responsible Official	Stephen Howell Deacon 84 Maple Avenue Tunkhannock, PA 18657
Consulting Engineer	Rebecca Peterson Folsom Engineering, LLC 4361 SR 87 Mehoopany, PA 18629
Application Received	October 20, 2022
Description	The applicant proposes to replace an existing filter, softener and reverse osmosis unit, and to add an additional Katalox filter.
	<i>Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.</i>
	<i>Contact: Joseph M. Mattucci, Program Manager, 717-705-4708.</i>
	<b>Application No. 3123502</b> , Construction, Public Water Supply.
Applicant	<b>Emily Estates</b>
Address	1916 Hileman Road Tyrone, PA 16686
Municipality	Morris Township
County	<b>Huntingdon County</b>
Responsible Official	Jeff S. Long 1916 Hileman Road Tyrone, PA 16686
Consulting Engineer	Brian D. Shura P.E. Stiffler, McGraw and Associates Inc. 1731 North Juniata Street Hollidaysburg, PA 16648
Application Received	January 17, 2023
Description	Application for the installation of a new softener for hardness removal and the replacement of the submersible well pump.
	<i>Contact: Thomas Filip, Environmental Engineer, 717-705-4708.</i>
	<b>Application No. 2222524</b> , Construction, Public Water Supply.
Applicant	<b>Pennsylvania American Water</b>
Address	852 Wesley Drive Mechanicsburg, PA 17055

Municipality	Swatara Township
County	<b>Dauphin County</b>
Responsible Official	Jennifer Miller 852 Wesley Drive Mechanicsburg, PA 17055
Consulting Engineer	Gwin, Dobson, and Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602-4496
Application Received	December 27, 2022
Description	Steelton Borough water system: Installation of a new Kelker Street booster pump station to replace the existing pump station.
<b>Application No. 0123501</b> , Construction, Public Water Supply.	
Applicant	<b>48forty Solutions, LLC</b>
Address	P.O. Box 846 Biglerville, PA 17307
Municipality	Butler Township
County	<b>Adams County</b>
Responsible Official	Stephen Keul P.O. Box 846 Biglerville, PA 17307
Consulting Engineer	James R. Holley & Assoc, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received	January 19, 2023
Description	Relocation of the existing treatment system to a new building.
<i>Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.</i>	
<i>Contact: Kimberleigh Rivers, Clerical Assistant 2, 484- 250-5887.</i>	
<b>Application No. 1523501</b> , Construction, Public Water Supply.	
Applicant	<b>Rere's Cafe</b>
Address	1404 West Kings Highway Gap, PA 17527
Municipality	West Caln Township
County	<b>Chester County</b>
Responsible Official	Marie Stoltzfus 1404 West Kings Highway Gap, PA 17527
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17527
Application Received	January 25, 2023
Description	Adding nitrate treatment equipment and a UV light to exiting water system.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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#### **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).**

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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.*

**Former Allen Manufactured Gas Plant**, Primary Facility ID # **814424**, 396 West Hamilton Street, Allentown, PA 18101, City of Allentown, **Lehigh County**. GZA GeoEnvironmental, 1515 Market Street, Philadelphia, PA 19102 on behalf of UGI Utilities, Inc., 1 UGI Drive, Denver, PA 17517, submitted a Notice of Intent to Remediate. Soil and groundwater were impacted by volatile organic compounds, semi-volatile organic compounds, and lead from historic use as a manufactured gas plant. The Notice of Intent to Remediate was published in *The Morning Call* on January 21, 2023. Application received: January 26, 2023.

**R. Warriner Pad 2**, Primary Facility ID # **858186**, 6365 State Route 3023, Montrose, PA 18801, Dimock 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 that was discovered on May 19, 2022. The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on January 18, 2023. Application received: January 27, 2023.

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

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

**Former Gulf Service Facility No. 142574**, Primary Facility ID # **863572**, 1156 Harrisburg Pike, Carlisle, PA 17013, Middlesex Township, **Cumberland County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110 on behalf of Middlesex Associates, P.O. Box 815, Enola, PA 17025, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil and groundwater contaminated with Unleaded Gasoline, TPH and Benzene. The site will be remediated to the Statewide health and site-specific standard. Future use of the site is for non-residential purposes. The Notice of Intent to Remediate was published in *The Patriot News* on December 11, 2022. Application received: December 13, 2022.

**Former Reading Holder Site**, Primary Facility ID # **863667**, 330 Elm Avenue, Reading, PA 19601, City of Reading, **Berks County**. Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of UGI Utilities, Inc., 1 UGI Drive, Denver, PA 17517, submitted a Notice of Intent to Remediate soil contaminated with Arsenic and certain PAHs. The site will be remediated to the Statewide health standard. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *Reading Eagle* on December 20, 2022. Application received: December 29, 2022.

**Leesport Farmers Market**, Primary Facility ID # **747128**, 312 Gernants Church Road, Leesport, PA 19533, Ontelaunee Township and Leesport Borough, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601 on behalf of Weist Properties, LTD, 707 Mountain View Drive, Hamburg, PA 19526, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with Lead. The site will be remediated to the site-specific standard.

Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *Reading Eagle* on October 27, 2022. Application received: January 10, 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.*

**Laboratory Testing Inc.**, Primary Facility ID # **862328**, 2331 Topaz Drive, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Lisa Whited, LVL Engineering Group, 559 Main Street, Suite 230, Bethlehem, PA 18018 on behalf of Mike McVaugh, MTJ Properties, LP, 331 Topaz Drive, Hatfield, PA 19440, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with trichloroethylene in groundwater. The future use of the site is expected to remain for manufacturing purposes. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *Times Herald Legals* on December 22, 2022. Application received: January 17, 2023.

#### 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.**

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

*Contact: Waste Management Program Manager.*

**WMGM019SW003. Reserve Park Recycling and Transfer, Inc.**, 408 Hoffman Road, Pittsburgh, PA 15212, Reserve Township, **Allegheny County**. The Department of Environmental Protection (Department) has received a permit renewal application for General Permit (GP) No. WMGM019SW003. WMGM019SW003 authorizes the processing and beneficial use of: waste concrete and asphalt to produce a roadway construction material; wood waste and uncontaminated soil to produce topsoil and mulch for landscaping purposes; and leaf and yard waste to produce compost at the Michael Brothers Reserve Park Facility located at 408 Hoffman Road, Pittsburgh, PA 15212. Application received: January 13, 2023. Deemed administratively complete: January 27, 2023.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@PA.GOV, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. 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.

**WMGM019SW005. A & S Landscaping, Inc.**, 2150 Washington Road, Canonsburg, PA 15317, North



Strabane Township, **Washington County**. The Department of Environmental Protection (Department) has received a permit renewal application for General Permit (GP) No. WMGM019SW005. WMGM019SW005 authorizes the processing and beneficial use of: waste concrete and asphalt to produce a roadway construction material; wood waste and uncontaminated soil to produce topsoil and mulch for landscaping purposes; and leaf and yard waste to produce compost at the A & S Landscaping, Inc., Washington Road Facility located at 2150 Washington Road, Canonsburg, PA 15317. Application received: January 19, 2023. Deemed administratively complete: January 31, 2023.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@PA.GOV, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. 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 RESIDUAL WASTE GENERAL PERMITS**

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

*Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Mohamad Mazid, Chief, Technical Services, 484-250-5768.*

**WMGR138SE001, Walter R. Earle—Morrisville, LLC**, P.O. Box 728, Farmingdale, NJ 07727, Morrisville Borough, **Bucks County**. This General Permit application is for Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR138 to operate a concrete recycling facility called Walter R. Earle—Morrisville, LLC, Facility at the existing hot-mix asphalt plant located at 14 Steel Road East, Morrisville, PA. Application received: January 10, 2023. Deemed administratively complete: January 24, 2023.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone Number 484.250.5960, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact 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.

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

**Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

*Contact: Waste Management Program Manager.*

**101717. Boyd Roll-Off Services, Inc.**, 1107 Thompson Avenue, McKees Rocks, PA 15136, McKees Rocks Borough, **Allegheny County**. An application for a major modification to the municipal/C&D/residual waste transfer station permit requesting an increase to the maximum daily waste intake from the permitted 500-tons per day to the proposed 1,000-tons per day at the Boyd Transfer & Recycling Facility located at 1107 Thompson Avenue, McKees Rocks, PA 15136, McKees Rocks Borough, Allegheny County. Application received: October 4, 2022. Deemed administratively complete: January 17, 2023.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@PA.GOV, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. 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.

**101700. McKees Rocks Transfer Station, LLC**, 149 Nichols Avenue, McKees Rocks, PA 15136, Stowe Township, **Allegheny County**. Closure plan submission for transfer station. Application received: January 10, 2023. Deemed administratively complete: January 26, 2023.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@PA.GOV, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### **HAZARDOUS WASTE TRANSPORTER LICENSE**

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

*New Applications Received*

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

*Contact: Jonathan Adams.*

**Clean Safe Technologies**, P.O. Box 236, Barstow, MD 20610. **License No. PA-AH 0930**. Accepted: November 22, 2022.

*Renewal Applications Received*

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

*Contact: Jonathan Adams.*

**Empire Wrecking Co. of Reading, PA.**, 1440 Carbon Street, Reading, PA 19601. **License No. PA-AH 0255**. Accepted: January 6, 2023.

**Triumvirate Environmental, Inc.**, 200 Inner Belt Road, Somerville, MA 02143. **License No. PA-AH 0477**. Accepted: January 5, 2023.

**VLS Lancaster, LLC**, 1076 Old Manheim Pike, Lancaster, PA 17601. **License No. PA-AH 0679**. Accepted: January 5, 2023.

**IPC Services LLC**, 232 East Lancaster Road, Harmony, PA 16037. **License No. PA-AH 0859**. Accepted: January 12, 2023.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution

Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

### PLAN APPROVALS

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

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

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

**62-00017AA: United Refining Company**, 15 Bradley Street, Warren, PA 16365, City of Warren, **Warren County**. Application received: August 3, 2022.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 62-00017AA to United Refining Company for the installation of a 5.184 MMgal/day capacity gasoline loading rack and associated vapor combustion unit at the company's facility. The facility currently has a Title V Operating Permit No. 62-00017.

The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. Plan Approval No. 62-0017AA is for the installation of a 5.184MMgal/day capacity gasoline loading rack (West End Loading Rack, Source ID # 229), which will be used to provide additional operational flexibility in gasoline loading operations to the existing refinery. VOC emissions from the proposed loading rack will be controlled by a proposed vapor combustion unit (Source ID # C229). Based on the information provided by the applicant and DEP's own analysis, the subject source will result in potential emissions not to exceed 15.99 tons of carbon monoxide, 6.4 tons of nitrogen oxides (NO<sub>x</sub>), and 17.09 tons of volatile organic compounds (VOC) per year, calculated as a 12-month rolling total. Additionally, United is proposing reduced SO<sub>x</sub> tons per year permit limits for the existing # 6 Boiler (Source ID 036) and # 7 Boiler (Source ID 037), and additional VOC emission limit reductions for the existing Pretreater Heater (Source ID 051), # 2 Claus Sulfur Plant (Source ID 108), and Sour Tips Stripper Unit (Source ID 1003). The proposed source will be subject to the applicable requirements of 40 CFR 60 Subpart(s) Ja [Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007] and XX [Standards of Performance for Bulk Gasoline Terminals], and 40 CFR 63 Subpart CC [National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries].

Proposed BAT for this installation will be the installation and use of the proposed vapor combustion unit and leak detection and repair (LDAR) procedures as required for the control of VOC, use of low-sulfur fuels, including

compliance with the TVOP H<sub>2</sub>S limits for refinery fuel gas for control of SO<sub>x</sub>, and good engineering and combustion practices. The Plan Approval will contain additional testing, monitoring, recordkeeping, and work practice requirements 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 are available for public inspection between the hours of 8:00 a.m. and 4:00 p.m. weekdays at the following address. To make an appointment, contact Records Management at 814-332-6340, for an appointment. Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the following address.

Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 62-00017AA and concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6121.

*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.*

**67-05098D: Kinsley Construction Inc., Ensminger & Williams Quarries**, 2700 Water Street, York, PA 17405, West Manchester Township, **York County**. Application received: November 28, 2022. For the addition of jaw and cone crushers, screens and conveyors at the limestone quarry. PM emissions from the new equipment are to be controlled using water sprays. The quarry's PTE will increase to 81.92 tpy PM, 37.12 tpy PM<sub>10</sub> and 9.23 tpy PM<sub>2.5</sub>. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60 Subpart OOO Standards of Performance for Nonmetallic Mineral Processing Plants. Based on these findings, the Department proposes to issue a plan approval for the construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval 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.*

**46-0299B: Innovation 411 Fee Owner**, 411 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Application received: November 10, 2022. This action is for the installation of a new 4,000-kW diesel fuel-fired electric generator at Innovation 411 Fee Owner's multi-tenant commercial property used for R&D, office and finance. The proposed electric generator will be situated outside of Building 32 and will be used for standby/emergency purposes only to serve the chilled water expansion project. As a result of potential emissions of nitrogen oxides (NO<sub>x</sub>), the facility is a Title V facility. In addition, the Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

#### OPERATING PERMITS

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

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

*Contact: Norm Frederick, 570-826-2409.*

**40-00021, Hazleton Gen LLC/Hazle Twp**, 120 Maplewood Drive, Hazle Township, PA 18202-9266, Hazle Township, **Luzerne County**. Application received: July 19, 2022. The Department intends to issue a renewal Title V Operating Permit for the electric generation facility located in Hazle Township, Luzerne County. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G. The main sources at this facility consist of gas turbines. The sources are controlled by water injection. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*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.*

**46-00011, Cleveland Cliffs Plate/Conshohocken**, 900 Conshohocken Rd, Conshohocken, PA 19428, Plymouth Township, **Montgomery County**. Application received: July 15, 2022. This action is for the renewal of a Title V operating permit renewal for a steel mill. There will be no changes in actual emissions of any air contaminant, nor will there be any new sources constructed or installed as a result of this action. The Title V operating permit will include monitoring, recordkeeping and

reporting requirements designed to keep the facility operating within all applicable air quality requirements. RACT III notification and application was received on December 22, 2022 in accordance with 25 Pa. Code § 129.114(d)(1)(i). RACT III will be addressed under Authorization Number 1421276 not under this TVOP Renewal (Auth. No. 1403351). 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.

**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.**

*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.*

**18-00013, UPMC Lock Haven**, 24 Cree Drive, Lock Haven, PA 17745, City of Lock Haven, **Clinton County**. Application received: March 11, 2022. To issue a renewal State Only “Natural Minor” Operating Permit for their Lock Haven Hospital. The significant emissions sources at the facility are three natural gas fired boilers and three diesel emergency generators. The facility has potential emissions of 7.9 tons per year of carbon monoxide, 9.3 tons per year of nitrogen oxides, 0.1 ton per year of sulfur oxides, 1.3 tons per year of particulate matter, 1.1 tons per year of volatile organic compounds, 0.3 ton per year of total Hazardous Air Pollutants, and 16,455 tons per year of carbon dioxide equivalents (greenhouse gases). No emissions or equipment changes are being proposed by this renewal. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Parts 60 and 63. 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.

*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**. Application received: March 24, 2022. The Department intends to issue 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<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), 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.

**54-00091, Blue Mountain Enterprises Services**, 1246 Deturksville Rd., Pine Grove, PA 17963-8378, Pine Grove Township, **Schuylkill County**. Application received: March 30, 2022. The Department intends to issue a new State-Only (Natural Minor) Permit for the operation of Agriculture—Animal Specialty Services facility in Pine Grove Township, Schuylkill County. The sources consist of a rotary dryer, shaver, screen, and storage. The control devices are cyclones. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), 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.

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

*Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.*

**37-00296, Select Industries**, P.O. Box 7158, 420 North Cascade Street, New Castle, PA 16107-7158, City of New Castle, **Lawrence County**. Application received: December 13, 2021. The Department is providing notice they intend to renew the State Only Natural Minor Operating Permit for the facility. The facility coats tinplates. The significant sources at the facility are a roll coater controlled by a thermal oxidizer, a printing press, a small paint booth, miscellaneous natural gas combustions sources, and miscellaneous cleaning solvent. The conditions of the previous approvals and operating permit were incorporated into the renewal permit. The facility is a Natural Minor and is subject to State and Federal Regulations. VOC emissions are approximately 8.2 lbs/hr from the surface coating as measured by stack testing at the outlet of the thermal oxidizer. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

*Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.*

*Contact: Edward Wiener, Chief, Source Registration, 215-685-9426.*

**OP21-000050, Kingsbury, Inc.**, 10385 Drummond Road, Philadelphia, PA 19154, City of Philadelphia, **Philadelphia County**. Application received: August 26, 2021. The City of Philadelphia, Air Management Services (AMS) intends to renew a Minor State Only Operating Permit for the operation of a bearing manufacturing facility in the City of Philadelphia, Philadelphia County. The facility’s air emission source is an 1,100 hp gas turbine that burns kerosene. 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 at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426. 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 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.

