

# PENNSYLVANIA BULLETIN

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

**No. 597, August 2024**

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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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*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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### 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 2024.

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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CHS. 1 AND 9 ]

#### Order Amending Rules 102, 108, and 904 of the Pennsylvania Rules of Appellate Procedure; No. 312 Appellate Procedural Rules Docket

##### Order

*Per Curiam*

And Now, this 26th day of July, 2024, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 53 Pa.B. 4962 (August 12, 2023):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 102, 108, and 904 of the Pennsylvania Rules of Appellate Procedure are amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective October 1, 2024.

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

Deletions from the rule are shown in bold and brackets.

##### Annex A

#### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE I. PRELIMINARY PROVISIONS

#### CHAPTER 1. GENERAL PROVISIONS

#### IN GENERAL

#### Rule 102. Definitions.

Subject to additional definitions contained in subsequent provisions of these rules which are applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

\* \* \* \* \*

**Orphans' Court Appeal.—Any appeal from an order of the Orphans' Court Division as set forth in Pa.R.A.P. 342 or an appeal from an order from the First Judicial District Family Division deciding an adoption petition.**

\* \* \* \* \*

(Editor's Note: Rule 108 as printed in 210 Pa. Code reads "Official Note" rather than "Note." Rule 108 was not included in the proposal that was published for public comment at 53 Pa.B. 4962.)

#### Rule 108. Date of Entry of Orders.

(a) *General [ rule ] Rule.*

(1) Except as otherwise prescribed in this rule, in computing any period of time under these rules involving the date of entry of an order by a court or other government unit, the day of entry shall be the day the clerk of the court or the office of the government unit mails or delivers copies of the order to the parties, or if

such delivery is not otherwise required by law, the day the clerk or office of the government unit makes such copies public. The day of entry of an order may be the day of its adoption by the court or other government unit, or any subsequent day, as required by the actual circumstances.

(2) When pursuant to law a determination of a government unit other than a court is deemed to have been made by reason of the expiration of a specified period of time after submission of a matter to the government unit or after another prior event, any person affected may treat the expiration of such period as equivalent to the entry of an order for the purposes of appeal (in which event the notice of appeal or other document seeking review shall set forth briefly facts showing the applicability of this [ paragraph ] subdivision) and shall so treat the expiration of the period where the person has actual knowledge (other than knowledge of the mere lapse of time) that the implied determination has occurred.

(b) *Civil [ orders ] Orders.*—The date of entry of an order in a matter subject to the Pennsylvania Rules of Civil Procedure shall be the [ day ] date on which the clerk makes the notation in the docket that **written** notice of entry of the order has been given as required by Pa.R.Civ.P. 236(b).

(c) [ *Emergency appeals.*—Notwithstanding Subdivisions (a) and (b) of this rule, an order subject to Rule 301(e) (emergency appeals) shall be deemed entered for the purposes of these rules when the party intending to appeal has complied with such rule to the extent practicable under the circumstances. ] *Orphans' Court Orders.*—**The date of entry of an order in a matter subject to the Pennsylvania Rules of Orphans' Court Procedure shall be the date on which the clerk makes the notation in the docket that written notice of entry of the order has been given as required by Pa.R.O.C.P. 4.6.**

(d) *Criminal Orders.*

(1) In determining the date of entry of criminal orders, subdivision (a)(1) shall apply except as provided in [ **subparagraph ] subdivision** (d)(2).

(2) In a criminal case in which no post-sentence motion has been filed, the date of imposition of sentence in open court shall be deemed to be the date of entry of the judgment of sentence.

(e) *Emergency Appeals.*—**Notwithstanding the provisions of this rule, an order subject to Pa.R.A.P. 301(e) (emergency appeals) shall be deemed entered for the purposes of these rules when the party intending to appeal has complied with such rule to the extent practicable under the circumstances.**

#### [ Note: ] Comment:

Based in part on 42 Pa.C.S. § 5572 (time of entry of order) (which is not applicable to appeals to or judicial review of quasijudicial orders by the Supreme, Superior, or Commonwealth Courts; see 42 Pa.C.S. § 5571(a) (appeals generally)) and 1 Pa. Code § 31.13. The purpose of this rule is to fix a date from which the time periods such as those set forth in [ Rules ] Pa.R.A.P. 903 (time for appeal), Pa.R.A.P. 1113 (time for petitioning for allowance of appeal), **Pa.R.A.P. 1311** (interlocutory appeals by per-

mission), **Pa.R.A.P. 1512** (time for petitioning for review), **Pa.R.A.P. 1602 (filing)**, and **Pa.R.A.P. 2542** (time for application for reargument) [ **shall be** ] **are** computed. [ **Rule** ] **Pa.R.A.P. 5101(g)** (statutes suspended) suspends all inconsistent statutes so that all appellate time periods are [ **now** ] computed on the same basis.

Subdivision (a)(2) is patterned after 42 Pa.C.S. § 5571(c)(6) (implied determinations). See [ **note** ] **Comment** to [ **Rule** ] **Pa.R.A.P. 903** (time for appeal). The purpose of the provision is [ **, on the one hand, ]: (1)** to permit an aggrieved party to appeal immediately after the expiration of the period notwithstanding the failure of the government unit to take formal action [ **, and on the other, ];** and **(2)** to eliminate complicated calendar watching by forcing the government unit or another affected person to notify all parties of the expiration of the period as a prerequisite to commencement of the running of the appeal period for the purpose of the finality of the implied determination. [ **See, e.g. Rule** ] **See, e.g., Pa.R.A.P. 1571(b)(3)** (determinations of the Board of Finance and Revenue).

[ **See** ] **Subdivision (d)**—See Pa.R.A.P. 301(a)(1) and (2), Pa.R.A.P. 903(c)(3), and Pa.R.Crim.P. 462, 720, and 721 governing criminal appeals. **When no post-sentence motion is filed, the time for appeal begins to run from the date of imposition of sentence. See Pa.R.Crim.P. 462(H)(2), 720(A)(3) and (D), and 721(B)(2)(a)(ii), Pa.R.A.P. 301(a)(2) and 903(c)(3). See also Commonwealth v. Green, 862 A.2d 613 (Pa. Super. 2004) (en banc), petition for allowance of appeal denied, 882 A.2d 477 (Pa. 2005). When post-sentence motions are denied by operation of law, the appeal period shall run from the date of entry of the order denying the motion by operation of law. See Pa.R.Crim.P. 720(A)(2)(c).**

#### **Historical Commentary**

**The following commentary is historical in nature and represents statements of the Committee at the time of rulemaking:**

##### **Explanatory Comment—1979**

Where a determination is implied by the passage of time without action by a government unit, an aggrieved party is given the option either to appeal at once at the expiration of the period or to rely on the government unit or other affected person to give notice that an implied determination has been made.

##### **Explanatory Comment—2007**

New subdivision (d) governs criminal appeals. Under new subdivision (d), when no post-sentence motion is filed, the time for appeal begins to run from the date of imposition of sentence. See Pa.R.Crim.P. 462(G)(2), 720(A)(3) and (D), and 721(B)(2)(a)(ii), and the conforming amendments to Pa.R.A.P. 301(a)(2) and 903(c)(3), and 2006 Explanatory Comment thereto. See also *Commonwealth v. Green*, 862 A.2d 613 (Pa. Super. 2004) (*en banc*), *allocatur denied*, 584 Pa. 692, 882 A.2d 477 (2005). When post-sentence motions are denied by operation of law, the appeal period shall run from the date of entry of the order denying the motion by operation of law. See Pa.R.Crim.P. 720(B)(3)(c).

## **ARTICLE II. APPELLATE PROCEDURE**

### **CHAPTER 9. APPEALS FROM LOWER COURTS**

(*Editor's Note:* Rule 904 as printed in 210 Pa. Code does not contain Explanatory Comment—2002.)

#### **Rule 904. Content of the Notice of Appeal.**

(a) *Form.* Except as otherwise prescribed by this rule, the notice of appeal shall be in substantially the following form:

\* \* \* \* \*

(b) *Caption.*

(1) *General Rule.* The parties shall be stated in the caption as they appeared on the record of the trial court at the time the appeal was taken.

(2) *Appeal of Custody Action.* In an appeal of a custody action where the trial court has used the full name of the parties in the caption, upon application of a party and for cause shown, an appellate court may exercise its discretion to use the initials of the parties in the caption based upon the sensitive nature of the facts included in the case record and the best interest of the child.

(c) *Request for Transcript.* The request for transcript contemplated by Pa.R.A.P. 1911 or a statement signed by counsel that either there is no verbatim record of the proceedings or the complete transcript has been lodged of record shall accompany the notice of appeal, but the absence of or defect in the request for transcript shall not affect the validity of the appeal.

(d) *Docket Entry.* The notice of appeal shall include a statement that the order appealed from has been entered on the docket. A copy of the docket entry showing the entry of the order appealed from shall be attached to the notice of appeal.

(e) *Content in Criminal Cases.* [ **When** ] **If** the Commonwealth takes an appeal pursuant to Pa.R.A.P. 311(d), the notice of appeal shall include a certification by counsel that the order will terminate or substantially handicap the prosecution.

(f) *Content in Children's Fast Track Appeals.* In a children's fast track appeal, the notice of appeal shall include a statement advising the appellate court that the appeal is a children's fast track appeal.

(g) *Content in Orphans' Court Appeals.* **In an orphans' court appeal, the notice of appeal shall include a statement advising the appellate court that the appeal is an orphans' court appeal.**

(h) *Completely Consolidated Civil Cases.* In an appeal of completely consolidated civil cases where only one notice of appeal is filed, a copy of the consolidation order shall be attached to the notice of appeal.

#### **Comment:**

The Offense Tracking Number (OTN) is required only in an appeal in a criminal proceeding. It enables the Administrative Office of the Pennsylvania Courts to collect and forward to the Pennsylvania State Police information pertaining to the disposition of all criminal cases as provided by the Criminal History Record Information Act, 18 Pa.C.S. §§ 9101 *et seq.*

The notice of appeal must include a statement that the order appealed from has been entered on the docket. Because generally a separate notice of appeal must be filed on each docket on which an appealable order is entered so as to appeal from that order, [ **see** ] **see** Pa.R.A.P. 902(a), the appellant is required to attach to the notice of appeal a copy of the docket entry showing the entry of the order appealed from on that docket. The appellant does not need to certify that the order has been reduced to judgment. This omission does not eliminate the requirement of reducing an order to judgment before

there is a final appealable order where required by applicable practice or case law.