**OP21-000045, Equinix LLC**, 401 N. Broad Street, Philadelphia, PA 19108, City of Philadelphia, **Philadelphia County**. Application received: December 8, 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 data center facility in the City of Philadelphia, Philadelphia County. The facility's air emission sources are three (3) emergency generators firing diesel fuel, of which one (1) rated 800 kW and two (2) rated 1,500 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 at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426. Persons wishing to file protest, comments, or request a public hearing on the previously listed 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 Managements Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to [DPHAMS\\_Service\\_Requests@phila.gov](mailto:DPHAMS_Service_Requests@phila.gov) with "Equinix OP21-000045" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail.

*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.*

**67-05098, Kinsley Construction, Inc.**, P.O. Box 2886, York, PA 17405, West Manchester Township, **York County**. Application received: November 21, 2022. For the operation of a construction aggregate production facility at the Ensminger and Williams Quarry. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 41.4 tpy PM<sub>10</sub> and 14.7 tpy PM<sub>2.5</sub>. The operating permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.*

**46-00199, Alcom Printing Group, Inc./Harleysville Plant**, 140 Christopher Lane, Harleysville, PA 19438-2034, Lower Salford Township, **Montgomery County**. Application received: January 18, 2022. This action is for the renewal of a State Only, Natural Minor Operating permit, for operation of six (6) lithographic print-

ing presses. Press 10 and Press 12 (Source IDs 110 and 112), previously operating under General Permit Nos. GP10-46-0041 and GP7-46-0050, will be incorporated into the Operating Permit with this renewal. The facility is subject to the applicable requirements of 25 Pa. Code § 129.67b. The main emissions from operation of the presses are Volatile Organic Compounds (VOCs) and Hazardous Air Pollutants (HAPs). The VOCs and HAPs emissions shall not exceed 10 and 17 tons per year, respectively. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at [RA-EPSEROAQPUBCOM@pa.gov](mailto:RA-EPSEROAQPUBCOM@pa.gov).

**46-00154, Eye Designs LLC**, 220 W 5th Ave, Trappe, PA 19426, Trappe Borough, **Montgomery County**. Application received: August 27, 2021. This action is a renewal of a State Only Synthetic Minor Operating Permit. Eye Designs uses various stains, lacquers, adhesives, and cleaning solvents with the potential to emit Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAP). The facility has three (3) spray booths (Source IDs 101A, 101B and 101C) and one parts washer (Source ID 201). The facility also has various miscellaneous sources consuming natural gas and propane. The facility has elected to take the following sitewide limits: 24.90 tons VOC per year; 9.90 tons individual HAP per year; and 24.00 total HAP per year. Therefore, the facility operates as a synthetic minor for HAP and VOC. The facility is an area source for all other criteria pollutants. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at [RA-EPSEROAQPUBCOM@pa.gov](mailto:RA-EPSEROAQPUBCOM@pa.gov).

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on

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

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief sum-

mary 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

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

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

Alkalinity must always be greater than acidity.

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

*Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.*

**Mining Permit No. 03120101. NPDES No. PA0252204. Amerikohl Mining, Inc.,** 202 Sunset Drive, Butler, PA 16001, Freeport Borough, **Armstrong County**. Revision application for land use change from forestland to unmanaged natural habitat for an existing bituminous surface mine and associated NPDES permit, affecting 97.0 acres. Receiving streams: unnamed tributaries to Buffalo Creek and Buffalo Creek, classified for the following use: TSF. Application received: January 30, 2023.

#### *Noncoal Applications*

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

Table 2

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

Alkalinity must always exceed acidity.

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

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 08202503. NPDES No. PA0270016. Charles H. God II,** 46 River Woods Lane, Sugar Run, PA 18846, Tuscarora Township, **Bradford County**. New NPDES permit application for a GP-104 bluestone general permit mining site affecting 10.0 acres. Receiving stream(s): Fargo Creek/Fargo Creek Watershed classified for the following use(s): CWF, MF. Application received: January 26, 2023. Accepted: January 27, 2023.

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

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

**Mining Permit No. 5276SM5. NPDES Permit No. PA0595217. Eureka Stone Quarry, Inc.,** P.O. Box 249, Chalfont, PA 18914, Dingman Township, **Pike County**. Correction of a quarry operation to add 16.3 acres for a total of 218.6 acres and import fill material for reclamation purposes. Receiving stream: unnamed tributary to Sawkill Creek, classified for the following use: EV, MF. Application received: January 17, 2023.

**Mining Permit No. GP105 Permit No. 35212501. NPDES Permit No. PA0226351. Williams Garden Center, Inc.,** 516 Drinker Turnpike, Covington Township, PA 18424, Covington Township, **Lackawanna County**. NPDES Permit on a quarry operation affecting 11.4 acres. Receiving stream: Emerson Run, classified for the following use: EV-CWF. Application received: January 26, 2023.

**Mining Permit No. 7974SM1. NPDES Permit No. PA0594121. Heidelberg Materials Northeast, LLC,** 7660 Imperial Way, Allentown, PA 18195, East Rockhill Township, **Bucks County.** Renewal and modification to replace Outfall 001 and add three upstream points and increase the discharge rate of an NPDES Permit on a quarry operation affecting 103.2 acres. Receiving stream: unnamed tributary to Tohicken Creek, classified for the following uses: TSF, MF. Application received: January 26, 2023.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

*Coal NPDES Draft Permits*

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

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

**NPDES No. PA0279871. Mining Permit No. 56220102. Mountaineer Mining Corporation,** 1010 Garrett Shortcut Road, Berlin, PA 15530, Brothersvalley Township, **Somerset County.** New NPDES permit affecting 115.3 acres. Receiving stream: Buffalo Creek classified for the following use: CWF. Application received: May 23, 2022.

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

The following treated wastewater outfalls discharge to Buffalo Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate (MGD)</i>
001	New	Treatment	0.085 Intermittent
002	New	Treatment	0.085 Intermittent
003	New	Treatment	0.085 Intermittent
004	New	Sediment	0.262 Precipitation
005	New	Sediment	0.262 Precipitation
006	New	Sediment	0.262 Precipitation

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

Mine Drainage Treatment Outfalls 001—003

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

Stormwater Outfalls 004—006

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

Outfalls 004—006 (10-yr/24-hr Precip. Event)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	XXX	XXX	7.0
Total Settleable Solids (ml/L)	XXX	XXX	XXX	0.5
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report

Outfalls 004—006 (>10-yr/24-hr Precip. Event)

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Settleable Solids (ml/L)	XXX	XXX	XXX	0.5
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report

Noncoal NPDES Draft Permits

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

Contact: RA-EPPottsvilleDMO@pa.gov.

**NPDES Permit No. PA0225452. Mining Permit No. 5077SM1. H & K Group, Inc.,** P.O. Box 196, Skippack, PA 19474, Lehman Township, **Pike County**. Renew NPDES Permit affecting 142.99 acres. Receiving streams: Pikes Creek and unnamed tributary to Hunlock Creek, classified for the following uses: HQ-CWF, MF. Application received: February 11, 2022.

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: Pikes Creek and unnamed tributary to Hunlock Creek.

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate: MGD</i>
001	existing	SWO	1.305
002	existing	SWO	0.207
003	existing	SWO	0.011



The following limits apply to dry weather discharges from the following stormwater outfalls: 001—003

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L)			Monitor and Report	
Total Aluminum (mg/L)		0.797	1.244	1.994

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (ml/L)				0.5
Oil and Grease (mg/L)			Monitor and Report	
Total Aluminum (mg/L)		0.797	1.244	1.944

<sup>1</sup> This 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)).**

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

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

**E0829223-002. Chesapeake Appalachia LLC,** 14 Chesapeake Lane, Sayre, PA 18840, Burlington Township and West Burlington Township, **Bradford County.** U.S. Army Corps of Engineers Baltimore District. Application received: January 20, 2023.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (305 square feet) of an unnamed tributary to Tomjack Creek (TSF, MF) and 4,225 square feet of floodway impacts (East Troy, PA Quadrangle, Latitude: 41.787293°, Longitude: -76.622663°);

2. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (261 square feet) of an unnamed tributary to Tomjack Creek (TSF, MF) and 5,140 square feet of floodway impacts (East Troy, PA Quadrangle, Latitude: 41.787165°, Longitude: -76.621966°);

3. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,655 square feet of a Palustrine Emergent Wetland (East Troy, PA Quadrangle, Latitude: 41.786826°, Longitude: -76.620203°);

4. a 16-inch diameter temporary waterline impacting 3,025 square feet of a Palustrine Emergent Wetland and 1,198 square feet of floodway impacts to an unnamed tributary to Tomjack Creek (TSF, MF) (East Troy, PA Quadrangle, Latitude: 41.788215°, Longitude: -76.616920°);

5. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,919 square feet of a Palustrine Emergent Wetland (East Troy, PA Quadrangle, Latitude: 41.788678°, Longitude: -76.617529°);

6. a 16-inch diameter temporary waterline and a timber mat bridge impacting 261 square feet of a Palustrine Emergent Wetland (East Troy, PA Quadrangle, Latitude: 41.788973°, Longitude: -76.617298°);

7. a 16-inch diameter temporary waterline and a timber mat bridge impacting 44 square feet of a Palustrine Emergent Wetland, 119 linear feet (199 square feet) of

Tomjack Creek (TSF, MF) and 4,574 square feet of floodway impacts (East Troy, PA Quadrangle, Latitude: 41.789336°, Longitude: -76.617110°);

8. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (87 square feet) of an unnamed tributary to Tomjack Creek (TSF, MF) and 2,309 square feet of floodway impacts (Ulster, PA Quadrangle, Latitude: 41.789611°, Longitude: -76.615428°);

9. a 16-inch diameter temporary waterline and a timber mat bridge impacting 348 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41.789273°, Longitude: -76.615148°);

10. a 16-inch diameter temporary waterline impacting 30 square feet of a Palustrine Emergent Wetland and 4,879 square feet of floodway impacts to an unnamed tributary to Tomjack Creek (TSF, MF) (Ulster, PA Quadrangle, Latitude: 41.790567, Longitude: -76.613254°);

11. a 16-inch diameter temporary waterline and a timber mat bridge impacting 10,281 square feet of floodway impacts to an unnamed tributary to Tomjack Creek (TSF, MF) (Ulster, PA Quadrangle, Latitude: 41.791981°, Longitude: -76.613049°);

12. a 16-inch diameter temporary waterline and a timber mat bridge impacting 16,814 square feet of floodway impacts to an unnamed tributary to Tomjack Creek (TSF, MF) (Ulster, PA Quadrangle, Latitude: 41.792419°, Longitude: -76.610871°);

13. a 16-inch diameter temporary waterline impacting 1,111 square feet of a Palustrine Emergent Wetland, 56 square feet of a Palustrine Forested Wetland, 6 linear feet (10 square feet) of an unnamed tributary to Wallace Run (WWF, MF) and 174 square feet of floodway impacts (Ulster, PA Quadrangle, Latitude: 41.794537°, Longitude: -76.602749°);

14. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,089 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41.796895°, Longitude: -76.602892°);

15. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,176 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41.797381°, Longitude: -76.602845°);

16. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,919 square feet of floodway impacts to an unnamed tributary to Wallace Run (WWF, MF) (Ulster, PA Quadrangle, Latitude: 41.800107°, Longitude: -76.601935°);

17. a 16-inch diameter temporary waterline impacting 4 linear feet (5 square feet) of an unnamed tributary to Wallace Run (WWF, MF) and 133 square feet of floodway impacts (Ulster, PA Quadrangle, Latitude: 41.800907°, Longitude: -76.601664°);

18. a 16-inch diameter temporary waterline and timber mat bridge impacting 34 linear feet (610 square feet) of Wallace Run (WWF, MF) and 1,481 square feet of floodway impacts (Ulster, PA Quadrangle, Latitude: 41.801760°, Longitude: -76.599660°);

19. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,263 square feet of a Palustrine Emergent Wetland (Ulster, PA Quadrangle, Latitude: 41.802500°, Longitude: -76.599145°);

20. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,091 square feet of a Palustrine Emergent Wetland and 1,002 square feet of floodway

impacts to an unnamed tributary to Wallace Run (WWF, MF) (East Troy, PA Quadrangle, Latitude: 41.801741°, Longitude: -76.597515°);

21. a 16-inch diameter temporary waterline and a timber mat bridge impacting 21 linear feet (436 square feet) of an unnamed tributary to Wallace Run (WWF, MF) and 2,178 square feet of floodway impacts (Ulster, PA Quadrangle, Latitude: 41.801786°, Longitude: -76.596105°);

22. a 16-inch diameter temporary waterline and a timber mat bridge impacting 12 linear feet (261 square feet) of an unnamed tributary to Wallace Run (WWF, MF) and 1,917 square feet of floodway impacts (Ulster, PA Quadrangle, Latitude: 41.799738°, Longitude: -76.589335°);

23. a 16-inch diameter temporary waterline and a timber mat bridge impacting 17 linear feet (348 square feet) of an unnamed tributary to Wallace Run (WWF, MF) and 1,873 square feet of floodway impacts (Ulster, PA Quadrangle, Latitude: 41.799639°, Longitude: -76.589051°);

The project will result in 61 linear feet (2,682 square feet) of temporary stream impacts, 66,431 square feet (1.525 acres) of temporary floodway impacts, 12,292 square feet (0.282 acre) of temporary PEM wetland impacts and 56 square feet (0.001 acre) of temporary PFO wetland impacts, all for the purpose of establishing a temporary water supply for Marcellus well development in Burlington and West Burlington Township, Bradford County.

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

*Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.*

**E5202122-003. PA Department of Transportation, Eng District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, Dingman Township, Milford Borough, **Pike County**. U.S. Army Corps of Engineers Philadelphia District. Application received: December 5, 2022.

The following impacts are associated with the SR 0209 Section 450 project: 1. The rehabilitation of a single span 43.3' wide reinforced concrete arch with a minimum underclearance of 25' carrying SR 0209 over Sawkill Creek (EV, MF) and construct and maintain appurtenant structure features. The bridge deck will be replaced as part of the proposed rehabilitation. 2. Streambank protection will be placed for approximately 75' along the northern bank of Sawkill Creek and for approximately 100' along the southern bank of Sawkill Creek. 3. To construct and maintain an outfall in the floodway of Sawkill Creek consisting of an 18" pipe and riprap protection. The project is located along 0209 Section 450, Segment 0010 Offset 0000, approximately 0.4 mile northeast of the SR 0209/SR 0206 intersection (Milford, PA Quadrangle; Latitude: 41.317076° N, Longitude: -74.799601° W).

**E5202222-002. Woodloch Pines Inc.**, 731 Welcome Lake Road, Hawley, PA 18428, Lackawaxen Township, **Pike County**. U.S. Army Corps of Engineers Philadelphia District. Application received: December 22, 2022.

To maintain a wood egress/dock access area, boardwalk and a T-shape dock in Little Teedyuskung Lake (HQ-CWF, MF). The egress/dock access area is approximately 27-feet long by 17-feet wide, the boardwalk is approximately 172-feet long by 10-feet wide, and the "T" shaped dock is approximately 11-foot wide by 62-feet long. The project is located at 109 River Birch Lane. Latitude: 41° 30' 17", Longitude: -75° 5' 55".

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Sage Saum, Clerical Assistant 2, 717-705-4992.*

**E2203222-009. Dauphin County Commissioners,** 2 South 2nd Street, 4th Floor, Harrisburg, PA 17101, City of Harrisburg, **Dauphin County.** U.S. Army Corps of Engineers Baltimore District. Application received: December 30, 2022.

To 1) remove a gravel bar that has deposited within the channel of Paxton Creek (WWF, MF) downstream from the existing pedestrian bridge. 2) Stabilize approximately 500 linear feet of the streambank of Paxton Creek (WWF, MF) with R-6 rip-rap and planted live stakes permanently impacting 10,755 square feet of Paxton Creek (WWF, MF) and permanently impacting 1,060 square feet of wetlands. All proposed work is for the purpose of protecting the banks against further erosion around the existing boardwalk and decreasing the boardwalks risk of failure. The project is located where Paxton Creek (WWF, MF) flows into Wildwood Lake in Harrisburg City, Dauphin County. Wetland impacts are de minimis and replacement is not required.

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

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

**E1501222-009. Waynesborough Country Club,** 440 Darby-Paoli Road, Paoli, PA 19301, Easttown Township, **Chester County.** U.S. Army Corps of Engineers Philadelphia District. Application received: December 12, 2022.

To relocate and maintain about a 400-foot new open channel and abandon the existing 24-inch pipe stream enclosure along the UNT of Crum Creek (HQ-CWF-MF) associated with the Daylighting of the Channel for the Golfers and to provide an additional environmental feature within the Waynesborough Country Club at the

Fairway Golf Course. The site is located at the intersection of Waynesborough and Darby-Paoli Roads (Valley Forge, PA USGS Quadrangle) in Easttown Township, Chester County. Latitude: 40.027889°, Longitude: -75.468504°.

**E4601223-001. Skippack Township,** P.O. Box 164, Skippack, PA 19474, Skippack Township, **Montgomery County.** U.S. Army Corps of Engineers Philadelphia District. Application received: January 19, 2023.

To construct and maintain the following listed water obstruction and encroachment activities associated with Lenape Park. Skippack Township is seeking permitting for the already-constructed 260 ft by 10 ft asphalt pedestrian trail in Lenape Park in and along the 100-year floodway of the East Branch of Perkiomen Creek (TSF, MF). Impacts include 0.06 acre of permanent floodway impact. The removal of a portion of the trail will result in 764 SF of temporary waterway impact. There are no wetland impacts. The site is located between Squirrel Hill and Haleman Roads (Collegeville, Perkiomenville, PA USGS map) in Skippack Township, Montgomery County. Latitude: 40.29490°, Longitude: -75.4558°.

*Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: D. J. Stevenson, 412-442-4281.*

**E6307222-013. EQT Production Company, LLC,** 400 Woodcliff Drive, Canonsburg, PA 15317, Amwell Township, **Washington County.** U.S. Army Corps of Engineers Pittsburgh District. Application received: September 21, 2022.

The impacts associated with this project are being permitted after-the-fact for an Emergency Permit issued at the Cogar Well Site for slide remediation. The area of permanent stabilization included regrading through Wetland 1 and Wetland 2 which resulted in permanent fill of the wetlands. Wetland mitigation is proposed at the LRG Shrader Hollow Road Mitigation Bank Site. A total of 0.52 acre of wetlands will be mitigated at a 1:1 ratio.

The project is located within the Amity USGS 7 1/2 Minute Quadrangle Map.

Resource	Resource Type	Activity Type	Permanent Direct (acres)	Temporary Direct (acres)	Permanent Indirect (acres)	Temporary Indirect (acres)
Wetland-1	PEM (Other)	Fill	0.004	0.004	—	—
Wetland-2	PEM (Other)	Fill	0.048	—	—	—

*Contact: Dana Drake, Program Manager, 412-442-4000.*

**E0205222-031. Green Tree Borough,** 10 West Manna Avenue, Pittsburgh, PA 15220, Green Tree Borough, **Allegheny County.** U.S. Army Corps of Engineers Pittsburgh District. Application received: January 31, 2023.

The applicant proposes to: Construct and maintain streambank stabilization along approximately 1,092 linear feet of Whiskey Run (WWF), by creating a bench that will be approximately 6 inches high by 5 feet wide to create a floodway, and to plant a riparian buffer area, to support high flows and reduce stream velocities for the purpose of erosion control, to provide a more stable soil, provide shade, to filter pollutants and to meet current Municipal Separate Storm Sewer System requirements. Permanent impacts include 1,336 linear feet of stream impacts, 1,538 linear feet of floodway impacts, and 0.3 acre of floodplain impacts to Whiskey Run. Temporary

impacts consist of 1,754 linear feet of stream impacts, 1,092 linear feet of floodway impacts, and 0.3 acre of floodplain impacts to both Whiskey Run and the associated floodplain. The project site is located at 1384 Glencoe Avenue, Pittsburgh, PA 15220. Sub-basin 20F Latitude: 40°, 24', 37", Longitude: -80°, 03', 28".

**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.*

**D56-085EA. Michelle Enos, Manager, Municipal Authority of Somerset Borough,** 347 West Union Street, Somerset, PA 15501, Jefferson Township, **Somerset County.** U.S. Army Corps of Engineers Pittsburgh District. Application received: January 19, 2023.

Applicant proposes to remove the Laurel Hill Creek Dam to eliminate a threat to public safety and to restore approximately 1,200 feet of stream channel to a free-flowing condition. The proposed restoration project includes the removal of the concrete spillway and a portion of the earthen embankment, removal of the downstream measuring weir, and construction of approximately 360 linear feet of stream channel the former reservoir. The project is located across Laurel Hill Creek (HQ-CWF) in the Bakersville, PA USGS Quadrangle Latitude: 40.0436°, Longitude: -79.2026°.

**D03-032EA. Kim Betcher, Director of Environmental Regulatory Affairs, Keystone Land Resources, Inc.**, 46226 National Road, St. Clairsville, OH 43950, Kiskiminetas Township, **Armstrong County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 23, 2023. Applicant proposes to remove the David Mine 3 Equalization Dam to eliminate a threat to public safety and to restore approximately 600 feet of stream channel to a free-flowing condition. The project is located across a tributary to Long Run (WWF) in the Kiskiminetas, PA USGS Quadrangle Latitude: 40.5665°, Longitude: -79.4574°.

Contact: *Niamh Hays, Water Program Specialist, 717-772-5959.*

**EA2815222-001. Steve Hoffeditz**, 14659 Mercersburg Road, Mercersburg, PA 17236, Peters Township, Franklin County. U.S. Army Corps of Engineers Baltimore District. Application received: December 14, 2022.

The applicant proposes to restore an unnamed tributary to West Branch Conococheague Creek (TSF-MF), by removing approximately 5,797 cubic yards of legacy sediment and other historic fills from the floodplain. The

length of channel being temporarily impacted during construction is approximately 3,390 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 11 acres. The project proposes to restore approximately 1.88 acres of integrated wetland, stream and floodplain areas: to place rock stream and valley grade control structures; to place rock slope protection; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; and to construct rock construction entrances and other erosion controls during restoration activities. The restoration project is located along an unnamed tributary to West Branch Conococheague Creek, North East of the intersection of Fort Loudon Road and Mercersburg Road, Mercersburg, PA, Latitude: 39.856383°, Longitude: -77.892672°.

#### DAM SAFETY

*Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.*

Contact: *Kelly Steele, Project Specialist, 717.787.1785.*

**D64-040. Wayne County Commissioners**, 925 Court St., Ste 1, Honesdale, PA 18431, Mount Pleasant Township, **Wayne County**. To modify Hankins Pond Dam across an unnamed tributary to the west branch of the Lackawaxen River, (HQ-CWF, MF) impacting 0 acre of wetlands and 0 feet of stream and providing 0 acre of wetland mitigation, for the purpose of breaching the dam to a condition that will: make it a non-regulated structure under the Dam Safety Act and Regulations and preserve the historic integrity of the structure located in the Forest City, PA USGS quadrangle map, Latitude: 41.715°, Longitude: -75.3953°. Application received: January 23, 2023.

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## ACTIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at [www.dep.pa.gov/CWPublicNotice](http://www.dep.pa.gov/CWPublicNotice).

DEP office contact information to review official files relating to the final actions in Section I is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.*

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

#### **I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.**

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA300001D	Chapter 102 Individual NPDES Permit	Issued	Peoples Natural Gas Co. LLC 375 North Shore Drive Suite 600 Pittsburgh, PA 15212-5866	Franklin Township Greene County	SWRO
PAD010014	Chapter 102 Individual NPDES Permit	Issued	Blettner Ave, LLC 416 Sprenkle Avenue Hanover, PA 17331-2312	Conewago Township Adams County	SCRO
PAD060062	Chapter 102 Individual NPDES Permit	Issued	150 Birch Hill Road Ind Development, LLC 5 Knowles Creek Road New Hope, PA 18938-9250	Perry Township Berks County	SCRO
PAD090011	Chapter 102 Individual NPDES Permit	Issued	Naplin Two Limited Partnership 171 Corporate Drive Montgomeryville, PA 18936	Milford Township Bucks County	SERO
PAD090080	Chapter 102 Individual NPDES Permit	Issued	Heritage Sr Living, LLC 765 Skippack Pike Suite 300 Blue Bell, PA 19422-1743	Solebury Township Bucks County	SERO
PAD090085	Chapter 102 Individual NPDES Permit	Issued	York Road—Bladco, LP 925 W Lancaster Avenue Suite 200 Bryn Mawr, PA 19010-3049	Warwick Township Bucks County	SERO

## NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD150036	Chapter 102 Individual NPDES Permit	Issued	Villa Bldg Co. Inc. 3720 Skipview Lane Collegeville, PA 19426-1340	South Coventry Township Chester County	SERO
PAD150043	Chapter 102 Individual NPDES Permit	Issued	Wolfe Investment Properties, LLC 544 Lancaster Avenue Malvern, PA 19355-1808	East Whiteland Township Chester County	SERO
PAD150050	Chapter 102 Individual NPDES Permit	Issued	Toll Bros Orleans Homebuilders, Inc. 325 Fellowship Road Chester Springs, PA 19425-3614	West Vincent Township Chester County	SERO
PAD150060	Chapter 102 Individual NPDES Permit	Issued	Hankin Group 717 Constitution Drive Exton, PA 19341-1140	Wallace Township Chester County	SERO
PAD150081	Chapter 102 Individual NPDES Permit	Issued	Pickering Crossing LP 120 Pennsylvania Avenue Malvern, PA 19355-2418	Charlestown Township Chester County	SERO
PAD150155	Chapter 102 Individual NPDES Permit	Issued	Valley Investments Group VII 120 Pennsylvania Avenue Malvern, PA 19355	Charlestown East Whiteland Townships Chester County	SERO
PAD150213	Chapter 102 Individual NPDES Permit	Issued	Deluca Signature LP 370 East Maple Avenue Suite 101 Langhorne, PA 19047	Wallace Township Chester County	SERO
PAD150215	Chapter 102 Individual NPDES Permit	Issued	R&M Holdings 2300, LLC 2300 New Schuylkill Road Pottstown, PA 19470-7912	East Coventry Township Chester County	SERO
PAD150244	Chapter 102 Individual NPDES Permit	Issued	Pellegrini Henry 54 Pugh Road Wayne, PA 19087-5327	Charlestown Township Chester County	SERO
PAD150245	Chapter 102 Individual NPDES Permit	Issued	United Sports Training Center, LLC 1426 Marshallton Thorndale Road Downingtown, PA 19335-3673	West Bradford Township Chester County	SERO
PAD150246	Chapter 102 Individual NPDES Permit	Issued	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341-1159	Uwchlan Township Chester County	SERO
PAD150247	Chapter 102 Individual NPDES Permit	Issued	Riehl Reuben K 492 Mount Pleasant Road Honey Brook, PA 19344-9205	Honey Brook Township Chester County	SERO
PAD150249	Chapter 102 Individual NPDES Permit	Issued	Zook Ammon 33 Cattail Road Gordonville, PA 17529-9771	West Caln Township Chester County	SERO
PAD150264	Chapter 102 Individual NPDES Permit	Issued	Semerjian Bldr 308 Dorset Road Devon, PA 19333-1602	Willistown Township Chester County	SERO
PAD150253	Chapter 102 Individual NPDES Permit	Issued	East Pikeland Township Chester County 1158 Rapps Dam Road Kimberton, PA 19442-7000	East Pikeland Township Chester County	SERO
PAD150270	Chapter 102 Individual NPDES Permit	Issued	Beam Nelson 134 Beam Road Elverson, PA 19520-9109	West Nantmeal Township Chester County	SERO
PAD230034	Chapter 102 Individual NPDES Permit	Issued	WV-PP Towne Center, LP 940 West Sproul Road Suite 301 Springfield, PA 19064-1255	Middletown Township Delaware County	SERO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD230050	Chapter 102 Individual NPDES Permit	Issued	Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Upper Chichester Township Delaware County	SERO
PAD230053	Chapter 102 Individual NPDES Permit	Issued	Monroe Energy, LLC 4101 Post Road Trainer, PA 19061-5052	Trainer Borough Delaware County	SERO
PAD390240	Chapter 102 Individual NPDES Permit	Issued	Tilli Joel A 304 Blue Sage Drive Allentown, PA 18104-8205	Upper Saucon Township Lehigh County	NERO
PAD440016	Chapter 102 Individual NPDES Permit	Issued	Miller David O 27 State Street Lewistown, PA 17044-1974	Granville Township Mifflin County	SCRO
PAD460063	Chapter 102 Individual NPDES Permit	Issued	Matrix Ashbourne Associates, LP 1 S Main Street Suite 5 Sellersville, PA 18960-2512	Cheltenham Township Montgomery County	SERO
PAD510010	Chapter 102 Individual NPDES Permit	Issued	City of Philadelphia Division of Aviation Terminal E, Div of Aviation Philadelphia, PA 19153	Philadelphia City Philadelphia County	SERO
PAD510061	Chapter 102 Individual NPDES Permit	Issued	3600 Haverford Avenue Associates, LP 200 Highpoint Drive Suite 215 Chalfont, PA 18914-3925	Philadelphia City Philadelphia County	SERO
PAD510194	Chapter 102 Individual NPDES Permit	Issued	Southeastern Pennsylvania Transportation Authority 1234 Market Street Philadelphia, PA 19107-3727	Philadelphia City Philadelphia County	SERO
PAD510209	Chapter 102 Individual NPDES Permit	Issued	Richmond St Development, LLC 2337 Philmont Avenue Huntingdon Valley, PA 19006-6200	Philadelphia City Philadelphia County	SERO
PAD520003	Chapter 102 Individual NPDES Permit	Issued	Lehman Township Pike County RR 1 Box 268 Bushkill, PA 18324	Lehman Township Pike County	NERO
PAD520020	Chapter 102 Individual NPDES Permit	Issued	Aqua PA, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Lackawaxen Township Pike County	NERO
PAD630047	Chapter 102 Individual NPDES Permit	Issued	Spyglass Land Partners, LLC 2543 Washington Road Pittsburgh, PA 15241-2513	North Strabane Township Washington County	SWRO
PAD670061	Chapter 102 Individual NPDES Permit	Issued	US Ind Club V Enterprises, LLC 5050 Tilghman Street Suite 435 Allentown, PA 18401-9112	Shrewsbury Township York County	SCRO
PAD670066	Chapter 102 Individual NPDES Permit	Issued	Bentley Farms, LP 4535 Lincoln Highway York, PA 17406-8018	Hallam Borough York County	SCRO
PA0276529	Industrial Stormwater Individual NPDES Permit	Issued	County Waste of PA, LLC 17 Industrial Park Road Lake Ariel, PA 18463	Sterling Township Wayne County	NERO
4613805	Joint DEP/PFBC Pesticides Permit	Issued	Aqua PA, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Upper Merion Township Montgomery County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6320803	Joint DEP/PFBC Pesticides Permit	Issued	Diamond John S 250 Munce Ridge Road Washington, PA 15301-9617	South Strabane Township Washington County	SWRO
PA0020885	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Mechanicsburg Borough Cumberland County 36 W Allen Street Mechanicsburg, PA 17055-6257	Mechanicsburg Borough Cumberland County	SCRO
PA0028711	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Peters Township Sanitary Authority Washington County 111 Bell Drive McMurray, PA 15317-3415	Peters Township Washington County	SWRO
6709402	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 100 E Market Street York, PA 17401-1219	York City York County	SCRO
PA0005860	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Dairy Farmers of American, Inc. 1405 N 98th Street Kansas City, KS 66111-1865	Wilmington Township Lawrence County	NWRO
PA0011096	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Energy Transfer Market & Terminal LP 100 Green Street Marcus Hook, PA 19061-4800	Marcus Hook Borough Delaware County	SERO
PA0036374	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Upper Uwchlan Township Municipal Authority 140 Pottstown Pike Chester Springs, PA 19425-9516	Upper Uwchlan Township Chester County	SERO
PA0110922	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Camp Allegheny, Inc. 100 Camp Allegheny Drive Stoystown, PA 15563-8823	Stonycreek Township Somerset County	SWRO
PA0020681	Minor Sewage Facility with CSOs Individual NPDES Permit	Issued	Sewickley Borough Allegheny County P.O. Box 428 601 Thorn Street Sewickley, PA 15143-0428	Sewickley Borough Allegheny County	SWRO
6178402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Seneca Hills Bible Conference 276 Damascus Road Polk, PA 16342-4904	Victory Township Venango County	NWRO
NNOEXNC48	No Exposure Certification	Issued	USPS Williamsport Garage 2901 Reach Road Williamsport, PA 17701-0800	Williamsport City Lycoming County	NCRO
NOEXNW073	No Exposure Certification	Issued	Macleon Saegertown, LLC P.O. Box 828 1 Crawford Street Saegertown, PA 16433-0828	Saegertown Borough Crawford County	NWRO
NOEXSW225	No Exposure Certification	Issued	Lockheed Martin Aero Parts, Inc. 211 Industrial Park Road Johnstown, PA 15904-1961	Richland Township Cambria County	SWRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
NOEXSW226	No Exposure Certification	Issued	Lockheed Martin Aero Parts, Inc. 221 Industrial Park Road Johnstown, PA 15904-1961	Richland Township Cambria County	SWRO
NOEXSW227	No Exposure Certification	Issued	Lockheed Martin Aero Parts, Inc. 211 Industrial Park Road Johnstown, PA 15904-1961	Conemaugh Township Somerset County	SWRO
PAR118337	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Famco Service & Mach, Inc. 754 S Main Street Ext Punxsutawney, PA 15767-7943	Young Township Jefferson County	NWRO
PAR203601	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Arconic US, LLC 1480 Manheim Pike Lancaster, PA 17601-3152	Manheim Township Lancaster County	SCRO
PAR206160	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ascent Tubular Products 1001 E Waterfront Drive Munhall, PA 15120-1098	Munhall Borough Allegheny County	SWRO
PAR230073	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Johnson & Johnson Consumer, Inc. 7050 Camp Hill Road Fort Washington, PA 19034	Whitemarsh Township Montgomery County	SERO
PAG040032	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	John G and Alison L Hufnagle 1392 Cobbler Road Quakertown, PA 18951-5622	Haycock Township Bucks County	SERO
PAG046336	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Rabena Brian and Jennifer 107 Osage Path Stoystown, PA 15563-9055	Indian Lake Borough Somerset County	SWRO
PAG066139	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	Ingram Borough Allegheny County 40 W Prospect Avenue Pittsburgh, PA 15205	Ingram Borough Allegheny County	SWRO
PAG123835	PAG-12 NPDES General Permit for CAFOs	Issued	Ar-Joy Farms, LLC 1600 Althouse Road Cochranville, PA 19330-1824	West Fallowfield Township Chester County	SCRO
PAG123932	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Matthew 1830 Kenbrook Road Lebanon, PA 17046-1607	Swatara Township Lebanon County	SCRO
PAG136114	PAG-13 NPDES General Permit for MS4s	Waived	Jackson Township Cambria County 513 Pike Road Johnstown, PA 15909-4209	Jackson Township Cambria County	SWRO
6722404	Pump Stations Individual WQM Permit	Issued	PA American Water Co. 100 E Market Street York, PA 17401-1219	York City York County	SCRO
6522406	Sewer Extensions Individual WQM Permit	Issued	Franklin Township Municipal Sanitary Authority Westmoreland County 3001 Meadowbrook Road Murrysville, PA 15668-1627	Murrysville Borough Westmoreland County	SWRO
PA0058131	Single Residence STP Individual NPDES Permit	Issued	Jefferis Warren A 1739 Pottstown Pike Glenmoore, PA 19343-2642	East Nantmeal Township Chester County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0265527	Single Residence STP Individual NPDES Permit	Issued	Crispen William 233 Hall Road Slippery Rock, PA 16057-5507	Clay Township Butler County	NWRO
PA0284921	Single Residence STP Individual NPDES Permit	Issued	Sherry Jason 850 Loyal Way Pittsburgh, PA 15210-1653	Smith Township Washington County	SWRO
PA0291196	Single Residence STP Individual NPDES Permit	Issued	Destin and Meghan Demarion 7814 Dutton Road Harborcreek, PA 16421-1115	Harborcreek Township Erie County	NWRO
PA0291625	Single Residence STP Individual NPDES Permit	Issued	Shawn and Jennifer Mehall 163 Amity Park Road Birdsboro, PA 19508-8719	Amity Township Berks County	SCRO
2522431	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Destin and Meghan Demarion 7814 Dutton Road Harborcreek, PA 16421-1115	Harborcreek Township Erie County	NWRO
0560406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Rabena Brian and Jennifer 107 Osage Path Stoystown, PA 15563-9055	Indian Lake Borough Somerset County	SWRO
6322402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sherry Jason 850 Loyal Way Pittsburgh, PA 15210-1653	Smith Township Washington County	SWRO
PA0247740	Small Flow Treatment Facility Individual NPDES Permit	Issued	Big Spring Fish & Game P.O. Box 81 Newville, PA 17241-0081	North Newton Township Cumberland County	SCRO
PA0291447	Small Flow Treatment Facility Individual NPDES Permit	Issued	Anna Mary and Benueel Fisher 23306 Hilltop Road Springboro, PA 16435-2412	Spring Township Crawford County	NWRO
2022415	Small Flow Treatment Facility Individual WQM Permit	Issued	Anna Mary and Benueel Fisher 23306 Hilltop Road Springboro, PA 16435-2412	Spring Township Crawford County	NWRO
WQG010005	WQG-01 WQM General Permit	Issued	John G and Alison L Hufnagle 1392 Cobbler Road Quakertown, PA 18951-5622	Haycock Township Bucks 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 &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC350138	PAG-02 General Permit	Issued	JLM Real Estate Investments, LLC 950 East Main Street Schuylkill Haven, PA 17972-0472	Archbald Borough Lackawanna County	Lackawanna County Conservation District 1027 South Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090586	PAG-02 General Permit	Issued	Gallagher Realty 43 Arabian Way Holland, PA 18906	Bristol Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090552	PAG-02 General Permit	Issued	604 E. Bristol LLC c/o InSite Property Group 1919 South Vermont Avenue Suite 680 Torrance, CA 90502-1018	Lower Southampton Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090590	PAG-01 General Permit	Issued	Waste Management of Pennsylvania Inc. 1000 New Ford Mill Road Morrisville, PA 19067-3704	Falls Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC460144	PAG-02 General Permit	Issued	BT Dreshertown LP 200 Dryden Road Suite 2000 Dresher, PA 19025	Upper Dublin Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC460675	PAG-02 General Permit	Issued	Applewood Partners, Inc. 123 Oxford Road Lansdale, PA 19446	Lower Salford Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC460713	PAG-02 General Permit	Issued	Craft Custom Homes LLC 541 E Hector Street Conshohocken, PA 19428	Plymouth Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC460730	PAG-02 General Permit	Issued	Prestige Worldwide Property Investments LLC P.O. Box 327 Bridgeport, PA 19405	West Norriton Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC460756	PAG-02 General Permit	Issued	Midgard Properties LP P.O. Box 2211 Jenkintown, PA 19046-2805	Jenkintown Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC460702	PAG-02 General Permit	Issued	HTER Group LLC 500 W Lancaster Avenue Stafford, PA 19087	Horsham Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC460210	PAG-02 General Permit	Issued	Provco Pineville Fayette LP Two Villanova Center 795 E Lancaster Avenue Suite 200 Villanova, PA 19085	Conshohocken Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC460636	PAG-02 General Permit	Denied	Sonshine II LP 227 Granite Run Drive Suite 100 Lancaster, PA 17601-6813	Upper Pottsgrove Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC450023	PAG-02 General Permit	Issued	Amerco Real Estate Co. 2727 North Central Avenue Phoenix, AZ 85004	East Stroudsburg Borough Monroe County	Monroe County Conservation District 8050 Running Valley Road Stroudsburg, PA 18347 570-629-3060 RA-EPWW-NERO@ pa.gov
PAC400245	PAG-02 General Permit	Issued	A & J Zelenack Development, Inc. Joe Zelenack 20 North Turnpike Road Suite B Drums, PA 18222	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC400262	PAG-02 General Permit	Issued	Cross Valley Plaza, LLC Nimesh Patel 1534 Highway 315 Suite 101 Wilkes-Barre, PA 18702	Kingston Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC250177	PAG-02 General Permit	Issued	Erie International Airport/ Erie Regional Airport Authority 4411 West 12th Street Erie, PA 16505	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC610020	PAG-02 General Permit	Issued	Frenchcreek Township 4507 Georgetown Road Franklin, PA 16323	Polk Borough Venango County	Venango County Conservation District 4871 US 322 Franklin, PA 16323 814-676-2832
PAC370066	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	City of New Castle Lawrence County	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670606	PAG-02 General Permit	Issued	Zarina Properties LLC 127 West Market Suite 200 York, PA 17401	Jacobus Borough York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC020159	PAG-02 General Permit	Issued	Gregg Station, LLC P.O. Box 453 Carnegie, PA 15106	Collier Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020921	PAG-02 General Permit	Issued	Duquesne Light Company 2841 New Beaver Avenue Pittsburgh, PA 15233	Baldwin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020926	PAG-02 General Permit	Issued	Portrush Land Partners, Inc. 2585 Washington Road Pittsburgh, PA 15241	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020475A-3	PAG-02 General Permit	Issued	Portrush Land Partners, Inc. 2585 Washington Road Pittsburgh, PA 15241	McCandless Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020407A-1	PAG-02 General Permit	Issued	Penn Ross Joint Venture c/o Simon Property 225 West Washington Street Indianapolis, PA 46204	Ross Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020904A-1	PAG-02 General Permit	Issued	Union Railroad Company 900 Thompson Run Road Monroeville, PA 15146	City of Duquesne Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020925	PAG-02 General Permit	Issued	Waldorf Park Trust P.O. Box 81067 Pittsburgh, PA 15206	Ross Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005
PAC020935	PAG-02 General Permit	Issued	Pittsburgh Water and Sewer Authority 1200 Penn Avenue Pittsburgh, PA 15222	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-809-8005
PAC020933	PAG-02 General Permit	Issued	Ohio Township 1719 Roosevelt Road Pittsburgh, PA 15237	Ohio Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-809-8005