Subdivision (b)(2) provides the authority for an appellate court to initialize captions in custody appeals. *See also* [ **Pa.R.C.P.** ] **Pa.R.Civ.P.** 1915.10.

With respect to subdivision (e), in *Commonwealth v. Dugger*, 486 A.2d 382, 386 (Pa. 1985), the Supreme Court held that the Commonwealth's certification that an order will terminate or substantially handicap the prosecution is not subject to review as a prerequisite to the Superior Court's review of the merits of the appeal. The principle in *Dugger* has been incorporated in and superseded by Pa.R.A.P. 311(d). *Commonwealth v. Dixon*, 907 A.2d 468, 471 n.8 (Pa. 2006). Thus, the need for a detailed analysis of the effect of the order, formerly necessarily a part of the Commonwealth's appellate brief, has been eliminated.

A party filing a cross-appeal should identify it as a cross-appeal in the notice of appeal to assure that the prothonotary will process the cross-appeal with the initial appeal. [ *See also* ] *See also* Pa.R.A.P. 2113, 2136, and 2185 regarding briefs in cross-appeals and Pa.R.A.P. 2322 regarding oral argument in multiple appeals.

**See Pa.R.A.P. 342 for the orders that may be appealed as of right in orphans' court matters.**

A party appealing completely consolidated civil cases using one notice of appeal must attach a copy of the consolidation order to the notice of appeal to assure the applicability of Pa.R.A.P. 902.

#### **Historical Commentary**

**The following commentary is historical in nature and represents statements of the Committee at the time of rulemaking:**

#### **Explanatory Comment—2002**

See Comment following Pa.R.A.P., Rule 511.

### **SUPREME COURT OF PENNSYLVANIA APPELLATE COURT PROCEDURAL RULES COMMITTEE**

#### **ADOPTION REPORT**

#### **Amendment of Pa.R.A.P. 102, 108, and 904**

On July 26, 2024, the Supreme Court of Pennsylvania adopted amendments to Pennsylvania Rules of Appellate Procedure 102, 108, and 904. The Appellate Court Procedural Rules 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 herein are those of the Committee, not the Court.

The Committee received a request to amend Pa.R.A.P. 108 to establish the date of entry of orphans' court orders for purposes of computing any time period involving an orphans' court order under the Pennsylvania Rules of Appellate Procedure. Relevant to the request, Pa.R.A.P. 108(b) provides that the date of entry of an order for civil cases is the date on which the clerk of the trial court makes a notation on the docket that notice of the entry of the order was given as required by Pa.R.Civ.P. 236. Additional provisions address emergency appeals and criminal orders.

In its initial consideration, the Committee assumed that Pa.R.A.P. 108 was silent on the date of entry of orders in the orphans' court because, when the relevant provisions of Pa.R.A.P. 108 were drafted, the Pennsylvania Rules of Orphans' Court Procedure themselves were silent on the matter of notice of an adjudication or court

order. Notably, however, former Pa.R.O.C.P. 3.1 required conformity with the Pennsylvania Rules of Civil Procedure when the Rules of Orphans' Court Procedure did not provide guidance on a particular matter. Therefore, appellants in orphans' court cases were guided by Pa.R.Civ.P. 236, which squared with Pa.R.A.P. 108(b).

Subsequently, the Rules of Orphans' Court Procedure were largely rewritten and adopted, effective September 1, 2016. The rewrite included new rule Pa.R.O.C.P. 4.6, which established a notice procedure analogous to and derived from Pa.R.Civ.P. 236.

The Committee recognized that the request to amend Pa.R.A.P. 108 also implicated a need to effectively identify orphans' court appeals for purposes of docketing statements. To effectuate Pa.R.A.P. 108 generally, when a notice of appeal is filed with the Superior Court, the prothonotary of that court sends: a docketing statement form [to the appellant] which shall be completed and returned within ten (10) days in order that the Court shall be able to more efficiently and expeditiously administer the scheduling of argument and submission of cases on appeal. Failure to file a docketing statement may result in dismissal of the appeal.

*Pa.R.A.P. 3517.* At present, there are three docketing statement forms: (a) Civil Docketing Statement; (b) Criminal Docketing Statement; and (c) Family and Domestic Relations Docketing Statement. The Civil Docketing Statement requires the date of entry of the Pa.R.Civ.P. 236 notice, although the Family and Domestic Relations Docketing Statement does not. In the absence of an orphans' court specific form, the Civil Docketing Statement presumably has been used with orphans' court appeals. There was a concern that omission of the Pa.R.O.C.P. 4.6 notice date from the Docketing Statement may lead an appellant to complete the form incorrectly, resulting in possible delays or confusion.

While the Committee initially considered a proposed amendment of Pa.R.A.P. 108 to add a new subdivision pertaining to orders subject to the Rules of Orphans' Court Procedure, it concluded that this approach was insufficient because it was unlikely that counsel or a self-represented party would look to Pa.R.A.P. 108 for the requirement to file a docketing statement. In addition, orphans' court appeals are not routinely identified as such when the notice of appeal is filed. As a result, filing office staff would not be aware which docketing statement should be sent to counsel or a self-represented party.

The Committee therefore devised a different approach to address both concerns. Pa.R.A.P. 342 sets forth the orders of the orphans' court that are appealable as of right. The proposal would amend Pa.R.A.P. 102 (definitions) to add a definition of "Orphans' Court Appeal" with a reference to Pa.R.A.P. 342 so that counsel or a self-represented party is advised of the Rule of Appellate Procedure applicable to that appeal. In addition, Pa.R.A.P. 904 was amended to add a new subdivision requiring the notice of appeal to include a statement advising the appellate court that the appeal is an orphans' court appeal. Finally, a statement cross-referencing Pa.R.A.P. 342 regarding orders that may be appealed as of right in orphans' court matters was added to the comment to Pa.R.A.P. 904.

The Committee published the proposal for comment, *see* 53 Pa.B. 4962 (August 12, 2023), and received responses supporting the proposal; the respondents also suggested modifications to the proposal.

A respondent suggested that the amendments of Pa.R.A.P. 102 and 904 did not obviate the need for an

amendment to Pa.R.A.P. 108. The proposal appeared to overlook the reason for amending the rule given the adoption of Pa.R.O.C.P. 4.6. Specifically, without an amendment of Pa.R.A.P. 108, an appellate court's calculation of the timeliness of orphans' court appeals in ascertaining its jurisdiction will diverge from past practice.

The respondent indicated that Pa.R.A.P. 108(a) provides a general rule for computing time periods involving the date of entry of an order: "the day of entry shall be the day the clerk of the court or the office of the government unit mails or delivers copies of the order to the parties," unless it is subject to one of enumerated exceptions set forth in the rule. Pa.R.A.P. 108(b) provides one exception for the date of entry of civil orders. It diverges from the general rule in that it references docketing of the notice:

The date of entry of an order in a matter subject to the Pennsylvania Rules of Civil Procedure shall be the day on which the clerk makes the notation in the docket that notice of entry of the order has been given as required by Pa.R.Civ.P. 236(b).

When the notation of giving of the notice occurs on a date after the day on which the copies were served, the date of expiration of the 30-day appeal period will differ depending on whether the case is subject to Rules of Civil Procedure or the general rule in Pa.R.A.P. 108(a).

Prior to the adoption of Pa.R.O.C.P. 4.6, the notice requirements of Pa.R.Civ.P. 236 applied to orphans' court decisions. Following the adoption of Pa.R.O.C.P. 4.6, Pa.R.Civ.P. 236 no longer governed the notice of the entry of orphans' court orders. Consequently, orphans' court orders are no longer "civil orders" subject to the exception in Pa.R.A.P. 108(b) and instead are now subject to the general rule in Pa.R.A.P. 108(a). As a result, the appeal period begins to run from the date the order is mailed or delivered to the parties, regardless of when the clerk of the orphans' court makes a notation on the docket as required by Pa.R.O.C.P. 4.6. The respondent urged amendment of Pa.R.A.P. 108 to fully account for the adoption of Pa.R.O.C.P. 4.6. In doing so, appeals in civil cases and orphans' court cases will receive equal treatment.

The Committee accepted these suggestions and agreed that Pa.R.A.P. 108 should be amended to add a provision recognizing the operation of Pa.R.O.C.P. 4.6. This new provision governing orphans' court orders is set forth as subdivision (c) and hews to the exact text of Pa.R.O.C.P. 4.6. The text of current subdivision (c) relating to emergency appeals has been moved to new subdivision (e).

A second respondent supported the proposal but also urged amendment of Pa.R.A.P. 108 to distinguish between the date of entry for civil orders and orphans' court orders, and to recognize the requirements of Pa.R.O.C.P. 4.6. The Committee concluded that this suggestion dovetailed with the comment from the first respondent and was addressed by the above-mentioned amendment to Pa.R.A.P. 108(c).

This respondent also suggested that the proposal may benefit from the addition of commentary to Pa.R.A.P. 102 and 904 that is currently set forth in the note to Pa.R.A.P. 342 (appealable orphans' court orders). This commentary identifies orders "otherwise appealable as provided by Chapter 3," *i.e.*, Pa.R.A.P. 311, 312, 313, and 341. The respondent believed that cross-referencing them in commentary to Pa.R.A.P. 102 and 904 would educate counsel and self-represented litigants as to the scope of appealable orphans' court orders. The Committee, however, declined to include the cross reference because the Comment to Pa.R.A.P. 342 provides a substantial discus-

sion of Pa.R.A.P. 342(a)(8), the orders appealable as provided in Chapter 3, and cites to Pa.R.A.P. 311, 312, 313, and 341. Further, the amendments to Pa.R.A.P. 102 and the commentary to Pa.R.A.P. 904 already cross referenced Pa.R.A.P. 342 and were intended to point readers to review Pa.R.A.P. 342 and its comment.

The amendments become effective October 1, 2024.

[Pa.B. Doc. No. 24-1106. Filed for public inspection August 9, 2024, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

#### [ 237 PA. CODE CH. 1 ]

#### Proposed Amendment of Pa.R.J.C.P. 140 and 141

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rules of Juvenile Court Procedure 140 and 141 governing bench warrant procedures for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

All communications in reference to the proposal should be received by October 1, 2024. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court  
 Procedural Rules Committee*

JUDGE ANDREA MARCECA STRONG,  
*Chair*

### Annex A

#### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

#### CHAPTER 1. GENERAL PROVISIONS

#### PART A. BUSINESS OF COURTS

#### Rule 140. Bench Warrants for Failure to Appear at Hearings.

#### [ A. ] (a) *Issuance of [ warrant ] Warrant.*

(1) Before a bench warrant may be issued by a judge, the judge shall find that the subpoenaed or summoned person received sufficient notice of the hearing and failed to appear.