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020599	PAG-02 General Permit	Issued	The Barn Landscape Supply 3004 Babcock Boulevard Pittsburgh, PA 15237	Ross Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-809-8005
PAC020646A-1	PAG-02 General Permit	Issued	Markman Development, LLC 290 Northgate Drive Pittsburgh, PA 15086	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-809-8005
PAC560075	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Meyersdale Borough Somerset County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-809-8005
PAC410079	PAG-02 General Permit	Issued	City of Williamsport 245 West 4th Street Williamsport, PA 17701	City of Williamsport Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 570-433-3003
PAC410081	PAG-02 General Permit	Issued	Newberry Sub Shop 1985 Yale Avenue Williamsport, PA 17701	City of Williamsport Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 570-433-3003
PAC410082	PAG-02 General Permit	Issued	East Lycoming School District 349 Cemetery Street Hughesville, PA 17737	Wolf Township Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 570 433-3003
PAC470035	PAG-02 General Permit	Issued	Danville Municipal Authority P.O. Box 179 Danville, PA 17821	Danville Borough Montour County	Montour County Conservation District 1210 Bloom Road Danville, PA 17821 570-271-1140
PAC470036	PAG-02 General Permit	Issued	Danville State Hospital 50 Kirkbride Drive Danville, PA 17821	Mahoning Township Montour County	Montour County Conservation District 1210 Bloom Road Danville, PA 17821 570-271-1140
PAC590053	PAG-02 General Permit	Issued	UGI Utilities Inc. 1 UGI Drive Denver, PA 17517	Delmar Township Tioga County	Tioga County Conservation District 1867 Shumway Hill Road Wellsboro, PA 16901 570-724-1801

**STATE CONSERVATION COMMISSION**  
**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR**  
**NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office

Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at 717-787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN  
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Ronald Snyder Farm 3356 Sweet Arrow Lake Road Pine Grove, PA 17963	Schuylkill County	205.2	726.96	Swine and Sheep	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

**SAFE DRINKING WATER**

**Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

*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. 1522525**, Major Amendment, Public Water Supply.

Applicant	<b>Loch Nairn Golf Club</b>
Address	514 McCrue Road Avondale, PA 19311
Municipality	New Garden Township
County	<b>Chester County</b>
Consulting Engineer	CSC Technology, Inc. 170 Netherwood Drive West Brandywine, PA 19320
Application Received	October 6, 2022
Permit Issued	January 5, 2023
Description	Nitrate removal from potable water supply.

**Water Allocation Permit No. WA-09-949C**, Public Water Supply.

Applicant	<b>Bucks County Water &amp; Sewer Authority</b>
Address	1275 Almshouse Road Warrington, PA 18976-1204
Municipality	Warrington Township
County	<b>Bucks County</b>
Consulting Engineer	Carroll Engineering Corporation 949 Easton Road Warrington, PA 18976
Application Received	October 13, 2021
Permit Issued	January 23, 2023

Description                      Renewal of an existing Water Allocation with Aqua Pennsylvania for both the Rail Avenue interconnection, and the Lawson Drive emergency interconnect.

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

*Contact: Susan Wilbur 717.705.4708.*

**Source Water Protection Program Approval** issued to **York Water Company**, 130 East Market Street, PWSID **7670100**, City of York, **York County**, on January 20, 2023.

*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*

**Operation Permit 1321509MA**. PWSID No. **4140098**. **SCI Rockview**, 1 Rockview Place, Bellefonte, PA 16823, Benner Township, **Centre County**. Application received: January 24, 2023. Permit Issued: January 26, 2023. This permit authorizes operation of the recently constructed 1.5 MG glass-lined, bolted-steel water storage tank with new valving and piping, flow control vault, and larger 4-inch pressure reducing valve (PRV) in the existing PRV vault. In addition, the old 1.5 MG Orchard storage tank was demolished.

**Operation Permit 4922507MA**. PWSID No. **4490016**. **PA American Turbotville**, 852 Wesley Drive, Mechanicsburg, PA 17055, Lewis Township, **Northumberland County**. Application received: January 20, 2023. Permit Issued: January 30, 2023. This permit authorizes the water system to operate eight Lovibond PTV 1000 Process turbidimeters.

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

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

**NCWSA Construction Permit 7220505**. PWSID No. **7220505**. **Sanjay Patel**, 7975 Jonestown Road, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**. Application received: August 10, 2022. Permit Issued: January 19, 2023. Installation of chlorine contact tanks.

**Construction Permit 0122514 MA**. PWSID No. **7010034**. **Possum Valley Municipal Authority**, 609 Clearview Road, Aspers, PA 17304, Menallen Township, **Adams County**. Application received: August 31, 2022. Permit Issued: December 14, 2022. Relocation of a booster pump station above grade.

**NCWSA Operation Permit 7011039**. PWSID No. **7011039**. **Sew'n Place, Inc.**, 325 Hanover Street, Gettysburg, PA 17325, Franklin Township, **Adams County**. Application received: October 19, 2022. Permit Issued: October 20, 2022. Operation of a new system including a well, cartridge filter and UV disinfection.

**Operation Permit 0122504 MA**. PWSID No. **7010035**. **Pennsylvania American Water**, 8562 Wesley Drive, Mechanicsburg, PA 17055, Straban Township, **Adams County**. Application received: December 9, 2022. Permit Issued: January 17, 2023. Rehabilitation of the Lake Heritage 0.6 MG finished water storage tank.

**Operation Permit 2218511**. PWSID No. **7220017**. **Pennsylvania American Water**, 8562 Wesley Drive, Mechanicsburg, PA 17055, South Hanover Township, **Dauphin County**. Application received: December 15, 2022. Permit Issued: January 17, 2023. Change in disinfection method from gaseous chlorination to sodium hypochlorite chlorination. Operation of a building addition to house sodium hypochlorite storage tank and equipment. Removal of the existing chlorine gas feed system and the chlorine gas scrubber. Installation of ultraviolet treatment units to provide an additional 1-log treatment for *Cryptosporidium* in accordance with the recent Bin 2 classification of the Manada Creek and Swatara Creek sources at the point of taking under the Long Term 2 Enhanced Surface Water Treatment Rule.

**Operation Permit 7360550**. PWSID No. **7360550**. **Envigo Global Services, Inc.**, 310 Swamp Bridge Road, Denver, PA 17517, West Cocalico Township, **Lancaster County**. Application received: December 19, 2022. Permit Issued: January 25, 2023. EP 103, installation of 50% caustic soda addition for LCR corrosion control with existing phosphate solution.

**Operation Permit 2221509 MA**. PWSID No. **7220049**. **Capital Region Water**, 3003 North Front Street, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. Application received: December 27, 2022. Permit Issued: January 24, 2023. Modifications to the existing soda ash feed system.

**Operation Permit 3822506**. PWSID No. **7381023**. **Wellspan Philhaven**, 283 South Butler Road, Mt. Gretna, PA 17064, West Cornwall Township, **Lebanon County**. Application received: January 9, 2023. Permit Issued: January 27, 2023. Operation of a caustic soda injection for pH adjustment along with the existing phosphate feed as LCR treatment.

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Construction/Operation Permit 5023501 MA**. PWSID No. **7500035**. **Stonebridge Health and Rehabilitation, LLC**, 102 Chandra Drive, Duncannon, PA 17020, Penn Township, **Perry County**. Application received: January 12, 2023. Permit Issued: January 30, 2023. Replace the Existing Well No. 1 submersible well pump.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of



the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**R. Warriner Pad 2**, Primary Facility ID # **858186**, 6365 State Route 3023, Montrose, PA 18801, Dimock 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.

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

*Contact: Nancy Duerring, Licensed Professional Geologist, 814-332-6824.*

**First National Bank Edgewood Drive**, Primary Facility ID # **853980**, 8 Edgewood Drive, Transfer, PA 16125, Pymatuning Township, **Mercer County**. Tom Antonacci/Civil & Environmental Consultants Inc., 4350 Northern Pike, Suite 141, Monroe, PA 15146, on behalf of Mark Gill/First National Bank, One FNB Boulevard, Hermitage, PA 16148, submitted a Final Report concerning remediation of soil contaminated with Benzene, Dibromoethane, Ethylbenzene, Isopropylbenzene, Methyl-tert-butyl ether, Naphthalene, Toluene, Trimethylbenzene, p/m-Xylene, o-Xylene, Xylenes, Lead. The Final Report is intended to document remediation of the site to meet the site-specific standards.

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

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

**1501 North George Street**, Primary Facility ID # **830589**, 1501 North George Street, York, PA 17404, Manchester Township, **York County**. Liberty Environ-

mental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Molt, LLC, P.O. Box 20316, York, PA 17402, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 Fuel Oil. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**15 Railroad Avenue Property**, Primary Facility ID # **860238**, 15 Railroad Avenue, Newville, PA 17241-1514, Newville Borough, **Cumberland County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, York, PA 17406, on behalf of 15 Railroad Avenue LLC, 15 Railroad Avenue, Newville, PA 17241-1514, submitted a Final Report concerning remediation of soil contaminated with Lead and Arsenic. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**Hershey 19 East Facility—The Hershey Company**, Primary Facility ID # **753671**, 19 East Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Langan Engineering & Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18976, on behalf of The Hershey Company, 19 East Chocolate Avenue, Hershey, PA 17033, submitted a Final Report concerning remediation of soil and groundwater contaminated with VOCs, Arsenic, and Lead. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**MTS Bethel Properties, LLC**, Primary Facility ID # **848790**, 175 Legion Drive, Bethel, PA 19507, Bethel Township, **Berks County**. Compliance Plus Services, Inc., 240 Gibraltar Road, Suite 100, Horsham, PA 19044, on behalf of Berman Truck Group, 83 Ashley Way, Leesport, PA 19533, submitted a Final Report concerning remediation of soil contaminated with Petroleum Hydrocarbons. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**7 Moritz Drive**, Primary Facility ID # **863766**, 7 Moritz Drive, Lebanon, PA 17046, Swatara Township, **Lebanon County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Mr. Robert Hauer, 7 Moritz Drive, Lebanon, PA 17046, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil (heating oil). The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

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

**MaxPower Inc.**, Primary Facility ID # **859499**, 141 Christopher Lane, Harleysville, PA 19438, Lower Salford Township, **Montgomery County**. Edward Layton, BAI Group, LLC, 341 Tenth Avenue, Suite 103, Royersford, PA 19468, on behalf of Mr. & Mrs. Chua, MaxPower, Inc., 141 Christopher Lane, Harleysville, PA 19438, submitted a Final Report concerning remediation of soil contaminated with vanadium. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**205-207 Garfield Avenue**, Primary Facility ID # **852667**, 205-207 Garfield Avenue, West Chester, PA 19380, 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 Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**2630 West Girard Avenue**, Primary Facility ID # **856445**, Southeast Corner of North 27th Street & West Girard Avenue, Philadelphia, PA 19130, City of Philadelphia, **Philadelphia County**. Jennifer Poole, Pennon, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Dan Bleznak, 27th & Girard Limited Partnership, c/o ADCO, American Development Company, 715 Montgomery Avenue, Suite 3, Narberth, PA 19072, submitted a Final Report concerning remediation of soil contaminated with metals and PAHs. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**West Chester Recycling**, Primary Facility ID # **838426**, 225 South Worthington Street, West Chester, PA 19382, West Chester Borough, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of A Greener Tomorrow dba West Chester Recycling, 225 South Worthington Street, West Chester, PA 19382, submitted a Final Report concerning remediation of soil and groundwater contaminated with metals, VOCs, PAHs and PCBs. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**10 West College Avenue**, Primary Facility ID # **854263**, 10 West College Avenue, Yardley, PA 19067, Yardley Borough, **Bucks County**. Stephen Huxta, PG, Brickhouse Environmental, 515 Franklin Street, West Chester, PA 19382, on behalf of Charles Athey, Yardley Products, LLC, 1 Dixon Square, Chestertown, MD 21620, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs and SVOCs. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

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

**300 North Columbus Boulevard**, Primary Facility ID # **844494**, 300 North Columbus Boulevard, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County**. Michael Potts, Terraphase Engineering, Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540, on behalf of Julia Limongello, 300 Columbus, LLC, One Bryant Park, New York, NY 10036, 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 Statewide health standards.

**319 West Gay Street**, Primary Facility ID # **780952**, 319 West Gay Street, West Chester, PA 19382, West Chester Borough, **Chester County**. Christopher Zeliznak, PG, EnviroSure, Inc., 319 South High Street, 1st Floor, West Chester, PA 19382, on behalf of Chad Weldon, CRW Realty, LP, 319 West Chester Gay Street, West Chester, PA 19382, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with Rick Mammucari, A&A Enterprises LLC, 2801 Centerville Road, Wilmington, DE 19808. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

**Harrison Senior Living Facility**, Primary Facility ID # **702399**, 300 Strode Avenue, Coatesville, PA 19320,

Fallowfield Township, **Chester County**. Christopher J. Horan, PG, Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Harrison Saunders, Harrison Senior Living, 300 Strode Avenue, Coatesville, PA 19320, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

**Aviles Property**, Primary Facility ID # **860040**, 142 Valley Road, Warrington, PA 18976, Warrington Township, **Bucks County**. David Van Keuren, Earth Engineering, Inc., 115 West Germantown Pike, East Norriton, PA 19401, on behalf of Jake Reading, Doli Construction Corporation, 120 Independence Lane, Chalfont, PA 18914, submitted a Final Report concerning remediation of soil contaminated with No. 2 heating 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

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**The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

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Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department 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.*

**7 Moritz Drive**, Primary Facility ID # **863766**, 7 Moritz Drive, Lebanon, PA 17046, Swatara Township, **Lebanon County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Mr. Robert Hauer, 7 Moritz Drive, Lebanon, PA 17046, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil (heating oil). The Final Report demonstrated attainment of the Statewide health standards. Approved: January 25, 2023.

**Former Star Buffet and Grill**, Primary Facility ID # **856543**, 2232 Lincoln Highway East, Lancaster, PA 17602, East Lampeter Township, **Lancaster County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of Sunrise Liberty, LP, 950 Smile Way, York, PA 17404, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with Gasoline-Related Compounds. The Report demonstrated attainment of the site-specific standards. Approved: January 25, 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.*

**Signature Cleaners**, Primary Facility ID # **839851**, 1456 Ferry Road, Unit 10, Doylestown, PA 18901, New Britain Township, **Bucks County**. Joseph Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Michael Rosen, MAR & SAR, LLC d/b/a/ Signature Cleaners, 1456 Ferry Road, Unit 10, Doylestown, PA 18901, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with VOCs. The Final Report did not demonstrate attainment of the site-specific standards. Disapproved: January 19, 2023.

**Former Trease Catering**, Primary Facility ID # **673817**, 80 West M Y Lane, Morrisville, PA 19067, Falls Township, **Bucks County**. Jason Pero, Resource Control Consultants, 10 Lippincott Lane, Unit 1, Mt. Holly, NJ 19007, on behalf of Michael DiNardo, Shades of Green, Inc., 1777 South Pennsylvania Avenue, Morrisville, PA 19067, 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 an administrative deficiency letter: January 23, 2023.

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

**Optimum RV Philadelphia**, Primary Facility ID # **858682**, 1809 West High Street, Pottstown, PA 19464, West Pottsgrove Township, **Montgomery County**. Craig Herr, Liberty Environmental Inc., 315 West James Street, Lancaster, PA 17603, on behalf of Elizabeth Ivester, 1809 West High Street, LLC, 7400 S US Hwy 441, Ocala, FL 34480, submitted a Final Report concerning remediation of soil and groundwater contaminated with unleaded gasoline constituents. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 18, 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.*

**Union Switch and Signal Division Facility**, Primary Facility ID # **828755**, 1789 Braddock Avenue, Pittsburgh, PA 15218, Edgewood Borough and Swissvale Borough, **Allegheny County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of WABCO Holdings, Inc., 2770 Research Drive, Rochester Hills, MI 48309, submitted a Risk Assessment/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs, SVOCs, and inorganics. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: January 26, 2023.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Action(s) Taken on Hazardous Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.**

##### *New Transporter License Issued*

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

*Contact: Jonathan Adams.*

**Clean Safe Technologies**, P.O. Box 236, Barstow, MD 20610. **License No. PA-AH 0930**. Application received: November 22, 2022. Effective January 20, 2023.

##### *Transporter License Reissued*

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

*Contact: Jonathan Adams.*

**Empire Wrecking Co. of Reading, PA**, 1440 Carbon Street, Reading, PA 19601. **License No. PA-AH 0255**. Application received: January 6, 2023. Effective January 23, 2023.

**Triumvirate Environmental, Inc.**, 200 Inner Belt Road, Somerville, MA 02143. **License No. PA-AH 0477**. Application received: January 5, 2023. Effective January 24, 2023.

**VLS Lancaster, LLC**, 1076 Old Manheim Pike, Lancaster, PA 17601. **License No. PA-AH 0679**. Application received: January 5, 2023. Effective January 23, 2023.

**IPC Services LLC**, 232 East Lancaster Road, Harmony, PA 16037. **License No. PA-AH 0859**. Application received: January 12, 2023. Effective January 23, 2023.

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

**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) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

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

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

**PAD987367216. AERC Acquisition Corporation, d/b/a AERC Recycling Solutions a Clean Earth Company**, 2591 Mitchell Avenue, Allentown, PA 18103, City of Allentown, **Lehigh County**. A permit renewal for the continued operation of a hazardous waste treatment and storage facility. Application received: February 22, 2016. Issued: January 26, 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.

**DETERMINATION OF APPLICABILITY FOR  
MUNICIPAL WASTE GENERAL PERMITS**

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

*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.*

**WMGM044-NE005. Yost Hauling Inc.**, 65 W. 21st Street, Northampton, PA 18067, Northampton Borough, **Northampton County**. A general permit determination of applicability for the processing of construction and demolition waste for recycling/beneficial use. Application received: July 7, 2022. Issued: January 26, 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.

**OPERATE WASTE PROCESSING OR  
DISPOSAL AREA OR SITE**

**Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Mohamad Mazid, Chief, Technical Services, 484-250-5768.*

**1360840. Clean Earth of Philadelphia, LLC**, 3201 South 61st Street, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. This renewal permit is to continue operations at the Clean Earth of Philadelphia, LLC (CEP) facility, an existing residual waste processing facility located at 3201 South 61st Street, Philadelphia, PA. Application received: July 8, 2021. Renewal issued: January 30, 2023.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

**AIR QUALITY**

**Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.**

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

*Contact: Raymond Kempa, Environmental Group Manager.*

**GP14-58-001: Hennessey's Funeral Home, Inc.**, 747 Jackson Avenue, Susquehanna, PA 18847, Susquehanna Depot Borough, **Susquehanna County**. For the renewal of their existing GP14 permit for their cremation unit. Application received: January 23, 2023. Approved: January 27, 2023.

**GP13-45-024B: Eureka Stone Quarry, Inc.**, P.O. Box 249, Chalfont, PA 18914, Hamilton Township, **Monroe County**. For installation of a new baghouse. Application received: January 17, 2023. Issued: January 31, 2023.

*Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.*

**AG5-58-00017B: Williams Field Services Co., LLC**, 310 SR 29 North, Tunkhannock, PA 18657, Springville Township, **Susquehanna County**. To operate eight (8) IC Engines, one (1) emergency generator, six (6) dehydrators with reboilers, and four (4) condensate tanks at their Lathrop Compressor Station. Application received: December 14, 2022. Issued: January 18, 2023.

*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.*

**GP1-20-00324A: Suit Kote Corporation**, 10965 McHenry Street, Meadville, PA 16335, West Mead Township, **Crawford County**. The Department has issued this General Permit 1 to allow temporary operation of an existing 14.67 MMBtu/hr Natural Gas Fired Boiler (BAQ-GPA/GP1) at the facility. Application received: November 8, 2022. Issued: January 9, 2023.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19001, 484-250-5900.*

*Contact: James Beach, New Source Review Chief, 484-250-5920.*

**GP1-09-0116: Primary Products Ingredients Americas, LLC, Morrisville Bulk Station**, East Post Road, Morrisville, PA 19067, Morrisville Borough, **Bucks County**. This action is for authorization to install and operate one (1) small natural gas fired boiler (Source ID 033—Boiler 3) and to operate one (1) already existing small natural gas fired boiler (Source ID 031—Boiler 1) at the existing State-Only facility. Application received: January 6, 2023. Issued: January 30, 2023.

**GP9-09-0089: Primary Products Ingredients Americas, LLC, Morrisville Bulk Station**, East Post Road, Morrisville, PA 19067, Morrisville Borough, **Bucks County**. This action is for the authorization to install and operate one (1) diesel engine (Source ID 101—Engine 1) supporting two (2) boilers under GP1-09-0116 at the existing State-Only facility. Application received: January 6, 2023. Issued: January 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.*

**AG5A-63-00007C (GP5A-63-01017B): Diversified Production, LLC**, 4150 Belden Village Street NW, Suite 410, Canton, OH 44718, Morris Township, **Washington County**. Received amended authorization to use GP-5A which reflects a corporate name change for the owner/operator of the Nineveh 34 (NV-34) Well Pad natural gas production facility. Application received: November 28, 2022. Authorized: January 30, 2023. Expiration: February 19, 2024.

**AG5A-63-00008C (GP5A-63-01021B): Diversified Production, LLC**, 4150 Belden Village Street NW, Suite 410, Canton, OH 44718, Morris Township, **Washington County**. Received amended authorization to use GP-5A which reflects a corporate name change for the owner/operator of the Nineveh 58 (NV-58) Well Pad natural gas production facility. Application received: November 28, 2022. Authorized: January 31, 2023. Expiration: April 19, 2024.

**AG5A-63-00009C (GP5A-63-01022B): Diversified Production, LLC**, 4150 Belden Village Street NW, Suite 410, Canton, OH 44718, East Finley Township, **Washington County**. Received amended authorization to use GP-5A which reflects a corporate name change for the owner/operator of the Nineveh 60 (NV-60) Well Pad natural gas production facility. Application received: November 28, 2022. Authorized: January 31, 2023. Expiration: May 15, 2024.

**GP5A-30-00817/AG5A-30-00013A: Greylock Production, LLC**, 205 Carmichaels PLZ, Carmichaels, PA 15320, Waynesburg Borough, **Greene County**. To construct and operate the air contamination sources and air cleaning devices which include: One (1) 1,340 bhp Caterpillar G3516TALE equipped with oxidation catalyst, nine (9) unconventional wells, seven (7) storage tanks of various capacities and fugitives containing 13-pneumatic controller, 1-reciprocating compressor, 1-crankcase, and 1-pigging emissions, valves, connectors etc. at Beacon well pad located in Waynesburg Township, Greene County. Application received: December 12, 2022. Accepted: January 10, 2023.

**GP5A-30-00804B/AG5A-30-00011B: CNX Gas Company, LLC**, 1000 Consol Energy Drive, Canonsburg, PA

15317, Richhill Township, **Greene County**. Received authorization on January 31, 2023 for the construction and operation of Seven (7) Marcellus natural gas wells; Nine (9) gas processing units (GPU), each rated at 1.75 MMBtu/hr; One (1) non-heated low-pressure separator; One (1) 400 BBL (16,800 gallon) condensate tank; Three (3) 400 BBL (16,800 gallon) produced water tanks; One (1) 400 BBL (16,800 gallon) sand separator tank; Truck load-out operations for condensate; Truck load-out operations for produced water; Three (3) vapor destruction units, rated 10.3 MMBtu/hr. to control emissions from storage tanks and truck load-out; One (1) enclosed combustor, rated 37.4 MMBtu/hr, to control emissions from the low-pressure separator; Fifty-six (56) intermittent pneumatic devices, and one (1) continuous low bleed pneumatic devices; Miscellaneous gas venting; and Fugitive emissions from component leaks at their RHL-37 Well Pad located in Richhill Township, Washington County. Application received: December 13, 2022. Deemed administratively complete: December 15, 2022.

**GP14-65-01136: Pet Haven Cemetery, LLC**, 4694A State Route 136, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**. On January 31, 2023, received authorization to construct and operate one (1) B&L Cremation Systems Inc. BLP-200 natural gas-fired animal crematory incinerator rated at 75 lb/hr with a maximum capacity of 200 lbs, pursuant to the General Plan Approval and/or General Operating Permit for Human of Animal Crematories (BAQGPA/GP-14) at the Pet Haven Cemetery Services, LLC facility located in Hempfield Township, Westmoreland County. Application received: December 14, 2022. Deemed administratively complete: January 6, 2023.

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**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.**

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

*Contact: Raymond Kempa, Environmental Group Manager.*

**54-00098A: MI Windows and Doors, LLC**, 79 Park Lane, Hegins, PA 17938, Hegins Township, **Schuylkill County**. For the use of isopropyl alcohol (IPA) and sealants during the assembly of various window and door products. Application received: January 31, 2023. Issued: January 31, 2023.

**13-00001C: BEFESA Zinc US, Inc.**, 900 Delaware Avenue, Palmerton, PA 18071-2008, Palmerton Borough, **Carbon County**. For the operation of a portable crusher with water sprays to crush Iron Rich Material (IRM). The crushing operation can be conducted either inside buildings or outside as long as the proper controls are in place. It is also approved to crush used refractory material indoors only. Application received: July 5, 2022. Issued: January 24, 2023.

*Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.*

**45-00004A: Tobyhanna Army Depot**, 11 Hap Arnold Boulevard, Tobyhanna, PA 18466, Coolbaugh Township, **Monroe County**. For the installation and operation of one (1) drive-in abrasive blast booth with one (1) cartridge dust collector and twenty-four (24) panel filters to control PM emissions. The exhaust will be routed to a

stack or can alternatively be exhausted indoors of the building. Application received: July 15, 2022. Issued: January 18, 2023.

Contact: Shailesh Pate, Air Quality Engineer, 570-826-2342.

**54-00096B: Blythe Recycling and Demolition Site Holdings, Inc.**, 1061 Burma Road, Saint Clair, PA 17970, Blythe Township, **Schuylkill County**. Issued on January 25, 2023 for the installation and operation of installation and operation of a landfill gas (LFG) Treatment System and a utility flare at the Blythe Recycling and Demolition Site (BRADS Landfill) located in Blythe Township, Schuylkill County Application received: July 27, 2022. Issued: January 25, 2023.

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

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

**43-00011G: Greenville Metals Incorporated**, 850 Crestview Drive Ext, Transfer, PA 16154, Pymatuning Township, **Mercer County**. The Department of Environmental Protection issued an Air Quality Plan Approval authorizing the installation and temporary operation of a shot blast unit and associated baghouse, and three additional replacement baghouses serving the MnS building, the MnS crusher/blender operation, and the heat makeup operations. This is a Title V facility. Application received: July 19, 2022. Issued: November 22, 2022.