(2) For the purpose of a bench warrant, a judge may not find notice solely based on first-class mail service.

[ B. ] (b) *Entry of [warrant information] Warrant Information.* Upon being notified by the court, the juvenile probation officer or other court designee shall enter or request that a law enforcement officer enter the bench warrant in all appropriate registries.

[ C. ] (c) *Juvenile.*

(1) [ *Where to take the juvenile* ] *Appearance of Juvenile. Detention.*

[ a ] (i) When a juvenile is taken into custody pursuant to a bench warrant, the juvenile shall [ **be taken** ] **appear**, without unnecessary delay, [ **to** ] **before** the judge who issued the warrant, or a judge or juvenile court hearing officer designated by the President Judge to hear bench warrants.

[ b ] (ii) If the juvenile [ **is not brought** ] **does not appear** before a judge or juvenile court hearing officer, the juvenile shall be released unless:

[ i ] (A) the warrant specifically orders detention of the juvenile; or

[ ii ] (B) there are circumstances learned at the time of the surrender or apprehension that warrant detention of the juvenile.

[ c ] (iii) If a juvenile is detained **pending a hearing**, the juvenile shall be detained in a detention facility or other facility **either** designated in the bench warrant [ **by the judge** ] **or directed by the court at the time the juvenile is taken into custody** [ **pending a hearing** ].

(2) *Prompt [hearing] Hearing.*

[ a ] (i) If a juvenile is detained, the juvenile shall [ **be brought** ] **appear** before the judge who issued the warrant, a judge or juvenile court hearing officer designated by the President Judge to hear bench warrants, or an out-of-county judge or juvenile court hearing officer pursuant to [ **paragraph (C)(4)** ] **subdivision (c)(4)** within [ **seventy-two** ] **72** hours.

[ b ] (ii) If the juvenile [ **is not brought** ] **does not appear** before a judge or juvenile court hearing officer within this time, the juvenile shall be released.

(3) *Notification of [guardian] Guardian.* If a juvenile is taken into custody pursuant to a bench warrant, the arresting officer shall immediately notify the juvenile's guardian of the juvenile's whereabouts and the reasons for the issuance of the bench warrant.

(4) *Out-of-[county-custody] County Custody.*

[ a ] (i) If a juvenile is taken into custody pursuant to a bench warrant in a county other than the county of issuance, the county of issuance shall be notified immediately.

[ b ] (ii) Arrangements to transport the juvenile shall be made immediately.

[ c ] (iii) If transportation cannot be arranged immediately, then the juvenile shall [ **be taken** ] **appear**, without unnecessary delay, [ **to** ] **before** a judge or juvenile court hearing officer of the county where the juvenile is found.

[ d ] (iv) The judge or juvenile court hearing officer [ **will** ] **shall** identify the juvenile as the subject of the warrant, decide whether detention is warranted, and order or recommend that arrangements be made to transport the juvenile to the county of issuance.

(5) *Time [requirements] Requirements.* The time requirements of Rules 240, 391, 404, 510, and 605 shall be followed.

[ D. ] (d) *Witnesses.*

(1) [ *Where to take the witness* ] *Appearance of Witness.*

[ a ] (i) When a witness is taken into custody pursuant to a bench warrant, the witness shall [ **be taken** ] **appear**, without unnecessary delay, [ **to** ] **before** the judge who issued the warrant, or a judge or juvenile court hearing officer designated by the President Judge to hear bench warrants.

[ b ] (ii) If the witness [ **is not brought** ] **does not appear** before a judge or juvenile court hearing officer, the witness shall be released unless the warrant specifically orders detention of the witness.

[ c ] (iii) A motion for detention as a witness may be filed any time before or after the issuance of a bench warrant. The judge may order or the juvenile court hearing officer may recommend detention of the witness pending a hearing.

[ 1 ] (A) *Minor.* If a detained witness is a minor, the witness shall be detained in a detention facility.

[ 2 ] (B) *Adult.* If a detained witness is an adult, the witness shall be detained at the county jail.

(2) *Prompt [hearing] Hearing.*

[ a ] (i) If a witness is detained pursuant to [ **paragraph (D)(1)(c)** ] **subdivision (d)(1)(iii)** or [ **brought back** ] **transported** to the county of issuance pursuant to [ **paragraph (D)(4)(f)** ] **subdivision (d)(4)(vi)**, the witness shall [ **be brought** ] **appear** before the judge or juvenile court hearing officer by the next business day.

[ b ] (ii) If the witness [ **is not brought** ] **does not appear** before a judge or juvenile court hearing officer within this time, the witness shall be released.

(3) *Notification of [guardian] Guardian.* If a witness who is taken into custody pursuant to a bench warrant is a minor, the arresting officer shall immediately notify the witness's guardian of the witness's whereabouts and the reasons for the issuance of the bench warrant.

(4) *Out-of-[county custody] County Custody.*

[ a ] (i) If a witness is taken into custody pursuant to a bench warrant in a county other than the county of issuance, the county of issuance shall be notified immediately.

[ b ] (ii) The witness shall [ **be taken** ] **appear**, without unnecessary delay and within the next business day, [ **to** ] **before** a judge or juvenile court hearing officer of the county where the witness is found.

[ c ] (iii) The judge or juvenile court hearing officer will identify the witness as the subject of the warrant, decide whether detention as a witness is warranted, and

order or recommend that arrangements be made to transport the witness to the county of issuance.

[ d ] (iv) Arrangements to transport the witness shall be made immediately.

[ e ] (v) If transportation cannot be arranged immediately, the witness shall be released unless the warrant or other order of court specifically orders detention of the witness.

[ i ] (A) *Minor*. If the witness is a minor, the witness may be detained in an out-of-county detention facility.

[ ii ] (B) *Adult*. If the witness is an adult, the witness may be detained in an out-of-county jail.

[ f ] (vi) If detention is ordered, the witness shall be [ brought back ] transported to the county of issuance within [ seventy-two ] 72 hours from the execution of the warrant.

[ g ] (vii) If the time requirements of this [ paragraph ] subdivision are not met, the witness shall be released.

[ E ] (e) *Advanced Communication Technology*. A court may utilize advanced communication technology pursuant to Rule 129 for the appearance of a juvenile or a witness unless good cause is shown otherwise.

[ F ] (f) *Return [ & execution ] and Execution of [ the warrant ] Warrant for [ juveniles ] Juveniles and [ witnesses ] Witnesses*.

(1) The bench warrant shall be executed without unnecessary delay.

(2) The bench warrant shall be returned to the judge who issued the warrant, or to the judge or juvenile court hearing officer designated by the President Judge to hear bench warrants.

(3) When the bench warrant is executed, the arresting officer shall immediately execute a return of the warrant with the judge.

(4) Upon the return of the warrant, the judge shall vacate the bench warrant.

(5) Once the warrant is vacated, the juvenile probation officer or other court designee shall remove or request that a law enforcement officer remove the bench warrant in all appropriate registries.

Comment:

42 Pa.C.S. § 6335(c) was suspended to the extent it is inconsistent with this rule. See Pa.R.J.C.P. 800(2).

Pursuant to [ paragraph (A) ] subdivision (a), the judge is to ensure that the person received sufficient notice of the hearing and failed to attend. The judge may order that the person be served in-person or by certified mail, return receipt. The judge may rely on first-class mail service if additional evidence of sufficient notice is presented. For example, testimony that the person was told in person about the hearing is sufficient notice. Before issuing a bench warrant, the judge should determine if the guardian was notified.

[ Under Rule 800, 42 Pa.C.S. § 6335(c) was suspended only to the extent that it is inconsistent with this rule. Under paragraph (A)(1), the judge is to find a subpoenaed or summoned person failed to appear and sufficient notice was given to issue a

bench warrant. The fact that the juvenile or witness may abscond or may not attend or be brought to a hearing is not sufficient evidence for a bench warrant. ]

The fact that the juvenile or witness did not attend a hearing is not sufficient evidence, alone, for a bench warrant. A judge may issue a bench warrant if the judge finds that a subpoenaed or summoned person failed to appear, and sufficient notice was given.

This rule[, however,] does not prohibit probation from recommending detention for a juvenile. [ The normal rules of procedure in these rules are to be followed if a juvenile is detained. See Chapter Two, Part D. ] For procedures if a juvenile is detained under those circumstances, see Pa.R.J.C.P. 240—243.

Pursuant to [ paragraph (C), the ] subdivision (c), a “juvenile” is the subject of the delinquency proceedings. [ When ] If a witness is a child, the witness is referred to as a “minor.” [ This distinction is made to differentiate between children who are alleged delinquents and children who are witnesses. See paragraph (C) for alleged delinquents and paragraph (D) for witnesses. See also Rule 120 for definition of “juvenile” and “minor.” ] A juvenile is subject to subdivision (c) and a minor witness is subject to subdivision (d). See also Pa.R.J.C.P. 120 (defining “juvenile” and “minor”).

Pursuant to [ paragraph (C)(1)(a) ] subdivision (c)(1)(i), the juvenile is to [ be taken ] immediately [ to ] appear before the judge who issued the bench warrant, or a judge or juvenile court hearing officer designated by the President Judge of that county to hear bench warrants. This provision allows the judge or juvenile court hearing officer the discretion to postpone a hearing, for example, the adjudicatory hearing, until later in the same day while the police officer, sheriff, or juvenile probation officer retrieves the juvenile. If taken into custody on the same day, the juvenile is to [ be brought ] immediately appear before the court for the hearing. However, pursuant to [ paragraph (C)(1)(b) ] subdivision (c)(1)(ii), if a bench warrant specifically provides that the juvenile may be detained in a detention facility, or there are circumstances apparent at the time of the surrender or apprehension that merit detention of the juvenile, the juvenile may be detained without having to [ be brought ] appear before the judge or juvenile court hearing officer until a hearing within [ seventy-two ] 72 hours under [ paragraph (C)(2)(a) ] subdivision (c)(2)(i). The juvenile is not to languish in a detention facility. [ Pursuant to this paragraph, if ] If a hearing is not held promptly, the juvenile is to be released. [ See paragraph (C)(2)(b). ]

Subdivision (c)(1)(iii) permits the warrant to designate where the juvenile should be detained or to include contact information when the juvenile is taken into custody. The information allows the arresting officer to contact the court or the court’s designee to ascertain where the juvenile should be detained based on current availability within facilities.