**16-00132Q: Clarion Boards, LLC**, 143 Fiberboard Road, Shippenville, PA 16254, Paint Township, **Clarion County**. The Department of Environmental Protection issued a Plan Approval authorizing the installation and temporary operation of leak detection systems on existing baghouses and removal of testing requirements for Sources 104, 105, 107, 110—113 and 506. It is also for removal of testing requirements for Sources 109 (based on low emissions) and 123 (based on limited operation and low emissions). This is a Title V facility. Application received: February 1, 2022. Issued: October 13, 2022.

**25-01066B: Bracken Funeral Home, Inc.**, 315 North Center Street, Corry, PA 16407, City of Corry, **Erie County**. The Department of Environmental Protection issued a Plan Approval to Bracken Funeral Home Incorporated to provide authorization for construction and initial operation of one human crematory at their existing funeral home facility. Application received: April 12, 2022. Issued: October 28, 2022.

**10-00438A: American Contract Systems—Zelienople**, 4020 Jacksons Pointe Court, Zelienople, PA 16063, Jackson Township, **Butler County**. The Department has issued a plan approval to authorize installation & operation of Ethylene Oxide dry absorber units to allow further voluntary control of Ethylene Oxide emissions from the Aeration Chambers, at the facility. This is a State Only facility. Application received: July 19, 2022. Issued: January 30, 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.

**46-0298: GlaxoSmithKline/Upper Merion East**, 709 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. For the installation of one (1) new diesel-fired 600-kW engine (EGEN).

The EGEN will operate only for emergency purposes and routine maintenance and readiness testing. Application received: July 14, 2022. Issued: January 30, 2023.

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**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.**

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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.

**46-0027G: Janssen Research and Development, Inc.**, 1400 McKean Road, Spring House, PA 19477, Lower Gwynedd Township, **Montgomery County**. A plan approval extension for temporary operation and testing of the new SCR system on an existing emergency generator set. Application received: November 23, 2022. Issued: January 25, 2023.

**09-0242: Adelpia Gateway, LLC**, Rich Hill Road, Quakertown, PA 18951, West Rockhill Township, **Bucks County**. A plan approval extension for the temporary operation of a new natural gas compressor station and metering station at their location. Application received: December 28, 2022. Issued: January 25, 2023.

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

**PA-30-00239A: Omnis Bailey, LLC**, 30 Broad Street, New York, NY 10004, Richhill Township, **Greene County**. For plan approval extension to authorize continued temporary operation of sources and controls at the Omnis Bailey Refining Plant. Application received: December 28, 2022. Effective: January 28, 2023.

**PA-30-00239A: Omnis Bailey, LLC**, 30 Broad Street, New York, NY 10004, Richhill Township, **Greene County**. For plan approval minor modification to add database subfacilities, revise plan approval maps, and add flexibility to the general performance testing requirements for sources and controls at the Omnis Bailey Refining Plant. Application received: December 28, 2022. Effective: January 26, 2023.

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**Title V Operating Permit(s) Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

**09-00122: Altuglas, LLC**, 100 Route 413, Bristol, PA 19007-3605, Bristol Township, **Bucks County**. For the renewal of the Title V Operating Permit for their polymer manufacturing facility. Application received: May 26, 2022. Issued: January 27, 2023.

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**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.**

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

*Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.*

**03-00104: M&M Lime Company, Inc., Ag. Lime Plant**, 215 Nicole Road, Worthington, PA 16262, West Franklin Township, **Armstrong County**. The Department issued a State Only Operating Permit renewal for the operation of a limestone deep mine and an open pit mine to produce mainly limestone. The subject facility consists of various limestone processing equipment, 2 emergency diesel generators and 3 non-emergency diesel generators. Emissions from the facility are based on the hours of operating, manufacturer data, and AP-42 emission factors. The facility's potential emissions are estimated at: 36 TPY NO<sub>x</sub>, 7.1 TPY CO, 15.9 TPY PM<sub>10</sub>, 2.6 TPY VOC, and 4.0 TPY SO<sub>x</sub>. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 60 Subpart OOO and 40 CFR Part 63 Subpart ZZZZ). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: July 12, 2021. Renewal issued: January 24, 2023.

**25-00045: Saint Vincent Health Center**, 232 West 25th Street, Erie, PA 16544, City of Erie, **Erie County**. The Department issued the renewal of the State Only Operating Permit for Saint Vincent Health Center. The sources at the facility include 3 natural gas-fired boilers, a histology lab, a diesel-fueled fire pump engine, and 5 diesel-fueled emergency generators. This facility is a Synthetic Minor. The facility has taken an elective restriction of 500 hours per year of operation for each diesel engine generator. And the histology lab is restricted to a VOC emission limit of 3.25 tpy. Based on these restrictions, the potential emissions for this facility are 87.961 tpy NO<sub>x</sub>; 1.725 tpy SO<sub>2</sub>; 57.75 tpy CO; 5.9655 tpy PM; 8.131 tpy VOCs; and less than 1 tpy total combined HAPs. The facility is subject to 40 CFR Part 60 Subpart III, the Standards of Performance for CI ICE; 40 CFR Part 63 Subpart ZZZZ, the NESHAP for Stationary RICE; and 40 CFR Part 63 Subpart WWWW, the NESHAP for Hospital Ethylene Oxide Sterilizers. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: December 17, 2021. Renewal issued: January 20, 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.*

**67-03027: Pretium Packaging LLC**, 1 Devco Drive, Manchester, PA 17345-1337, East Manchester Township, **York County**. For the plastic bottle manufacturing facility. The State-Only permit was renewed. Application received: October 12, 2022. Issued: January 27, 2023.

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

**36-05121: Paradise Custom Kitchens, Inc.**, P.O. Box 278, 3333 Lincoln Highway East, Paradise, PA 17562, Paradise Township, **Lancaster County**. For the custom wood cabinetry manufacturing facility. The State-Only permit was renewed. Application received: September 27, 2022. Issued: January 24, 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.*

**09-00248: Shelly Funeral Home, Inc.**, 1460 Easton Rd., Warrington, PA 18976-1538, Warrington Township, **Bucks County**. An initial State Only, Natural Minor Operating Permit has been issued for a human crematory. Application received: August 2, 2022. Issued: January 27, 2023.

**15-00053: Penn Medicine Chester County Hospital**, 701 E. Marshall St., West Chester, PA 19380, West Chester Borough, **Chester County**. For the renewal of a State Only, Synthetic Minor Operating Permit. The facility operates several combustion sources consisting of three (3) boilers, four (4) emergency electric generators, and one (1) emergency fire pump. Application received: May 4, 2022. Issued: January 27, 2023.

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**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.**

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*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.*

**67-05107: Crown Cork & Seal Co USA, Inc.**, 1650 Broadway, Hanover, PA 17331, Penn Township, **York County**. For the metal can manufacturing facility. The State-Only permit was administratively amended to incorporate the provisions of Plan Approval 67-05107B. Application received: January 3, 2023. Issued: January 26, 2023.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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*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.*

**GP5A-63-01017A/AG5A-63-00007B: Diversified Energy Company Plc.**, 125 Industry Road, Waynesburg, PA 15370, Morris Township, **Washington County**. Project is for the installation and operation of one (1) Qnergy 5650 PowerGen 5.65kW natural gas-fired thermal electric generator unit (Qnergy unit) with maximum heat input of approximately 0.167 MMBtu/hr. The new unit will generate electrical power to operate an instrument air system to eliminate the use of natural gas-actuated pneumatic controllers. There will be no other operational changes associated with the project. Diversified Energy will continue to comply with all the applicable terms and conditions of GP-5A. The estimated facility-wide CO and NO<sub>x</sub> emission increase from this project will be 0.30 ton and 0.07 ton respectively. The annual potential emissions increase of CO is less than 4.0 tpy from a single source and during the term of the permit and less than 20 tons of CO at the facility during the term of the permit, for example, below the de minimis threshold per 25 Pa. Code § 127.449(d)(1). The annual potential emissions increase of NO<sub>x</sub> is less than 1.0 tpy from a single source and during the term of the permit and less than 5 tons of CO

at the facility during the term of the permit, for example, below the de minimis threshold per 25 Pa. Code § 127.449(d)(2).

## ACTIONS ON COAL AND NONCOAL APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).** The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

### *Coal Permits*

*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. 32950202. NPDES No. PA0213039. Robindale Energy Services, Inc.,** 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, Center Township, **Indiana County.** Permit transfer from Compass Coal Co., Inc., 2680 Old Route 119 Highway North, Indiana, PA 15701 for the continued operation and restoration of a bituminous surface refuse reprocessing mine affecting 287.3 acres. Receiving streams: unnamed tributary to/and Yellow Creek classified for the following uses: CWF. Application received: September 29, 2022. Issued: January 25, 2023.

**Mining Permit No. 56110106. Wilson Creek Energy, LLC,** 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Lincoln Township, **Somerset County.** Permit renewal for reclamation only of a bituminous surface and auger mine affecting 176.9 acres. Receiving streams: unnamed tributaries to Quemahoning Creek classified for the following use: CWF. Application received: January 5, 2023. Issued: January 27, 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. 33110105. Strishock, LLC,** P.O. Box 1006, DuBois, PA 15801, Pine Creek Township, **Jefferson County.** Renewal of an existing bituminous mine. Receiving streams: Unnamed tributary to Mill Creek, classified for the following uses: CWF. Application received: October 28, 2022. Issued: January 24, 2023.

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

**Mining Permit No. 10150101. NPDES No. PA0259675. Ben Hal Mining, Inc.,** 389 Irishtown Road, Grove City, PA 16217, Marion Township, **Butler County.** Renewal of an existing bituminous surface mine and associated NPDES permit. Application received: July 27, 2022. Issued: January 24, 2023.

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

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

**Mining Permit No. 54901302. Carline Coal Company, Inc.,** P.O. Box 188, Sacramento, PA 17968, Hegins Township, **Schuylkill County.** Renewal for reclamation activities only and correction to update the post-mining land use of an anthracite underground mine operation affecting 5.8 acres. Receiving stream: West Branch Rausch Creek. Application received: August 15, 2022. Renewal issued: January 27, 2023. Correction issued: January 27, 2023.

### *Noncoal Permits*

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

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

**Mining Permit No. 5074SM4. NPDES No. PA0595888. New Enterprise Stone & Lime Co., Inc.,** P.O. Box 77, New Enterprise, PA 16664, Fannett Township, **Franklin County.** NPDES renewal of an existing large noncoal surface mine. Receiving streams: unnamed tributary to Dry Run classified for the following use: CWF. Application received: October 27, 2022. Issued: January 25, 2023.

**Mining Permit No. 29920301. NPDES No. PA0599549. Big Cove Quarry, LLC,** 13101 Fountain Head Road, Hagerstown, MD 21742, Ayr Township, **Fulton County.** NPDES renewal of an existing large noncoal surface mine. Receiving streams: unnamed tributary to/and Esther Run classified for the following use: CWF. Application received: September 29, 2022. Issued: January 25, 2023.

**Mining Permit No. 31020301. NPDES No. PA0249190. U.S. Silicia Company,** 12942 Oriskany Road, Mapleton Depot, PA 17042, Brady Township, **Huntingdon County.** NPDES renewal of existing large noncoal surface mine. Receiving streams: Mill Creek classified for the following use: TSF. Application received: September 29, 2022. Issued: January 25, 2023.

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

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

**Mining Permit No. 58190302. Natstone, LLC dba Rock Ridge Stone,** 1202 Marshwood Road, Throop, PA 18512, Bridgewater Township, **Susquehanna County.** Commencement, operation and restoration of a quarry operation affecting 46.0 acres. Receiving stream: unnamed tributary to Meshoppen Creek. Application received: November 4, 2019. Permit issued: January 27, 2023.



**Mining Permit No. 58190302. GP104 No. PAM119033. Natstone, LLC, d/b/a Rock Ridge Stone,** 1202 Marshwood Road, Throop, PA 18512, Bridgewater Township, **Susquehanna County.** Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: unnamed tributary to Meshoppen Creek. Application received: November 4, 2019. Coverage issued: January 27, 2023.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

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

*Contact: Jared Jacobini, Aquatic Biologist, 570-327-3565.*

**E190422-003. South Centre Township Municipal Authority,** 6260 4th Street, Bloomsburg, PA 17815, South Centre Township, **Columbia County.** U.S. Army Corps of Engineers Baltimore District.

The applicant has proposed to construct a public wastewater collection system and a new wastewater collection system that will serve large portion of South Center Township. The improvements will be constructed along the Susquehanna River, WWF, Campbells Run, CWF, and one UNT to Susquehanna River, WWF. The project will temporarily impact 3.443 acres of palustrine emergent wetlands (PEM), 0.169 acre of palustrine forested wetlands (PFO), 160 linear feet (0.114 acre) of streams, and 0.098 acre of floodway. In addition, the project will permanently impact 1.032 acres of PEM wetlands, 0.424 acre of PFO wetlands, 178 linear feet (0.009 acre) of streams, and 8.497 acres of floodway for the purpose of constructing a new wastewater collection system that will serve large portion of South Center Township that includes residential and business properties. Latitude: 41° 01' 21.3", Longitude: -77° 20' 35.7". Application received: March 3, 2022. Approved: January 25, 2023.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Sage Saum, Clerical Assistant 2, 717-705-4992.*

**E2203222-004. Londonderry Township,** 783 South Geyers Church Road, Middletown, PA 17057, Londonderry Township, **Dauphin County.** U.S. Army Corps of Engineers Baltimore District.

To 1.) install and maintain a 34.0-foot long, 10.0-foot by 4-foot, 5-inch open bottom aluminum arch culvert with type D-W headwall and endwalls in an unnamed tributary to Conewago Creek (TSF, MF); and 2.) place and maintain fill in the floodway of an unnamed tributary to Conewago Creek (TSF, MF) and palustrine emergent/scrub shrub/forested wetlands impacting 0.07 acre of floodway and 0.07 acre of wetlands, all for the purpose of providing increased capacity through the culvert during high flow events. The project is located immediately west of the intersection of Foxianna Road and Goodwin Lane (Latitude: 40.186379° N; Longitude: 76.682693° W) in Londonderry Township, Dauphin County. To compensate for the proposed wetland impacts, 1.80 wetland credits will be purchased from DEP's In Lieu Fee Program. Latitude: 40.186379° N, Longitude: -76.682693° W. Application received: May 10, 2023. Issued: January 25, 2023.

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

*Contact: Dana Drake, Program Manager.*

**E0405221-003. Cleveland Cliffs Steel Holding Corp.,** 200 Public Square, Suite 3300, Cleveland, OH 44114, Ambridge Borough and Harmony Township, **Beaver County.** U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: Construct, operate, and maintain a treatment building within 0.01 acre of PEM wetlands and 0.06 acre of a siphon pond. For

the purpose constructing an expanded wastewater treatment facility. The project site is located at 2301 Duss Avenue Ambridge, PA 15003 Latitude: 40° 36' 52", Longitude: -80° 13' 48". Application received: August 25, 2021. Issued: January 31, 2023.

**E0205222-012. Baldwin Borough**, 3344 Churchview Ave, Pittsburgh, PA 15227, Baldwin Borough, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: Regrade and maintain 924 total linear feet of streambank along Glass Run (WWF) and a UNT to Glass Run (WWF), of which 699 linear feet of work is proposed along Glass Run and 225 linear feet of work is proposed along a UNT to Glass Run, and to establish and maintain a riparian buffer through native plantings to an extent of 35 feet perpendicular to the streams' edge on both sides for the purpose of decreasing pollutant and sediment loading to meet municipal MS4 requirements for permit PAG136128. Three temporary stream crossings will be utilized during the project on Glass Run and the UNT to Glass Run. The project will cumulatively and permanently impact 924 linear feet of streambanks; temporarily impact 924 linear feet of streambanks; permanently impact 1.40 acres of the floodway; and temporarily impact 0.36 acre of the floodway. The project will temporarily impact 962 of watercourses. No wetland or permanent streambed impacts are proposed. The project center is located approximately 420 feet west-south-west of the intersection of Joseph Street and the entrance drive to St. Josaphat Catholic Cemetery. Latitude: 40° 23' 21", Longitude: -79° 58' 2". Application received: April 5, 2022. Issued: January 31, 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 **ESG295822037-00**

Applicant Name **Chesapeake Appalachia, LLC**

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

Township(s) Auburn Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) UNT to Little Meshoppen Creek (CWF, MF)

Application received: December 14, 2022

Issued: January 30, 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 **ESG073022017-00**

Applicant Name **EQM Gathering OPCO, LLC**

Contact Person John Centofanti

Address 2200 Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Aleppo Township and Jackson Township

County **Greene County**

Receiving Stream(s) and Classification(s) UNTs to Job Creek (TSF) UNTs to South Fork Dunkard Fork (TSF) UNT to PA Fish Fork Creek (WWF)

Application received: August 23, 2022

Issued: January 25, 2023

ESCGP # 3 **ESG076522007-00**

Applicant Name **Apex WML Midstream, LLC**

Contact Person J.D. McNally

Address 6041 Wallace Road Extension

City, State, Zip Wexford, PA 15090

Township(s) Murrysburg Borough

County **Westmoreland County**

Receiving Stream(s) and Classification(s) Trib 37357 to Lyons Run (TSF) Lyons Run (TSF) Trib 37356 to Lyons Run (TSF) Unnamed Tributary to Lyons Run (TSF) Unnamed Tributary to Lyons Run—Stream K (TSF) Unnamed Tributary to Lyons Run—Stream L (TSF)

Application received: October 13, 2022

Issued: January 30, 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.*

**Jewell's Service Station**, Storage Tank Facility ID # **48-05687**, 251 East Central Ave, East Bangor, PA 18013, East Bangor Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Shirley and Larry Jewell, 101 Cowburn Road, Ulysses, PA 16948 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting site-specific standards.

**Bones Auto Parts**, Storage Tank Facility ID # **40-22861**, 1110 Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 18702, Wilkes-Barre Township, **Luzerne County**. Keystone Environmental Health & Safety Services, 1111 12th Avenue, Altoona, PA 16601, on behalf of EG America, 165 Flanders Road, Westborough, MA 01581 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

**Countryside Quik Mart**, Storage Tank Facility ID # **40-51992**, 48 Hunlock-Harveyville Road, Hunlock Creek, PA 18621, Union Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Kuber Property, LLC, 24 Doe Drive, Dallas, PA 18612 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting residential Statewide health standards.

**Al's Quick Stop 9**, Storage Tank Facility ID # **40-13185**, 547 North Hunter Highway, Drums, PA 18222, Butler Township, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Alnajukchahat Real Estate, LLC, 702 East Swinick Drive, Dunmore, PA 18512 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

**Brodheadsville Sunoco**, Storage Tank Facility ID # **45-25468**, 2023 Route 209, Brodheadsville, PA 18322, Chestnuthill Township, **Monroe County**. MEA, 1365

Ackermanville Road, Bangor, PA 18013, on behalf of Pipeline Petroleum, Inc., P.O. Box 159, Macungie, PA 18062 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting residential Statewide health standards.

**Citizen's Steam Fire Company Number 2**, Storage Tank Facility ID # **54-29162**, 202 West Centre Street, Mahanoy City, PA 17948, Mahanoy City Borough, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Citizen's Steam Fire Company Number 2, 202 West Centre Street, Mahanoy City, PA 17948 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting site-specific standards.

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

*Contact: Ellen Roberts, 814-332-6648.*

**Worthington Sunoco**, Storage Tank Facility ID # **03-80025**, 15126 US Route 422, Worthington, PA 16262, Worthington Borough, **Armstrong County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Worthington Sunoco, 15126 US Route 422, Worthington, PA 16262 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.

**Cunningham Chrysler Plymouth**, Storage Tank Facility ID # **25-10059**, 85 W Main Street, Northeast, PA 16428, North East Township, **Erie County**. Moody and Associates, Inc., 11548 Cotton Road, Suite 101, Meadville, PA 16335, on behalf of Cunningham Chrysler Plymouth, Inc., 85 West Main Street, North East, PA 16428 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**McDonald's # 370012**, Storage Tank Facility ID # **04-98038**, 300 Ohio River Boulevard, Baden, PA 15005, Baden Borough, **Allegheny County**. Atlas Technical Consultants, LLC, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of McDonald's Corporation, 110 North Carpenter Street, Chicago, IL 60607 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with leaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

**A to Z Convenience Store**, Storage Tank Facility ID # **02-03926**, 1617 West Street, Homestead, PA 15120, Homestead Borough, **Allegheny County**. Compliance Environmental Service, 2700 Kirila Boulevard, Hermitage, PA 16148, on behalf of Executor of the Estate of Robert B. Graham, 131 East 17th Avenue, Hermitage, PA 16148 submitted a Remedial Action Plan concerning

remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

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#### Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

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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.*

**Fogelsville Shell**, Storage Tank Facility ID # **39-07046**, 241 North Route 100, Allentown, PA 18106, Upper Macungie Township, **Lehigh County**. Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, on behalf of Eastern Star, Inc., 241 North Route 100, Allentown, PA 18106 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with gasoline. The report demonstrated attainment of the site-specific standards and was approved by DEP on January 26, 2023.

**Old Dominion Freight Lines**, Storage Tank Facility ID # **45-13152**, 2382 Route 715, Tannersville, PA 18372, Pocono Township, **Monroe County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428,

on behalf of Old Dominion Freight Lines, Inc., 500 Old Dominion Way, Thomasville, NC 27360 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with diesel. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on January 30, 2023.

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

*Contact: Ellen Roberts.*

**Sheetz 75R**, Storage Tank Facility ID # **10-91749**, 107 Franklin St, Slippery Rock, PA 16057, Slippery Rock Borough, **Butler County**. EnviroTrac Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sheetz, Inc., 5700 6th Ave, Altoona, PA 16602 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum. The report nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on January 30, 2023.

**BFS Slippery Rock**, Storage Tank Facility ID # **10-14073**, 103 N Main St, Slippery Rock, PA 16057, Slippery Rock Borough, **Butler County**. Letterle & Associates, 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Bruceton Farm Svc, Inc., 116 Shannon Drive, Morgantown, WV 26508 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on January 30, 2023.

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

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**Turkey Hill 193**, Storage Tank Facility ID # **15-40730**, 2 E. Bridge Street, Spring City, PA 19475, Spring City Borough, **Montgomery County**. Liberty Environmental, Inc., 505 Penn Street, Reading, PA 19601, on behalf of Turkey Hill Minit Markets, LLC c/o EG America, 165 Flanders Road, Westborough, MA 01581 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report did not demonstrate attainment of the site-specific standards and was disapproved by DEP on January 25, 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.*

**Interstate 79 BP**, Storage Tank Facility ID # **63-09721**, 2229 Houston Hill Church Road, Canonsburg, PA 15317, Houston Borough, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15314 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on January 26, 2023.

[Pa.B. Doc. No. 23-185. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Grants through the Abandoned Mine Land and Acid Mine Drainage Grant Program

The Department of Environmental Protection (Department) invites interested parties to apply for a grant through the Abandoned Mine Land (AML) and Acid Mine Drainage (AMD) Grant Program (Program).

Applicants must meet certain eligibility requirements (for example, an applicant must be an authority, incorporated nonprofit organization, political subdivision or conservation district), as noted in the Program guidance. Proposals must support the mission of the Department's AML and AMD Program to restore AML and remediate AMD affecting the Commonwealth.

The Program guidance and application instructions are available on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select the "Grants" icon and scroll down to "Nonprofit Organizations," then "AML/AMD Grant Program") or by contacting the Department's AML/AMD Grant Management Program at [RA-EPAMGrantProgram@pa.gov](mailto:RA-EPAMGrantProgram@pa.gov).

Applications must be submitted online through the Commonwealth's Electronic Single Application (ESA) web site at [www.esa.dced.state.pa.us/Login.aspx](http://www.esa.dced.state.pa.us/Login.aspx). Hardcopy applications and late submissions will not be considered. For assistance with the ESA system, contact the Department of Community and Economic Development's customer service center at [ra-dcedcs@pa.gov](mailto:ra-dcedcs@pa.gov) or (800) 379-7448.

The Department will accept applications during the following application rounds:

*Application Round 1*—March 6, 2023, through 11:59 p.m. on April 28, 2023

*Application Round 2*—July 3, 2023, through 11:59 p.m. on August 25, 2023

*Application Round 3*—October 2, 2023, through 11:59 p.m. on December 2, 2023

For more information regarding the AML and AMD Program, contact the Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, 400 Market Street, P.O. Box 69205, Harrisburg, PA 17106-9205 or [RA-EPAMGrantProgram@pa.gov](mailto:RA-EPAMGrantProgram@pa.gov) or (717) 783-2267. Information is also available on the Department's web site at [www.dep.pa.gov/AML](http://www.dep.pa.gov/AML).

RICHARD NEGRIN,  
*Acting Secretary*

[Pa.B. Doc. No. 23-186. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Public Water System Technical Assistance Center Board Meeting Cancellation

The February 17, 2023, meeting of the Public Water System Technical Assistance Center Board (Board) is

cancelled. The next regular meeting of the Board is scheduled for Tuesday, April 18, 2023, beginning at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <https://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Water," then "Public Water System Technical Assistance Center (TAC) Advisory Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Board can be directed to Dawn Hissner, Bureau of Safe Drinking Water, at [dhissner@pa.gov](mailto:dhissner@pa.gov) or (717) 772-2189.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Jordan Watson at (717) 787-9633, 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. 23-187. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Addition of Mucopolysaccharidosis Type II to the Supplemental Conditions Mandated for Screening in this Commonwealth; Public Comment

The Secretary of Health and Human Services approved the Advisory Committee on Heritable Disorders in Newborns and Children's recommendation to add Mucopolysaccharidosis Type II Disorder (MPS II) to the Recommended Uniform Screening Panel on August 2, 2022. The Department of Health's (Department) Division of Newborn Screening and Genetics, with support of the Newborn Screening and Follow-up Technical Advisory Board (Board) and its lysosomal storage disorder subcommittee, is proposing that MPS II screening be added effective July 1, 2023, to the supplemental conditions mandated for screening and follow-up by Commonwealth submitters and follow-up by the Commonwealth newborn screening program.

MPS II, also referred to as Hunter Syndrome, is an X-linked lysosomal storage disorder caused by the deficiency of the enzyme iduronate 2- sulfatase, which is needed to break down complex sugars, glycosaminoglycans within the lysosomes. The severe form is characterized by progressive intellectual disability, the development of characteristic facial features, progressive joint stiffness that can limit mobility and progressive involvement of the liver, spleen and heart.

Under section 3 of the Newborn Child Testing Act (35 P.S. § 623), a 30-day public comment period is required before changes are made to the list of conditions for which newborn children are screened and laboratory screening results reported. Written comments regarding the Department and Board's proposal to add MPS II to

the list of conditions may be sent to RA-TCNBSAdmin\_Fax@pa.gov or to the Department of Health, Division of Newborn Screening and Genetics, 625 Forster Street, 7th Floor East, Harrisburg, PA 17120. Written comments must be received by March 13, 2023, to be considered.

For additional information, contact Jennifer Bixler, Public Health Program Director, Division of Newborn Screening and Genetics, at (717) 783-8143. Speech and/or

hearing-impaired persons use V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 23-188. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Delaware County Women's Center, Inc.	28 Pa. Code § 29.33(6) (relating to requirements for abortion)
Planned Parenthood Keystone—Lancaster	28 Pa. Code § 29.33(10)
UPMC Leader Surgery Center, LLC	28 Pa. Code § 569.35(7) (relating to general safety precautions)

The following ASF has filed a request for exception under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to *Guidelines for Design and Construction of Hospitals and of Outpatient Facilities*, as published by the Facility Guidelines Institute (*FGI Guidelines*). The following list includes the citation to the section of the *FGI Guidelines* for which the hospital is seeking an exception and the year of publication.

<i>Facility Name</i>	<i>Guidelines Section and relating to</i>	<i>Yr<sup>1</sup></i>
Integrated Surgical Institute, LLC	A2.1-3.2.3.2 space requirements	18-O

<sup>1</sup> 2018 Year *FGI Regulations* were split into 2 books; *Hospitals*, and *Outpatient Facilities* as indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, 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. 23-189. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Abington Hospital	28 Pa. Code § 103.31 (relating to the chief executive officer)
Albert Einstein Medical Center	28 Pa. Code § 103.31
Allegheny Valley Hospital	28 Pa. Code § 51.23 (relating to positron emission tomography)
Allied Services Institute of Rehabilitation Medicine	28 Pa. Code § 131.22 (relating to treatment orders)

<i>Facility Name</i>	<i>Regulation and relating to</i>
Conemaugh Memorial Medical Center	28 Pa. Code § 127.31(a) and (b) (relating to policies and procedures)
	28 Pa. Code § 127.33 (relating to authority to use radium)
Einstein Medical Center Montgomery	28 Pa. Code § 103.31
Jefferson Health—Northeast	28 Pa. Code § 103.31
John Heinz Institute of Rehabilitation Medicine	28 Pa. Code § 131.22
Lansdale Hospital	28 Pa. Code § 103.31
Magee Rehabilitation Hospital	28 Pa. Code § 103.31
The Milton S. Hershey Medical Center	28 Pa. Code § 113.5(a) (relating to pharmacy and therapeutics committee)
Penn Highlands Brookville	28 Pa. Code § 103.1 (relating to principle)
Penn Highlands Connellsville	28 Pa. Code § 103.1
Penn Highlands Dubois	28 Pa. Code § 103.1
Penn Highlands Elk	28 Pa. Code § 103.1
Penn Highlands Huntingdon	28 Pa. Code § 103.1
Penn Highlands Mon Valley	28 Pa. Code § 103.1
Penn Highlands Tyrone	28 Pa. Code § 103.1
Penn State Health Hampden Medical Center	28 Pa. Code § 113.5(a)
Penn State Health Holy Spirit Medical Center	28 Pa. Code § 113.5(a)
Penn State Health Lancaster Medical Center	28 Pa. Code § 113.5(a)
Penn State Health Saint Joseph	28 Pa. Code § 113.5(a)
Thomas Jefferson University Hospitals, Inc.	28 Pa. Code § 103.31
	28 Pa. Code § 29.33(6) (relating to requirements for abortion)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr<sup>1, 2</sup></i>
Meadville Medical Center	2.1-4.4.2.4 hand-washing station	18-O
	2.1-6.4.1 staff lounge	18-O
Penn Highlands Connellsville	2.1-3.2.2.2(a)(i) single-patient exam/observation room	22-O
	2.1-6.2.3.3(1) and (2) public toilet room	22-O
	2.1-8.4.3.2(2) handwashing station sinks	22-O
Penn Highlands Dubois	2.1-3.8.7.1 location	18-O
Saint Luke's Hospital of Bethlehem, Pennsylvania	2.2-2.5.2.2(b) space requirements	22
	2.2-2.5.8.2 nurse station	22
	2.2-2.6.2.2(b) space requirements	22
Thomas Jefferson University Hospitals, Inc.	2.1-7.2.2.1 corridor width	22
UPMC Mercy	2.1-2.2.5.1(1) and (2) location	22
	2.2-2.2.2.1(2) capacity	22
	2.2-2.5.2.2(a) and (b) space requirements	22
	2.2-2.5.8.13 equipment and supply storage	22
Wellspan York Hospital	2.2-2.12.10 support areas for patients and visitors	18
	2.5-2.2.10.2(1)—(3) social spaces	18

<sup>1</sup> 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

<sup>2</sup> 2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 23-190. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); WIC Advisory

The WIC Advisory will meet on February 14, 2023, from 1 p.m. to 2 p.m. The purpose of this meeting is to collaborate to gather suggestions of strategies for increasing participation and improving the WIC program to better support participants. The Department of Health (Department) will send out the meeting agenda no later than February 10, 2023, at 12 p.m. by e-mail. Individuals interested in receiving a copy of the agenda may send an e-mail to ra-dhwicadvisory@pa.gov requesting to be added to the distribution list.

Individuals can join at [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MGM0N2E3ZTYtNzKxMS00NTM3LWEwMmYtZTFkOThhZTUzNDky%40thread.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22oid%22%3a%220cfa0410-062c-44ce-8c0c-5e4c0a12ecd9%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MGM0N2E3ZTYtNzKxMS00NTM3LWEwMmYtZTFkOThhZTUzNDky%40thread.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22oid%22%3a%220cfa0410-062c-44ce-8c0c-5e4c0a12ecd9%22%7d).

*Note:* The previous link to access the meeting does not include a period. The link ends at 22%7d with no period. If copying and pasting the link, do not copy any period at the end if there is one.

Individuals can also join by calling (267) 332-8737. The conference ID number is 434 377 310#.

The meeting will be recorded so if individuals choose to attend, they are consenting to being recorded. Individuals should not attend the meeting if they do not wish to be recorded.

Questions about the WIC Advisory may be submitted by e-mail to the Department at ra-dhwicadvisory@pa.gov.

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact the Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, 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).

The Pennsylvania WIC program is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider.

*USDA Nondiscrimination Statement:*

In accordance with Federal civil rights law and the USDA civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race,

color, national origin, sex (including gender identity and sexual orientation), disability, age or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (for example, Braille, large print, audiotape, American Sign Language), should contact the responsible State or local agency that administers the program or the USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact the USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992 or by writing a letter addressed to the USDA. The letter must contain the complainant's name, address, telephone number and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to the USDA by mail to the United States Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, fax (833) 256-1665, (202) 690-7442, Program.Intake@usda.gov.

This institution is an equal opportunity provider.

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 23-191. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cash Crush Instant Lottery Game 1618; Change to Game Rules

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Cash Crush (hereinafter referred to as "Cash Crush") instant lottery game rules that were published at 52 Pa.B. 7985 (December 24, 2022).

The Pennsylvania Lottery intends to update the requirements related to Second-Chance Drawing participa-



tion and entry. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 52 Pa.B. 7985—7990:

\* \* \* \* \*

10. *Second-Chance Drawing:*

\* \* \* \* \*

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.pailottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player’s name as it appears on a valid government-issued identification or tax documents;

(ii) The player’s date of birth;

(iii) The entire or last four digits of the player’s Social Security Number, or comparable equivalent;

(iv) The player’s address;

(v) The player’s telephone number;

(vi) The player’s email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

\* \* \* \* \*

(e) *Drawing restrictions:*

\* \* \* \* \*

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

\* \* \* \* \*

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Pennsylvania Lottery’s sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

\* \* \* \* \*

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

\* \* \* \* \*

PATRICK BROWNE,  
*Acting Secretary*

[Pa.B. Doc. No. 23-192. Filed for public inspection February 10, 2023, 9:00 a.m.]