At the [ seventy-two ] 72-hour hearing, the judge or juvenile court hearing officer may determine that the

juvenile willfully failed to appear and may continue the detention of the juvenile until the rescheduled hearing. If the juvenile is detained, the rescheduled hearing is governed by the time requirements provided elsewhere in these rules. See [ Rules ] Pa.R.J.C.P. 240, 391, 404, 510, and 605.

Under [ paragraphs (C)(2) and (C)(4) ] subdivisions (c)(2) and (c)(4), a juvenile taken into custody pursuant to a bench warrant is to have a hearing within [ seventy-two ] 72 hours regardless of where the juvenile is found. See [ Rule ] Pa.R.J.C.P. 240(C).

Pursuant to [ paragraph (C)(4) ] subdivision (c)(4), the juvenile may be detained out-of-county until transportation arrangements can be made.

[ Pursuant to paragraph (C)(5), the time requirements of all other rules are to apply to juveniles who are detained. See, e.g., Rules 240, 391, 404, 510, and 605. ]

Pursuant to [ paragraph (D)(1)(a), the ] subdivision (d)(1)(i), a witness is to [ be taken ] immediately [ to ] appear before the judge who issued the bench warrant or a judge or juvenile court hearing officer designated by the President Judge of that county to hear bench warrants. This provision allows the judge or juvenile court hearing officer the discretion to postpone a hearing, for example, an adjudicatory hearing, until later in the same day while the police officer, sheriff, or juvenile probation officer retrieves the witness. The witness is to [ be brought ] immediately appear before the court for the hearing. However, pursuant to [ paragraph (D)(1)(b) ] subdivision (d)(1)(ii), if the judge or juvenile court hearing officer is not available, the witness is to be released immediately unless the warrant specifically orders detention. Pursuant to [ paragraph (D)(1)(c) ] subdivision (d)(1)(iii), a motion for detention as a witness may be filed. If the witness is detained, a prompt hearing pursuant to [ paragraph (D)(2) ] subdivision (d)(2) is to be held by the next business day or the witness is to be released. [ See paragraph (D)(2)(b). ]

At the hearing pursuant to [ paragraph (D)(2)(a) ] subdivision (d)(2)(i), the judge or juvenile court hearing officer may determine that the witness willfully failed to appear and find or recommend that the witness is in contempt of court, or that the witness is in need of protective custody. If the judge or juvenile court hearing officer has made one of these findings, the judge may continue the detention of the witness until the rescheduled hearing. The judge or juvenile court hearing officer should schedule the hearing as soon as possible. In any event, if the witness is detained, the rescheduled hearing must be conducted by the specific time requirements provided elsewhere in these rules. See [ Rules ] Pa.R.J.C.P. 240, 391, 404, 510, and 605.

Pursuant to [ paragraph (D)(4)(b) ] subdivision (d)(4)(ii), a witness is to [ be brought ] appear before an out-of-county judge or juvenile court hearing officer by the next business day unless the witness can [ be brought ] appear before the judge who issued the bench warrant within this time. When the witness is transported back to the county of issuance within [ seventy-two ] 72 hours of the execution of the bench warrant, the witness is to [ be brought ] appear before the court by the next business day. [ See paragraph (D)(4)(f). ]

Pursuant to paragraph (F)(2), the bench warrant is to be returned to the judge who issued the warrant or to the judge or juvenile court hearing officer designated by the President Judge to hear warrants by the arresting officer executing a return of warrant. See paragraph (F)(3).

Pursuant to paragraph (F)(4), the bench warrant is to be vacated after the return of the warrant is executed. [ "Vacated," as used in subdivision (f)(4), [ is to denote ] denotes that the bench warrant has been served, dissolved, executed, dismissed, canceled, returned, or any other similar language used by the judge to terminate the warrant. The bench warrant is no longer in effect once it has been vacated.

[ Pursuant to paragraph (F)(5), once the warrant is vacated, the juvenile probation officer, other court designee, or law enforcement officer is to remove the warrant from all appropriate registries so ] The intent of subdivision (f)(5) is to prevent the juvenile [ is not ] from being taken into custody on the same warrant if the juvenile is released.

[ See ] See 42 Pa.C.S. § 4132 for punishment of contempt for juveniles and witnesses.

If there is a bench warrant issued, juvenile court hearing officers may hear cases in which the petition alleges only misdemeanors. See [ Rule ] Pa.R.J.C.P. 187(A)(2) and [ (3) ] (A)(3). The purpose of the hearing for juveniles pursuant to [ paragraph (C)(2)(a) ] subdivision (c)(2)(i) or the hearing for witnesses pursuant to [ paragraph (D)(2)(a) ] subdivision (d)(2)(i) is to determine if the juvenile or witness willfully failed to appear and if continued detention is necessary.

Pursuant to Rule 191, the juvenile court hearing officer is to submit his or her findings and recommendation to the court. In bench warrant cases, the juvenile court hearing officer should immediately take his or her recommendation to the judge so the judge can make the final determination of whether the juvenile or witness should be released. See [ Rule ] Pa.R.J.C.P. 191(D).

If the findings and recommendation are not taken immediately to the judge, the juvenile court hearing officer is to submit the recommendation within one business day. See [ Rule ] Pa.R.J.C.P. 191(C).

[ Official Note Rule 140 adopted February 26, 2008, effective June 1, 2008. Amended September 30, 2009, effective January 1, 2010. Amended April 21, 2011, effective July 1, 2011. Amended September 20, 2011, effective November 1, 2011. Amended April 6, 2017, effective September 1, 2017. Amended May 4, 2018, effective July 1, 2018.

#### *Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 140 published with the Court's Order at 38 Pa.B. 1142 (March 8, 2008).

Final Report explaining the amendments to Rule 140 with the Court's Order at 39 Pa.B. 6029 (October 17, 2009).

Final Report explaining the amendments to Rule 140 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011).

Final Report explaining the amendments to Rule 140 with the Court's Order at 41 Pa.B. 5355 (October 8, 2011).

Final Report explaining the amendments to Rule 140 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

Final Report explaining the amendments to Rule 140 published with the Court's Order at 48 Pa.B. 2939 (May 19, 2018). ]

**Rule 141. Bench Warrants for Absconders.**

[ A. ] (a) *Issuance of [ warrant ] Warrant.* The juvenile probation officer shall immediately notify the court upon notification or recognition that a juvenile has absconded from the supervision of the court. The court may issue a bench warrant for the juvenile.

[ B. ] (b) *Entry of [ warrant information ] Warrant Information.* Upon being notified by the court, the juvenile probation officer or other court designee shall enter or request that a law enforcement officer enter the bench warrant in all appropriate registries.

[ C. ] (c) [ *Where to take the juvenile* ] *Detention.* The juvenile shall be detained, pending a hearing pursuant to subdivision (d), in a detention facility or other facility either designated in the bench warrant [ pending a hearing pursuant to paragraph (D) ] or directed by the court at the time the juvenile is taken into custody. If the juvenile is taken into custody in a county other than the county of issuance, the juvenile shall be transported back to the county of issuance prior to the hearing pursuant to subdivision (d).

[ D. ] (d) *Prompt [ hearing ] Hearing.*

(1) The juvenile shall have a detention hearing within [ **seventy-two** ] **72** hours of the placement in detention.

(2) A court may utilize advanced communication technology pursuant to Rule 129 for **the appearance of** a juvenile or a witness unless good cause is shown otherwise.

[ E. ] (e) *Time [ requirements ] Requirements.* The time requirements of Rules 240, 391, 404, 510, and 605 shall be followed.

[ F. ] (f) *Notification of [ guardian ] Guardian.* When the juvenile is taken into custody pursuant to a bench warrant, the arresting officer shall immediately notify the juvenile's guardian of the juvenile's whereabouts and the reasons for the issuance of the bench warrant.

[ G. ] (g) *Return [ & execution of the warrant ] and Execution of Warrant.*

(1) The bench warrant shall be executed without unnecessary delay.

(2) The bench warrant shall be returned to the judge who issued the warrant or to the judge designated by the President Judge to hear bench warrants.

(3) When the bench warrant is executed, the arresting officer shall immediately execute a return of the warrant with the judge.

(4) Upon the return of the warrant, the judge shall vacate the bench warrant.

(5) Once the warrant is vacated, the court shall order the probation officer or other court designee to remove or request that a law enforcement officer remove the warrant from all appropriate registries.

Comment:

Pursuant to [ **paragraph (A), when** ] subdivision (a), the court may issue a bench warrant if a juvenile: 1) escapes from a placement facility, detention facility, shelter care facility, foster-care, or other court-ordered program or placement; 2) fails to report to juvenile probation; 3) cannot be located by juvenile probation; or 4) otherwise leaves the jurisdiction of the court[ , the court may issue a warrant for the juvenile ].

Pursuant to [ **paragraph (B)** ] subdivision (b), the court is to notify the juvenile probation officer or another court designee to enter or request that a law enforcement officer enter the bench warrant in all appropriate registries, such as JNET, CLEAN, PCIC, and NCIC.

[ **Pursuant to paragraph (C), the juvenile is to be detained in a detention facility or any other facility designated in the bench warrant. If a juvenile is taken into custody pursuant to the bench warrant in a county other than the county of issuance, the juvenile is to be transported back to the county of issuance prior to the seventy-two-hour detention hearing mandated pursuant to paragraph (D)(1).** ]

Pursuant to [ **paragraphs (D)(1) and (E)** ] subdivisions (d)(1) and (e), the time requirements of the Rules of Juvenile Court Procedure are to apply, including the [ **seventy-two** ] **72**-hour detention hearing. *See, e.g., [ Rules ] Pa.R.J.C.P. 240, 391, 404, 510, and 605.*

[ **The arresting officer is to notify the juvenile's guardian of the arrest, the reasons for the arrest, and the juvenile's whereabouts under paragraph (F).** ]

Pursuant to **paragraph (G)(2)**, the bench warrant is to be returned to the judge who issued the warrant or to the judge designated by the President Judge to hear warrants by the arresting officer executing a return of warrant. *See paragraph (G)(3).* [ **The "judge" in subdivision (g)(3) is the judge who issued the warrant or the judge designated by the President Judge to hear warrants pursuant to subdivision (g)(2).** ]

[ **Pursuant to paragraph (G)(4), the bench warrant is to be vacated after the return of the warrant is executed.** ] "Vacated," as used in subdivision (g)(4), [ **is to denote** ] denotes that the bench warrant has been served, dissolved, executed, dismissed, canceled, returned, or any other similar language used by the judge to terminate the warrant. The bench warrant is no longer in effect once it has been vacated.

[ **Pursuant to paragraph (G)(5), once the warrant is vacated, the juvenile probation officer or other court designee is to remove the warrant or request that a law enforcement officer remove the warrant from all appropriate registries so** ] The intent of subdivision (g)(5) is to prevent the juvenile [ is not ] from being taken into custody on the same warrant if the juvenile is released.

[ **Official Note Rule 141 adopted September 30, 2009, effective January 1, 2010. Amended April 21, 2011, effective July 1, 2011.** ]



**Committee Explanatory Reports:**

**Final Report explaining the provisions of Rule 141 published with the Court's Order at 39 Pa.B. 6029 (October 17, 2009).**

**Final Report explaining the amendments to Rule 141 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011). ]**

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

**Proposed Amendment of Pa.R.J.C.P. 140 and 141**

The Juvenile Court Procedural Rules Committee ("Committee") is considering proposing the amendment of Pennsylvania Rules of Juvenile Court Procedure 140 and 141 to permit a court to direct a juvenile's place of detention at the time of apprehension pursuant to a bench warrant.

If a juvenile, with sufficient notice, fails to appear at a hearing, or a juvenile absconds, the court may issue a bench warrant for the juvenile. *See* Pa.R.J.C.P. 140, 141. The statewide Common Pleas Case Management System (CPCMS) requires a court user to input specific information to generate a bench warrant. Because CPCMS is programmed to adhere to the requirements of the rules, the user must enter information directing where to detain an apprehended juvenile, *i.e.*, "place of detention," before the bench warrant can be generated and issued. *See* Pa.R.J.C.P. 140(C)(1)(c), 141(C).

The Administrative Office of Pennsylvania Courts (AOPC) maintains CPMCS, as well as receives feedback and requests from users. In consultation with the Committee, AOPC also designs and publishes forms necessary to implement the rules. *See* Pa.R.J.C.P. 165. As is relevant to the instant proposal, AOPC received a request to revise the CPCMS-generated bench warrant to permit the court, at the time of apprehension, to direct where to detain a juvenile. The rationale for the request was that the court could not predict, at the time of issuing a bench warrant, the availability of a detention center at the time of apprehension given that availability can vary over time. Believing that changes to the content of bench warrants was constrained by the rules, the matter was brought before the Committee.

The Committee proposes responsive rule amendments that would modify the "place of detention" requirement to make it optional for the court user to instead insert contact information, *e.g.*, juvenile probation office telephone number, to be used by law enforcement once the juvenile is apprehended. Thus, the court user would have the option of including either the detention facility or the contact information in the bench warrant. These options are intended to be mutually exclusive. Corollary amendments to the rule governing bench warrants for the failure to appear in dependency proceedings were not included because a child would be placed in shelter care and not a detention center. *See* Pa.R.J.C.P. 1140, cmt. at ¶ 4.

Additionally, Pa.R.J.C.P. 140 and 141 have been revised stylistically. The apprehended juvenile or witness would no longer be "brought" before a judge; rather, they would "appear." Some of the commentary restating the rule text has been removed. In Pa.R.J.C.P. 141, the third paragraph of the Comment has been removed and subdivision (c) amended to include language governing out-of-county apprehension.

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

[Pa.B. Doc. No. 24-1107. Filed for public inspection August 9, 2024, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

#### [ 237 PA. CODE CHS. 3 AND 6 ]

#### Proposed Amendment of Pa.R.J.C.P. 300, 302, and 630

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rules of Juvenile Court Procedure 300, 302, and 630 governing venue, intercounty transfers, courtesy supervision, and closing of delinquency cases for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

All communications in reference to the proposal should be received by October 1, 2024. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court*

*Procedural Rules Committee*

JUDGE ANDREA MARCECA STRONG,  
*Chair*

#### Annex A

#### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

#### CHAPTER 3. PRE-ADJUDICATORY PROCEDURES

#### PART A. VENUE

#### Rule 300. Venue.

[ A. ] (a) *Generally.* A delinquency proceeding shall be commenced in:

- (1) the county in which the delinquent act was allegedly committed; or
- (2) the juvenile's county of residence.

[ B. ] (b) *Change of [ venue ] Venue.* The juvenile may file a motion for change of venue if there is substantial prejudice to the juvenile. The court shall decide the motion and, if granted, specify an effective date for the change of venue.

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

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

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

[ (2) ] (3) [ The ] the juvenile probation office of the transferring court shall transfer its juvenile probation files to the juvenile probation office where venue has been transferred;

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

(5) the receiving juvenile probation office shall schedule the next court proceeding in accordance with the time requirements of these rules.

(d) *Next Court Proceeding.* The time requirements of these rules for the next court proceeding shall be calculated from the effective date for the change in venue.

[ *Official Note:* Rule 300 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 300 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 300 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 300 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012). ]

Rule 302. [ Inter-County ] Intercounty Transfer and Courtesy Supervision.

[ A. *Adjudication of Delinquency.* When the court proceeds to an adjudicatory hearing for non-resident juveniles, it shall hear evidence on the petition pursuant to Rule 406 or accept an admission pursuant to Rule 407 and shall rule on the offenses in accordance with Rule 408. The court may transfer the case to the juvenile's county of residence for a hearing to determine if the juvenile

is in need of treatment, rehabilitation, or supervision pursuant to Rule 409 and if the court finds the juvenile to be in need of treatment, rehabilitation, or supervision, the receiving court shall proceed under Chapter Five.

*B. Courtesy Supervision.*

1) The court may transfer supervision of the juvenile to the juvenile's county of residence after:

- a) a consent decree is entered; or
- b) a dispositional order is entered; and

2) The county providing courtesy supervision may, with cause, withdraw supervision at any time and return the matter for further action to the county which entered the dispositional order.

*C. Transmission of all records.* If the case is transferred pursuant to paragraph (A) or (B):

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

2) the juvenile probation office of the transferring court shall transfer its juvenile probation files to the juvenile probation office where jurisdiction has been transferred. ]

(a) *Intercounty Transfer.*

(1) *Timing.* Upon motion of a party or court, and after a hearing, the court may order the transfer of a non-resident juvenile's case to the juvenile's county of residence at any time after ruling on the offenses in accordance with Rule 408 and prior to the disposition hearing.

(2) *Notice.* The court shall serve notice of the hearing upon the parties and the juvenile probation office. The district attorney in the proposed receiving county shall receive notice of the hearing and be granted standing to participate in the hearing.

(3) *Hearing.* The hearing should be conducted in the transferring county no more than 20 days from the date of the notice in subdivision (a)(2). The district attorney in the proposed receiving county shall be permitted to appear at the hearing utilizing advance communication technology.

(4) *Acceptance of Jurisdiction.* If the court in the transferring county finds that the proposed transfer would be consistent with the protection of the public interest and best suited to the juvenile's treatment, supervision, rehabilitation, and welfare:

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

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

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

(5) Order.

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

(ii) If not contained in the official court record, the order should enter a finding of the amount of restitution owed and to whom it should be paid, if available.

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

(6) Matters of Cooperation between Courts. Communication between courts and juvenile probation offices on schedules, calendars, court records, and similar matters may occur without informing the parties. A record need not be made of the communication.

(7) Receiving Court. On or before the effective date of the order established in subdivision (a)(5)(i), the receiving court shall enter an order:

(i) accepting jurisdiction of the case as of the effective date;

(ii) appointing counsel for the juvenile;

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

(iv) scheduling the next court proceeding for the juvenile.

(8) Next Court Proceeding. The time requirements of these rules for the next court proceeding shall be calculated from the effective date for the transfer.

(9) Transmission of Official Court Record.

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

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

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

(b) Courtesy Supervision.

(1) Timing. The court may transfer supervision of a juvenile to the juvenile's county of residence after:

(i) a consent decree is entered; or

(ii) a dispositional order is entered.

(2) Transmission of Records. The juvenile probation office of the transferring court shall transfer its juvenile probation files and a copy of the official

court record to the juvenile probation office where the case has been transferred.

(3) Continuity of Services. The juvenile probation offices shall arrange for the continuity of services the juvenile may be receiving with minimal disruption.

(4) Withdrawal of Supervision. The county providing courtesy supervision may, with cause, withdraw supervision at any time and return the matter for further action to the county which entered the dispositional order.

Comment:

[ The purpose of allowing transfer of disposition and supervision of the juvenile to the juvenile's county of residence is to allow probation to supervise the juvenile closely. Supervision is difficult if the juvenile lives in another county.

Under paragraph (B), this rule also may apply if the juvenile moves to a different county in this Commonwealth at some stage in the proceedings.

When the case is being transferred under paragraph (A), the transferring court should enter a finding of the amount of restitution owed and to whom it should be paid, if ordered. A restitution order should be included in the dispositional order, if applicable, under paragraph (B). ]

Pursuant to subdivision (a), a juvenile's case may be transferred to the juvenile's county of residence after a ruling on offenses or after an adjudication of delinquency. See 42 Pa.C.S. § 6321(c)(1). However, a transfer is not required.

The court entering the dispositional order is responsible for implementing the disposition, including the costs of placement or treatment, and the collection of any financial obligations from the juvenile.

Judicial communications and service of orders on judges is unnecessary if the intercounty transfer occurs within the same judicial district.

Nothing in the rule is intended to prevent the juvenile probation office's participation as a witness for the district attorney or a witness called by the court. See Pa.R.E. 614 (Court's Calling or Examining a Witness). A transfer is not best suited to the juvenile's treatment, supervision, rehabilitation, and welfare if the receiving judicial district does not accept jurisdiction.

The period between the order approving the transfer and the effective date of the transfer is intended to prepare for the case transfer. The juvenile probation offices are expected to communicate prior to the actual transfer of a case to another county so that efforts can be coordinated and services, if any, transitioned without interruption. Coordination includes the transfer of records maintained by the juvenile probation office that are not otherwise included in the official court record. This period also allows the clerk to prepare the official court record for transmission to the receiving county on the effective date of the transfer.

Nothing in this rule prohibits the use of electronic means when transferring and receiving records. However, if there is an electronic transfer, the receiving county is to send an electronic confirmation of receipt of the records as the return

receipt. The transferring county's clerk of courts is to docket the confirmation of receipt of records by the receiving county and may close the case once the confirmation has been received.

Upon receiving the order accepting the case, the transferring court may order the termination of court supervision pursuant to Rule 630(b).

Pursuant to subdivision (b)(2), if only supervision is being transferred, the juvenile's official court record is not required to be transferred to the clerk of courts of the receiving county.