**DEPARTMENT OF REVENUE**

**Pennsylvania Love \$tinks Instant Lottery Game 1620; Change to Game Rules**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Love \$tinks (hereinafter referred to as “Love \$tinks”) instant lottery game rules that were published at 52 Pa.B. 8001 (December 24, 2022).

The Pennsylvania Lottery intends to update the requirements related to Second-Chance Drawing participation and entry. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 52 Pa.B. 8001—8005:

\* \* \* \* \*

10. *Second-Chance Drawing:*

\* \* \* \* \*

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.pailottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound

by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

- (i) The player’s name as it appears on a valid government-issued identification or tax documents;
- (ii) The player’s date of birth;
- (iii) The entire or last four digits of the player’s Social Security Number, or comparable equivalent;
- (iv) The player’s address;
- (v) The player’s telephone number;
- (vi) The player’s email address;
- (vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

\* \* \* \* \*

(e) *Drawing restrictions:*

\* \* \* \* \*

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

\* \* \* \* \*

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Pennsylvania Lottery’s sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

\* \* \* \* \*

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

\* \* \* \* \*

PATRICK BROWNE,  
*Acting Secretary*

[Pa.B. Doc. No. 23-193. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Puppy Love Fast Play Lottery Game 5185; Change to Game Rules

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue) the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Puppy Love Fast Play Game 5185 (hereinafter referred to as “Puppy Love”) Fast Play lottery game rules that were published at 52 Pa.B. 8293 (December 31, 2022).

The Pennsylvania Lottery intends to update the requirements related to Second-Chance Drawing participation and entry. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 52 Pa.B. 8293—8299:

\* \* \* \* \*

#### 9. *Second-Chance Drawing:*

\* \* \* \* \*

#### (b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.pailottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

- (i) The player’s name as it appears on a valid government-issued identification or tax documents;
- (ii) The player’s date of birth;
- (iii) The entire or last four digits of the player’s Social Security Number, or comparable equivalent;

- (iv) The player’s address;
- (v) The player’s telephone number;
- (vi) The player’s email address;
- (vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

\* \* \* \* \*

(e) *Drawing restrictions:*

\* \* \* \* \*

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

\* \* \* \* \*

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Pennsylvania Lottery’s sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

\* \* \* \* \*

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

\* \* \* \* \*

PATRICK BROWNE,  
*Acting Secretary*

[Pa.B. Doc. No. 23-194. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Steal Your Heart Instant Lottery Game 1621; Change to Game Rules

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Steal Your Heart (hereinafter referred to as “Steal Your Heart”) instant lottery game rules that were published at 52 Pa.B. 8005 (December 24, 2022).

The Pennsylvania Lottery intends to update the requirements related to Second-Chance Drawing participation and entry. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 52 Pa.B. 8005—8008:

\* \* \* \* \*

10. *Second-Chance Drawing:*

\* \* \* \* \*

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.pailottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player’s name as it appears on a valid government-issued identification or tax documents;

(ii) The player’s date of birth;

(iii) The entire or last four digits of the player’s Social Security Number, or comparable equivalent;

(iv) The player’s address;

(v) The player’s telephone number;

(vi) The player’s email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

\* \* \* \* \*

(e) *Drawing restrictions:*

\* \* \* \* \*

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

\* \* \* \* \*

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

\* \* \* \* \*

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent en-

tries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

\* \* \* \* \*

PATRICK BROWNE,  
*Acting Secretary*

[Pa.B. Doc. No. 23-195. Filed for public inspection February 10, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Stuck On You Fast Play Lottery Game 5183; Change to Game Rules

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue) the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Stuck On You Fast Play Game 5183 (hereinafter referred to as “Stuck On You”) Fast Play lottery game rules that were published at 52 Pa.B. 8304 (December 31, 2022).

The Pennsylvania Lottery intends to update the requirements related to Second-Chance Drawing participation and entry. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 52 Pa.B. 8304—8310:

\* \* \* \* \*

9. *Second-Chance Drawing:*

\* \* \* \* \*

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.pailottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player's name as it appears on a valid government-issued identification or tax documents;

(ii) The player's date of birth;

(iii) The entire or last four digits of the player's Social Security Number, or comparable equivalent;

(iv) The player's address;

(v) The player's telephone number;

(vi) The player's email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery

terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

\* \* \* \* \*

(e) *Drawing restrictions:*

\* \* \* \* \*

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

\* \* \* \* \*

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Pennsylvania Lottery’s sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

\* \* \* \* \*

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent en-

tries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

\* \* \* \* \*

PATRICK BROWNE,  
*Acting Secretary*

[Pa.B. Doc. No. 23-196. Filed for public inspection February 10, 2023, 9:00 a.m.]

**DEPARTMENT OF REVENUE**

**Pennsylvania We Go Together Like Fast Play Lottery Game 5184; Change to Game Rules**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue) the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania We Go Together Like Fast Play Game 5184 (hereinafter referred to as “We Go Together Like”) Fast Play lottery game rules that were published at 52 Pa.B. 8310 (December 31, 2022).

The Pennsylvania Lottery intends to update the requirements related to Second-Chance Drawing participation and entry. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 52 Pa.B. 8310—8317:

\* \* \* \* \*

9. *Second-Chance Drawing:*

\* \* \* \* \*

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.pailottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player’s name as it appears on a valid government-issued identification or tax documents;

(ii) The player’s date of birth;

(iii) The entire or last four digits of the player’s Social Security Number, or comparable equivalent;

(iv) The player’s address;

(v) The player’s telephone number;

(vi) The player’s email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at https://www.palottery.com, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(7) Only one claimant per entry allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

\* \* \* \* \*

(e) *Drawing restrictions:*

\* \* \* \* \*

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

\* \* \* \* \*

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

\* \* \* \* \*

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

\* \* \* \* \*

PATRICK BROWNE,  
*Acting Secretary*

[Pa.B. Doc. No. 23-197. Filed for public inspection February 10, 2023, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) approved the addition of 16 stream sections to its list of Class A Wild Trout Streams as set forth at 52 Pa.B. 7232 (November 19, 2022). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 23-198. Filed for public inspection February 10, 2023, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Classification of Wild Trout Streams; Proposed Additions; April 2023

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time-to-time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on April 24 and 25, 2023, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Adams	Unnamed tributary (UNT) to Conewago Creek (RM 78.72)	Headwaters to Mouth	Conewago Creek	39.921415 77.398158
Crawford	UNT to Shirley Run (RM 3.53)	Headwaters to Mouth	Shirley Run	41.719252 79.649648
Crawford	UNT to Shirley Run (RM 5.37)	Headwaters to Mouth	Shirley Run	41.737431 79.633262

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Crawford	UNT to Thompson Creek (RM 3.87)	Headwaters to Mouth	Thompson Creek	41.671034 79.681001
Cumberland	UNT to Old Town Run (RM 1.55)	Headwaters to Mouth	Old Town Run	40.122778 77.140833
Erie	UNT to Whitney Run (RM 3.52)	Headwaters to Mouth	Whitney Run	41.860907 79.613227
Fayette	UNT to Laurel Run (RM 2.09)	Headwaters to Mouth	Laurel Run	40.001016 79.384494
Fayette	UNT to Quebec Run (RM 2.01)	Headwaters to Mouth	Quebec Run	39.754525 79.675782
Forest	UNT to Maple Creek (RM 2.65)	Headwaters to UNT at RM 0.90	Maple Creek	41.372696 79.154420
Forest	UNT to Ross Run (RM 3.97)	Headwaters to Mouth	Ross Run	41.559658 79.314820
McKean	UNT (RM 0.20) to UNT to South Branch Cole Creek (RM 3.67)	Headwaters to Mouth	UNT to South Branch Cole Creek (RM 3.67)	41.845654 78.525488
McKean	UNT to Libby Run (RM 0.87)	Headwaters to Mouth	Libby Run	41.791528 78.806885
McKean	UNT to Mud Lick Run (RM 1.49)	Headwaters to Mouth	Mud Lick Run	41.770472 78.910416
McKean	UNT to South Branch Cole Creek (RM 3.67)	Headwaters to Mouth	South Branch Cole Creek	41.847959 78.526460
McKean	UNT to South Branch Cole Creek (RM 4.12)	Headwaters to Mouth	South Branch Cole Creek	41.848473 78.533990
McKean	UNT to Turnup Run (RM 2.44)	Headwaters to Mouth	Turnup Run	41.802215 78.747117
McKean	UNT to Turnup Run (RM 2.56)	Headwaters to Mouth	Turnup Run	41.803728 78.747403
McKean	UNT to Wintergreen Run (RM 0.52)	Headwaters to Mouth	Wintergreen Run	41.774094 78.715852
Mifflin	Furnace Run	Headwaters to Mouth	Juniata River	40.393038 77.881634
Mifflin	UNT to Strodes Run (RM 2.96)	Headwaters to Mouth	Strodes Run	40.562785 77.682101
Venango	UNT to Little Sugar Creek (RM 2.23)	Headwaters to Mouth	Little Sugar Creek	41.557927 79.801720
Venango	UNT to Prather Creek (RM 2.03)	Headwaters to Mouth	Prather Creek	41.564140 79.776340
Venango	UNT to Sugar Creek (RM 4.58)	Headwaters to Mouth	Sugar Creek	41.466365 79.886898
Venango	UNT to Wolf Run (RM 1.66)	Headwaters to Mouth	Wolf Run	41.484337 79.863932
Venango	UNT to Wolf Run (RM 3.02)	Headwaters to Mouth	Wolf Run	41.474157 79.846750
Venango	Wolf Run	Headwaters to Mouth	Sugar Creek	41.471485 79.881241
Warren	Anderson Run	Headwaters to Mouth	Allegheny River	41.840805 79.071129
Warren	Gordon Run	Headwaters to Mouth	Allegheny River	41.679167 79.421389
Warren	UNT (RM 0.35) to UNT to Hemlock Run (RM 0.95)	Headwaters to Mouth	UNT to Hemlock Run (RM 0.95)	41.864124 79.058901
Warren	UNT (RM 2.12) to UNT to Spring Creek (RM 2.55)	Headwaters to Mouth	UNT to Spring Creek (RM 2.55)	41.835656 79.532251

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Warren	UNT to Hemlock Run (RM 0.95)	Headwaters to Mouth	Hemlock Run	41.859980 79.055410
Warren	UNT to Spring Creek (RM 2.77)	Headwaters to Mouth	Spring Creek	41.853873 79.557800

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments, objections or suggestions may also be submitted electronically to RA-pfbcregulations@pa.gov.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 23-199. Filed for public inspection February 10, 2023, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Changes to List of Class A Wild Trout Waters; April 2023

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, the Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A wild trout fisheries are species specific. Wild Trout Biomass Class Criteria include provisions for:

(i) *Wild Brook Trout Fisheries*

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) *Wild Brown Trout Fisheries*

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) *Mixed Wild Brook and Brown Trout Fisheries*

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) *Wild Rainbow Trout Fisheries*

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

(v) *Mixed Wild Brook and Rainbow Trout Fisheries*

(A) Combined brook and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

(vi) *Mixed Wild Brown and Rainbow Trout Fisheries*

(A) Combined brown and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brown trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

During recent surveys, Commission staff documented the following stream sections to have Class A wild trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on April 24 and 25, 2023.



<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>	<i>Brook Trout (kg / ha)</i>	<i>Brown Trout (kg / ha)</i>	<i>Rainbow Trout (kg / ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Cameron/ Clinton	Birch Island Run	1	Headwaters to unnamed tributary (UNT) at Juneberry Trail	West Branch Susquehanna River	41.195831 77.974442	36.51	—	—	1.80	2022
Centre	Yost Run	1	Headwaters to Mouth	West Branch Susquehanna River	41.226111 77.930000	44.50	1.10	—	4.35	2022
Clinton	East Branch Queens Run	1	Headwaters to Ram Hollow Reservoir	Queens Run	41.183611 77.475278	30.55	—	—	3.00	2022
Clinton	Queens Run	1	Headwaters to Mouth	West Branch Susquehanna River	41.175835 77.482224	5.38	56.97	—	0.77	2022
Clinton	West Branch Queens Run	1	Headwaters to Mouth	Queens Run	41.181389 77.477776	39.31	3.33	—	4.11	2022
Clinton	Whisky Run	1	Headwaters to Mouth	Lick Run	41.174180 77.512495	36.56	0.14	—	1.96	2022
Crawford	Shirley Run	1	Headwaters to State Route 1032 bridge	Thompson Creek	41.681944 79.667500	—	55.11	—	2.11	2022
Crawford	Shirley Run	3	State Route 89 bridge in Cloverdale Corners to Mouth	Thompson Creek	41.681944 79.667500	—	63.84	—	1.70	2022
Crawford	Thompson Creek	1	Headwaters to 100 meters upstream State Route 2031 bridge	Oil Creek	41.648611 79.732222	—	48.43	—	3.29	2022
Lycoming/ Potter/Tioga	UNT to Francis Branch (RM 2.40)	1	Headwaters to Mouth	Francis Branch	41.550030 77.595367	43.23	—	—	1.11	2022
McKean/ Potter	South Branch Hamilton Run	1	Headwaters to Mouth	Hamilton Run	41.743677 78.231023	45.16	10.68	—	1.98	2022
Potter	Boone Run	1	Headwaters to Mouth	Cross Fork	41.599285 77.784811	43.32	2.44	—	3.01	2022
Potter	Schoolhouse Hollow Run	1	Headwaters to Mouth	Francis Branch	41.552678 77.616121	66.14	5.37	—	2.36	2022
Potter	Weich Hollow Run	1	Headwaters to Mouth	UNT to Francis Branch (RM 3.44)	41.558782 77.616672	56.59	—	—	0.95	2022
Potter	Wingenter Run	1	Headwaters to Bolich Run	Cross Fork	41.608333 77.780556	32.68	1.39	—	3.04	2022
Potter/Tioga	Kramer Hollow Run	1	Headwaters to Mouth	Francis Branch	41.553450 77.583046	43.58	0.05	—	2.11	2022
Tioga	Bear Run	1	Headwaters to Mouth	Cushman Branch	41.558884 77.551834	84.59	—	—	2.13	2022
Warren	UNT to Spring Creek (RM 2.77)	1	Headwaters to Mouth	Spring Creek	41.853873 79.557800	74.56	—	—	1.09	2022

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments, objections or suggestions may also be submitted electronically to RA-pfbcregulations@pa.gov.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 23-200. Filed for public inspection February 10, 2023, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Surplus Lines Agents and Interested Parties; Export List of Insurance Coverages

In April 2022, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and declared those coverages as exportable. A list of exportable coverages was published at 52 Pa.B. 2194 (April 9, 2022). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

At this time, the Commissioner is soliciting comments regarding the current export list. Persons may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements must be e-mailed to Lori Rumpf at lrumpf@pa.gov. After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 23-201. Filed for public inspection February 10, 2023, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Michael Watts; License Denial Appeal; Doc. No. AG23-01-020

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Michael Watts has appealed the denial of an application for a 1033 Written Waiver to engage in the business of insurance. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Admin-

istrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for March 13, 2023, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 9, 2023. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before February 27, 2023. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before March 9, 2023.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 23-202. Filed for public inspection February 10, 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 February 27, 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 February 27, 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](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

**Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.***

**A-2023-3037846. Edwards Direct Transportation Service, LLC** (143 West Walnut Lane, Suite 205, Philadelphia, Philadelphia County, PA 19144) to transport

persons, as a common carrier, by motor vehicle, in paratransit service, from points in Delaware County and the City and County of Philadelphia, to points in Pennsylvania, and return.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2022-3037407. T7 Moving and Transportation, LTD** (1388 South Keim Street, Pottstown, Chester County, PA 19465) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 23-203. Filed for public inspection February 10, 2023, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications Service

**A-2022-3037044. Archtop Fiber, LLC.** Application of Archtop Fiber, LLC for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of: Citizens Telecommunications of New York, Inc., d/b/a Frontier Communications of New York; Commonwealth Telecommunications Company, d/b/a Frontier Communications Commonwealth Telephone Company; Frontier Communications of Canton, LLC; The North-Eastern Pennsylvania Telephone Company; Palmerton Telephone Company; South Canaan Telephone Company; TDS Telecom/Deposit Telephone Company; Verizon Pennsylvania, LLC; and Verizon North, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, February 27, 2023. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, 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 Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Archtop Fiber, LLC

*Through and By Counsel:* Jane Bremer, Bremer Law, PC, 1100 Riverview Tower, 8009 34th Avenue South, Minneapolis, MN 55425

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 23-204. Filed for public inspection February 10, 2023, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than February 27, 2023. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-23-01-02. Omar Taxi, LLC** (1840 Tree Street, Philadelphia, PA 19145): An application for a medallion taxicab certificate of public convenience to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

RICH LAZER,  
*Executive Director*

[Pa.B. Doc. No. 23-205. Filed for public inspection February 10, 2023, 9:00 a.m.]