[ *Official Note:* Rule 302 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012.

*Committee Explanatory Reports:*

Final Report explaining the amendments to Rule 302 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 302 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012). ]

CHAPTER 6. POST-DISPOSITIONAL PROCEDURES

PART D. CESSATION OF COURT JURISDICTION OR SUPERVISION

Rule 630. Loss of Court Jurisdiction.

(a) *Age.* When the juvenile has attained the age of [ **twenty-one** ] **21**, the court shall enter an order terminating court supervision of the juvenile.

(b) *Intercounty Transfer.* When a juvenile's case has been transferred to another county pursuant to Rule 302(a), the transferring court shall enter an order within 30 days of the transfer closing the case in the county from which the juvenile was transferred.

Comment:

The Juvenile Court has jurisdiction of a delinquent child if the child is under [ **twenty-one** ] **21** years and committed an act of delinquency prior to reaching the age of [ **eighteen** ] **18**. See 42 Pa.C.S. §§ 6302 [ & ] and 6303.

Subdivision (b) does not apply if a juvenile is receiving courtesy supervision in another county pursuant to Rule 302(b).

[ *Official Note:* Rule 630 adopted February 26, 2008, effective April 1, 2008.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 630 published with the Court's Order at 38 Pa.B. 1146 (March 8, 2008). ]

SUPREME COURT OF PENNSYLVANIA  
JUVENILE COURT PROCEDURAL RULES  
COMMITTEE

PUBLICATION REPORT

Proposed Amendment of Pa.R.J.C.P. 300, 302, and 630

The Juvenile Court Procedural Rules Committee ("Committee") is considering proposing the amendment of Pennsylvania Rules of Juvenile Court Procedure 300, 302, and

630 governing venue, intercounty transfers, courtesy supervision, and closing of delinquency cases.

The genesis of this proposal was a request to create a statewide form to be used for the transfer of delinquency cases from one county to another. This request prompted the Committee to examine the transfer rules in light of rulemaking previous undertaken concerning the transfer of dependency cases. See 50 Pa.B. 2389 (May 9, 2020) (amending Pa.R.J.C.P. 1300, rescinding and replacing Pa.R.J.C.P. 1302).

The Juvenile Act permits a delinquency proceeding to be commenced in the county where the juvenile resides or in the county where the acts constituting the alleged delinquency occurred. See 42 Pa.C.S. § 6321(b)(1)-(b)(2). Within the rules, Pa.R.J.C.P. 300 governs venue, which addresses where a delinquency proceeding can be commenced. The rule also provides for a change of venue and the transmission of records.

The Juvenile Act also permits the transfer of a delinquency case if the juvenile resides in one county and the proceeding is commenced in another county. See *id.* § 6321(c)(1). Procedurally, intercounty transfers are governed by Pa.R.J.C.P. 302. The rule provides that a court may transfer a case after a ruling on the offenses pursuant to Pa.R.J.C.P. 408. After the transfer, the receiving county is to then determine whether to adjudicate the juvenile as delinquent pursuant to Pa.R.J.C.P. 409. Please note Pa.R.J.C.P. 302(B) also permits the transfer of a case for "courtesy supervision" after disposition.

Regarding venue, the Committee proposes amendment of Pa.R.J.C.P. 300 to facilitate the transmission of records by specifying when the records should be transferred, requiring identification of the mode of transfer, creating a feedback loop for the receipt of records, assigning responsibility for scheduling the next court proceeding, and addressing the effect a change of venue has on the timing requirements for the next court proceeding.

Concerning the records transfer, the Committee believes the use of Common Pleas Case Management System will expedite the transfer rather than relying upon paper records and the United States Postal Service. Further, at this stage of a proceeding, the record typically is not voluminous.

Concerning the timing requirements for the next court proceeding, the effective date for the change of venue would be used to calculate the next procedural deadline. As Pa.R.J.C.P. 300(B), by its very terms, only permits a juvenile to seek a change of venue, the time restriction on detention for an untimely adjudicatory hearing would be subject to the exception permitted by Pa.R.J.C.P. 240(D)(2) (permitting continued detention for delays caused by the juvenile).

Regarding intercounty transfers, the Committee proposes amending Pa.R.J.C.P. 302(a) to permit transfers any time after ruling on offenses pursuant to Pa.R.J.C.P. 408, including after adjudication of delinquency pursuant to Pa.R.J.C.P. 409, but before disposition pursuant to Pa.R.J.C.P. 512. Currently, the rule only permits transfer after a ruling on the offenses pursuant to Pa.R.J.C.P. 408, but not after adjudication of delinquency pursuant to Pa.R.J.C.P. 409. The Committee proposes this amendment

to provide more flexibility on when to transfer. The Committee understands, at least anecdotally, that some courts are already transferring after adjudication. Further, this amendment would eliminate any potential inconsistency between the rule and the Juvenile Act.

Borrowing from Pa.R.J.C.P. 1302, the Committee proposes intercounty transfer procedures that require notice to the parties and the juvenile probation office of the transferring county. The district attorney in the proposed receiving county would also receive notice and have standing to participate in the transfer hearing. For convenience, the district attorney in the proposed receiving county is able to participate via ACT. The Committee discussed whether the juvenile probation office in the proposed receiving county should also receive notice. Believing that notice may be construed as granting standing, formal notice of the transfer hearing to the juvenile probation office in the proposed receiving county has not been proposed as a procedural requirement. Notwithstanding notice, a juvenile probation officer in the proposed receiving county could be called as a witness at the hearing.

Next, the Committee considered the standard for granting or denying an intercounty transfer motion. Pa.R.J.C.P. 1302(C) incorporates a “best interest” standard for dependency transfers. Instead, the Committee proposes the standard found in 42 Pa.C.S. § 6352 governing delinquency dispositions: The transfer must be consistent with the protection of the public interest and best suited to the juvenile’s treatment, supervision, rehabilitation, and welfare.

The remaining procedures are consistent with those found in Pa.R.J.C.P. 1302 with the exception of subdivision (a)(8), which is based on proposed Pa.R.J.C.P. 300(d). Subdivision (a)(8) would “reset” the procedural deadlines to commence from the effective date of transfer. Readers should note subdivision (a)(3) proposes that the transfer hearing occur no more than 20 days from the date of the hearing notice. This 20-day timeframe was borrowed from Pa.R.J.C.P. 1302(C). Given that an intercounty transfer would not occur until after the adjudicatory hearing, this timeframe was not believed to be inconsistent with Pa.R.J.C.P. 404(A) (adjudicatory hearing must be held within 10 days of filing of petition if juvenile is detained). *Cf.* Pa.R.J.C.P. 409 (requiring finding of delinquency to be made within 20 days of the adjudicatory hearing if juvenile is detained). The Committee specifically welcomes comments on this subject.

Lastly, the Committee proposes amendment of Pa.R.J.C.P. 630 to add subdivision (b). This subdivision would require the transferring county to order a transferred case closed within 30 days of the transfer.

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

[Pa.B. Doc. No. 24-1108. Filed for public inspection August 9, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY

#### Prohibition of Cellular Phones in Courtrooms; No. 3 of 2024

##### Administrative Order of Court

*And Now*, this 9th day of July 2024, *It Is Hereby Ordered* that Westmoreland County Rule of Judicial Administration WJ1910 is hereby adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

*By the Court*

CHRISTOPHER A. FELICIANI,  
*President Judge*

##### Rule WJ1910. Prohibition of Cellular Phones in Courtrooms.

A. No sound recording, photograph, video recording, cellular phone recording, or motion picture of any type may be made or taken of any judicial proceeding, which includes during, immediately before or immediately after said proceeding or in any hearing room or courtroom or in the area immediately surrounding the entrances or exits of such rooms, without the prior permission of the presiding judge, the presiding hearing officer, or the designee of the presiding judge or the presiding hearing officer.

B. All electronic devices, including, but not limited to, cellular phones, tablets, laptops and cameras, shall be powered off in all hearing rooms, courtrooms and in the area immediately surrounding the entrances and exits of such rooms unless permission to activate such device has been first obtained in advance from the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer. This directive specifically includes the public, parties, witnesses, support staff of participants, and attorneys.

C. No sound recording, video recording, photograph, cellular phone recording or motion picture of any party, witness, juror, police officer, judge or judicial officer connected to a pending judicial proceeding may be taken or made in the courthouse or in any building housing a courtroom or hearing room, whether or not the court is actually in session, without the prior permission of the presiding judge, the presiding hearing officer or the designee of the presiding judge or presiding hearing officer.

D. The transmission in any form by any means of any conversation or testimony taken by any electronic means during or anytime thereafter any judicial proceeding without the prior permission of the presiding judge, the presiding hearing officer or the designee of the presiding judge or presiding hearing officer is strictly prohibited.

E. Violation of this Order may constitute contempt of court and result in the imposition of a fine or other penalty upon a finding of contempt.

[Pa.B. Doc. No. 24-1109. Filed for public inspection August 9, 2024, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF VETERINARY MEDICINE

[ 49 PA. CODE CH. 31 ]

#### Euthanasia

The State Board of Veterinary Medicine (Board) adds the heading, Subchapter A (relating to veterinarians, certified veterinary technicians and veterinary assistants), to existing §§ 31.1—31.41, and Subchapter B (relating to animal protection organizations and euthanasia technicians), §§ 31.101—31.115 and 31.121—31.130, to read as set forth in Annex A. This final-form rulemaking implements the act of October 24, 2012 (P.L. 1452, No. 182) (Act 182) by providing for the licensure and regulation of animal protection organizations to purchase and possess drugs for euthanasia (certificate holders) and euthanasia technicians to administer drugs for euthanasia.

#### *Effective Date*

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

#### *Statutory Authority*

Act 182, which amended the Animal Destruction Method Authorization Law (ADMAL) (3 P.S. §§ 328.101—328.1102), requires the Board to promulgate by regulation the requirements for licensure and regulation of animal protection organizations to purchase and possess drugs for euthanasia and euthanasia technicians to administer drugs for euthanasia under section 304 of ADMAL (3 P.S. § 328.304). Section 5(1) of the Veterinary Medicine Practice Act (act) (63 P.S. § 485.5(1)) authorizes the Board to “[a]dopt rules and regulations governing the practice of veterinary medicine as are necessary to enable it to carry out and make effective the purpose and intent of [the act].” Section 13 of the act (63 P.S. § 485.13(a)) authorizes the Board to “fix the fees required for examination, licensure, certification, registration, renewal of licenses and registrations, renewal of certificates and temporary permits.”

#### *Background and Purpose*

Act 182 prohibited the use of carbon monoxide chambers for euthanasia of small domestic animals in this Commonwealth. Act 182 also provided a legal means for animal protection organizations that operate shelters in which sick, injured or unwanted animals are euthanized to purchase and possess drugs for euthanasia. Additionally, Act 182 created a new class of licensee, to be regulated by the Board, who are individuals who have completed a training program qualifying them to humanely perform euthanasia of small domestic animals. Prior to enactment, licensure was not required and training was not uniform for these individuals. Act 182 gives the Board broad authority to develop criteria for licensure, regulation of the performance of euthanasia consistent with ADMAL and the act and for institution of discipline against these new classes of licensees regulated by the Board.

The Board consulted with the Department of Agriculture (PDA) to obtain a list of all nonprofit kennels licensed in this Commonwealth and sent a draft rulemaking to these parties, as well as numerous animal

protection organizations and veterinarians practicing in the field of shelter medicine. The Board met with interested parties on no less than three separate occasions and after allowing all interested parties to provide input, a draft was completed.

The proposed rulemaking was published at 52 Pa.B. 1980 (April 2, 2022) for 30 days of public comment, and two interested parties provided comment: one from an anonymous Pennsylvania resident; and one from Amy B. Kaunas, Executive Director, Humane Society of Harrisburg, on behalf of the Board of Directors for the Federated Humane Societies of Pennsylvania (FHSP). The Consumer Protection and Professional Licensure Committee of the Senate (SCP/PLC) did not submit comments and the Professional Licensure Committee of the House of Representatives (HPLC) submitted its comment on May 20, 2022. The Independent Regulatory Review Commission (IRRC) submitted comments on June 1, 2022, in part, reiterating and summarizing all comments received by the Board. The following represents a summary of the comments received, the Board’s response, and a description of the amendments made to this final-form rulemaking.

#### *Summary of Comments and the Board’s Response*

An anonymous Pennsylvania resident commented that, “a veterinarian should be at least associated with any organization performing euthanasia tasks from just ensuring proper methods are used to being available on call for potential complications that could arise.” Section 304(a)(1) of ADMAL allows animal protection organizations to apply for a certificate of registration from the Board which, if issued, will allow that animal protection organization to purchase, possess and administer drugs for euthanasia to small domestic animals. Section 304(a)(2) provides that these animal protection organizations may not permit a person to administer drugs approved for euthanasia unless that person holds a current euthanasia technician license or is a person licensed as a veterinarian under the act. Accordingly, ADMAL was clearly designed to allow individuals who are not licensed veterinarians—namely, licensed euthanasia technicians—to administer drugs approved for euthanasia. Moreover, ADMAL notably does not require registered animal protection organizations to associate with a veterinarian for any reason. Therefore, ADMAL was clearly designed to allow licensed euthanasia technicians to administer drugs for euthanasia within the confines of registered animal protection organizations, and to do so without the assistance of a licensed veterinarian. To require that the registered animal protection organizations be “associated” with a licensed veterinarian would be to impose a requirement contrary to the spirit of ADMAL.

IRRC notes that, in § 31.102 (relating to definitions), the Board defines “supervisor of animal care services” as an “individual who is *generally* onsite at the shelter facility,” (Emphasis added.) and notes that “generally” is nonregulatory language that does not set a clear standard of compliance for an animal protection organization. IRRC suggests the Board clarify this definition to set a clear, enforceable standard. In response, the Board amends the definition of “supervisor of animal care services,” which now reads as follows: “The individual who is responsible to the animal protection organization for animal care services including euthanasia and supervision of euthanasia technicians.” The Board initially included the phrase

“generally onsite at the shelter facility” because the Board wished to communicate that the supervisor of animal care services is expected to regularly be onsite to supervise but need not be onsite at all times when euthanasia is performed. In response to IRRC’s comment, the Board considered deleting the word “generally,” but the remaining language would require that the supervisor of animal care services be onsite at all times, which was never the Board’s intention. Accordingly, by deleting the phrase “generally onsite at the shelter facility of a certificate holder. . .” the definition now clarifies that the supervisor of animal care services is “responsible to the animal protection organization for animal care services including euthanasia and supervision of euthanasia technicians.” The supervisor of animal care services and the shelter facility may determine, based on their organization’s needs, how often the supervisor of animal care services must be onsite to properly supervise euthanasia technicians.

IRRC questions the Board’s decision, in § 31.104 (relating to schedule of fees), to require that euthanasia technicians pay a fee for an application for approval of employment change, saying, “[w]e ask the Board to explain why the approval of employment change is needed, why the fee is reasonable and the expected economic impact on the regulated community.” After reviewing this fee, the Board has determined that the fee is unnecessary. This final-form rulemaking already requires that certificate holders provide the Board with written notice of changes to the list of personnel authorized to access drugs for euthanasia under § 31.111(c) (relating to storage and security of drugs for euthanasia, certificates of registration and drug order forms). Accordingly, requiring that euthanasia technicians pay a fee for an application for approval of employment change would be duplicative, unnecessary and burdensome. In response, the Board deletes this fee, and deletes language from § 31.124(a) (relating to reports to be filed with the Board) requiring a euthanasia technician to submit an application for approval of employment change.

IRRC questions the Board’s decision, in §§ 31.106(a) and 31.108(b)(1) (relating to qualifications for a certificate of registration; duty to update certification information; and duties of certificate holders), to require that certificate holders demonstrate that the supervisor of animal care services has completed the didactic portion of the euthanasia technician certification course. IRRC has two issues: (1) the Board does not explain in the Preamble why it is requiring unlicensed employees to complete this component of the euthanasia technician certification course; and (2) the regulation does not directly require the supervisor of animal care services to take this portion of the certification course. IRRC asks the Board to explain the need for this provision. IRRC also asks the Board to consider clarifying the final-form regulation to directly require the supervisor of animal care services to complete this portion of the certification course. In response, the Board notes it does not license or certify the supervisor of animal care services. Therefore, to require the supervisor of animal care services to complete the didactic portion of the euthanasia certification course would be to impose a requirement on an unlicensed individual. Moreover, section 304(a)(1) of ADMAL, provides that “[a]n animal protection organization may apply to the board for the sole purpose of being authorized to purchase, possess and administer drugs approved for euthanasia under section 302 in accordance with regulations promulgated under [ADMAL (3 P.S. § 328.302) and the act,]” (Emphasis added.) and section 5 of the act

empowers the Board to adopt reasonable rules and regulations governing the practice of veterinary medicine as are necessary to enable it to carry out and make effective the purpose and intent of this statutory law. Additionally, section 3(10) of the act (63 P.S. § 485.3(10)) provides that the practice of veterinary medicine includes “the prescription or administration of any drug,” which includes drugs for euthanasia and section 2 of the act (63 P.S. § 485.2) provides that the act is designed to protect the public from being misled by incompetent, unscrupulous and unauthorized persons and from unprofessional or illegal practices by persons licensed to practice veterinary medicine. The Board issues certificates of registration to animal protection organizations, and the Board directly imposes requirements on certificate holders. Therefore, to protect the public from being misled by incompetent persons and from unprofessional or illegal practices by persons, the Board requires that the certificate holder demonstrate that the supervisor of animal care services has completed the didactic portion of a Board-approved euthanasia technician certification course. Moreover, the intent of ADMAL is to allow certificate holders to have animals euthanized without having to rely on the services of a veterinarian. The supervisor of animal care services is responsible to the certificate holder for animal care services including euthanasia and supervision of euthanasia technicians. To properly supervise euthanasia technicians, the supervisor of animal care services must be intimately familiar with (that is, trained in) the administration of drugs for euthanasia. For a time, the Board contemplated requiring that the supervisor of animal care services maintain an active euthanasia technician license. However, the Board ultimately decided that only the individuals performing euthanasia, and not those supervising the individual performing euthanasia, must maintain a license. To ensure that the supervisor of animal services has acquired some level of competence in the administration of drugs for euthanasia, the Board requires that the animal control organization demonstrate that the supervisor of animal services is acquainted with the administration of drugs for euthanasia by demonstrating that the supervisor of animal services has completed the didactic portion of the euthanasia technician certification course. Therefore, the Board did not amend this provision.

IRRC and the FHSP question the Board’s decision, in § 31.106(d), to require that certificate holders be inspected by agents of the Board, rather than agents of the PDA. Section 304(d) of ADMAL provides for the Board to “enter into a memorandum of understanding with the [PDA] and designate the [PDA] to act as its authorized agent for the limited purposes of inspecting and monitoring animal protection organizations.” IRRC and the FHSP suggest that inspections be completed by the PDA during its regular inspection process, noting that there “is a simple check list” under § 31.109 (relating to area used for small domestic animal euthanasia; required equipment and supplies). In response, on September 8, 2022, the Board contacted the PDA and inquired whether it would be interested in this arrangement. On December 6, 2022, the PDA informed the Board that it is not in a position, at this time, to be able to enter into a Memorandum of Understanding (MOU) with the Department of State to assume the additional duties requested in the Board’s September 8, 2022, correspondence. The Board will endeavor to coordinate inspections with those conducted by PDA during its regular inspection process.

IRRC questions the Board’s decision, in § 31.106(f), to deem an application withdrawn if it remains dormant for

more than 12 months and asks that the Board explain how it determined that 12 months is a reasonable time for an application to remain active, what factors it considered in determining that an application will become dormant after that time, and the fiscal impact upon applicants who will be required to pay a second application fee. In response, the Board suggests it would be impractical to allow applications to remain active indefinitely, however the Board notes that not all boards have language in their act or regulations specifically stating how long an application will remain active. Accordingly, it has become the policy of the Bureau of Professional and Occupational Affairs (BPOA) that an application be deemed withdrawn if it is not completed within 12 months. Short of deeming an application withdrawn, most BPOA boards will contact applicants to request that certain key documents like the criminal history record check, or letters of good standing be updated after 6 months because they can become "stale" (that is, new convictions, change of employment, and the like), but something must be done if the applicant fails to complete the application, or fails to update required information, which is why incomplete applications are deemed withdrawn after 12 months. An application is only deemed withdrawn if the applicant has not completed the application within 12 months of submitting the application and paying the application fee. Accordingly, the Board amends § 31.106(f) and § 31.122(e) (relating to qualifications for licensure; duty to update licensure information) to clarify that an application submitted to the Board will be active for a period of 12 months from the date the application fee is paid by the applicant, and if an application is not completed within 12 months, it will be deemed withdrawn. The Board also amends § 31.122 by adding subsection (f) to: (1) mirror § 31.106(g); and (2) clarify that both applicants for certificates of registration and applicants for licensure must update the application if any information on the application changes prior to issuance of the certificate or license, as applicable.

Applicants are not penalized for Bureau processing time, meaning applications must be completed, not reviewed and approved/denied, within 12 months. Moreover, applications are very rarely deemed withdrawn due to inactivity, with the Bureau-wide estimate being approximately 2 per month, or 24 per year, whereas the Bureau processes tens of thousands of applications per year. BPOA does not track the number of applicants who submit a new application and pay a second application fee after an application is deemed "withdrawn" due to inactivity. However, of the approximately 24 applications deemed withdrawn annually, even if all these individuals submitted a new application, that number would be diminutive compared to the tens of thousands of applications processed by the Bureau annually. Therefore, because the fiscal impact of the Bureau's 12-month policy is practically \$0, the Board expects that adopting this policy by regulation will have no fiscal impact on its applicants. Moreover, the Board would not be the first to promulgate such a regulation; the regulations of the State Board of Massage Therapy state an applicant will be notified within 8 weeks of the receipt of an incomplete application, and the applicant "shall supply the missing documentation within 6 months from the date the application is executed by the applicant. After that time, if the documentation has not been submitted, the application will be denied and the application fee forfeited. An applicant who wishes to reapply shall submit a new application and application fee." See 49 Pa. Code § 20.21(f) and (g).

Section 304(a)(1) of ADMAL allows animal protection organizations to apply to the Board for the sole purpose of being authorized to purchase, possess and administer drugs approved for euthanasia. The Board clarifies, in § 31.107 (relating to authority of certificate holders to purchase, possess and administer controlled substances; limitations on authority), that should a certificate be issued, the certificate holder may not purchase, possess or administer any controlled substance or any other legend drug which is not a drug for euthanasia. IRRC questions language in the Preamble to the proposed rulemaking which explains that this does not prohibit an animal protection organization that employs a staff veterinarian from possessing drugs used for other purposes acquired under the authority of the staff veterinarian's license and United States Drug Enforcement Administration (DEA) registration and asks that the Board clarify this paragraph to include the allowance for an animal protection organization who employs a veterinarian. The Board responded by adding the following language to § 31.107(b): "This provision does not prohibit a certificate holder with a staff veterinarian to possess drugs used for other purposes acquired under the authority of the staff veterinarian's license and DEA registration."

IRRC asks why, in § 31.108 (relating to duties of certificate holders), the Board requires that a certificate holder assess competency of its euthanasia technicians and asks that the Board explain why it is reasonable and necessary for a certificate holder to make this determination. Furthermore, IRRC asks that the Board consider revising this subsection to eliminate the requirement placed upon a certificate holder. In response, the Board looks to § 31.21 (relating to Rules of Professional Conduct for Veterinarians), and notes that principle (1)(e) requires that veterinarians safeguard the public and the veterinary profession against veterinarians deficient in professional competence, professional conduct or ethical conduct as described in this chapter. Additionally, § 31.38 (relating to code of ethics for certified veterinary technicians) requires that certified veterinary technicians report to the Board any veterinary technician or veterinarian deficient in professional competence, professional conduct or ethical conduct. Accordingly, because the Board already has similar reporting requirements for veterinarians and certified veterinary technicians, and because the certificate holder and its supervisor of animal care services are responsible for animal care services including euthanasia and supervision of euthanasia technicians, the Board submits it is in the best interests of the small domestic animals being euthanized to require that incompetent euthanasia technicians be reported to the Board. However, IRRC's comment allowed the Board to reassess this requirement, and a less burdensome method is available. Accordingly, the Board will no longer require that a certificate holder ensure that a euthanasia technician providing euthanasia at the shelter is clinically competent. Instead, in § 31.108(a)(1), certificate holders will be required to inform the Board if the certificate holder "knows or has reason to believe" that a euthanasia technician providing euthanasia at the shelter does not possess, or no longer possesses, the knowledge and ability to provide humane handling and euthanasia.

IRRC, the HPLC and the FHSP question the Board's decision, in § 31.108(a)(6), to require that an animal protection organization provide the Board with a hard copy of the controlled substance log for drugs for euthanasia every 60 days, along with a summary report containing the notifications in subsection (b). The HPLC recommends that the Board consider allowing certificate



holders to maintain digital records, and the FHSP opined that the requirement was burdensome and suggests that the Board adopt a retention requirement that mirrors the DEA requirements. The Board responds by deleting the requirement that a hard copy be maintained and provided to the Board every 60 days, and instead, in § 31.108(a)(6), will require that the certificate holder “[m]aintain a controlled substance log in the manner and format required by the DEA and, upon request, immediately make the controlled substance log available for inspection by agents of the Board, PDA or DEA.” Section 1304.06(g) of 21 CFR (relating to records and reports for electronic prescriptions) provides that, “[u]nless otherwise specified, records and reports must be retained for two years.” In an effort to clarify the Board’s record retention provision relating to drugs for euthanasia, the Board amends § 31.108(a)(6) by adding the following statement: “Unless a longer retention period is specified by DEA regulation at 21 CFR Part 1304 (relating to records and reports of registrants), records and reports must be retained for 2 years.”

IRRC questions the Board’s decision, in § 31.108(b)(5), to require that, in the 60-day report, certificate holders report any change in the physical location or significant changes made to the shelter, and, if applicable, demonstration that a new DEA Certificate of Registration has been obtained for the new address. IRRC asks that the Board revise the regulation to add procedures for when certificate holders change physical locations or make significant changes to areas used for euthanasia. The Board responded by amending § 31.108(b) to require that, instead of including the information listed in § 31.108(b) in the no-longer-required 60-day report, certificate holders must provide the Board with written notice of staffing changes, staff discipline and changes to the physical location or areas used for euthanasia within 30 days. Additionally, as noted by IRRC, subsection (a)(4) requires that certificate holders obtain separate certificates of registration from the Board and DEA for each address where euthanasia drugs are stored or administered. Obtaining a new or separate certificate of registration will serve as notice of change to the physical location.

IRRC and the FHSP question the Board’s decision, in § 31.109(a)(4), to require that the area used for euthanasia have “adequate ventilation to prevent the accumulation of odors, including at least one exhaust fan.” FHSP asked the Board to justify the added expense of the exhaust fan by explaining what odors the performance of euthanasia produces. In light of the concern expressed with regard to the added expense of installing an exhaust fan, the Board responded by amending the requirement that an exhaust fan be used. Instead, the Board now requires only that the area used for animal euthanasia have “adequate ventilation to prevent the accumulation of odors.”

In § 31.112(j) (relating to maintenance of records and inventories of drugs for euthanasia), the Board requires that, after a certificate holder disposes of drugs for euthanasia in accordance with DEA regulations, the certificate holder must send a copy of the disposal documentation to the Board. IRRC suggests that the Board revise this subsection to include implementation procedures for sending documentation, specifically a timeframe. The Board responded by amending the subsection to read as follows: “If a certificate holder surrenders its Board or DEA Certificate of Registration, the certificate holder shall *promptly* dispose of drugs for euthanasia in accordance with DEA regulations at 21 CFR Part 1317 (relating to disposal) and shall *immediately, upon comple-*

*tion of disposal*, send a copy of the disposal documentation to the Board.” This provision was modeled after the Pharmacy Board’s regulations in § 27.11(f) (relating to pharmacy permit and pharmacist manager), which state (in part), “[a] pharmacy which closes or otherwise ceases operation shall immediately return to the Board its current permit and *shall immediately inform the Board of the disposition of the prescription files and nonproprietary drugs.*” (Emphasis added.)

IRRC expresses two specific concerns with § 31.114(d) (relating to grounds for refusal, suspension, revocation or imposition of other disciplinary sanction), which will allow the Board to discipline a certificate holder for failing to admit agents of the Board to conduct investigations or inspections of the certificate holder’s compliance with applicable laws or for failing to admit agents of the PDA to conduct investigations or inspections that the PDA is authorized to conduct. First, IRRC identifies that § 31.108(a)(7) only requires that certificate holders cooperate with “the Board and its agents,” with no specific requirement that certificate holders cooperate with agents of the PDA. Second, IRRC suggests that this requirement may only be necessary should the Board enter into an MOU (see preceding discussion of § 31.106(d)). The Board notes that the Dog Law (3 P.S. §§ 459-101—459-1206), enforced by the PDA, requires that all licensed kennels be inspected by State dog wardens and PDA employees at least twice per calendar year. See specifically section 218(a) of the Dog Law (3 P.S. § 459-218(a)). Furthermore, section 218 states, “It shall be unlawful for any person to refuse admittance to such State dog wardens and employees of the [PDA] for the purpose of making inspections and enforcing the provisions of this act.” *Id.* Should a kennel refuse entry to “an agent of the Commonwealth acting to enforce [the Dog Law],” section 220(a) of the Dog Law (3 P.S. § 459-220(a)) states that “refusal of entry” shall constitute a violation of the Dog Law. In section 102 of the Dog Law (3 P.S. § 459-102) “kennel” is defined as “[a]ny establishment in or through which at least 26 dogs are kept or transferred in a calendar year, or a boarding kennel as defined in this act.” While “kept or transferred” is not specifically defined, the Dog Law defines “humane society or association for the prevention of cruelty to animals” as “[a] nonprofit society or association duly incorporated under 15 Pa.C.S. Chapter 53 Subchapter A (relating to incorporation generally) for the purpose of the prevention of cruelty to animals, *which has a licensed physical kennel facility* that can house a minimum of ten dogs, and which is not located on a residential property.” (Emphasis added.) Accordingly, any animal protection organization licensed by the Board to purchase, possess and administer drugs approved for euthanasia would also be a kennel as defined by the Dog Law.

Section 304 of ADMAL empowers the Board to issue certificates of registration to animal protection organizations. Section 102 of ADMAL (3 P.S. § 328.102) states an “animal protection organization” must be either: 1) a nonprofit society or association incorporated for the purpose of the prevention of cruelty to animals; or 2) a municipality which operates an animal shelter. Surely, every certificate holder will keep or transfer at least 26 dogs in a calendar year. Therefore, the Board expects that every animal protection organization will also be a kennel as defined by the Dog Law. Thus, being that each certificate holder will be subject to the inspection provisions of the Dog Law, this final-form rulemaking requires that certificate holders cooperate with “the Board and its agents,” with no specific requirement that certificate holders cooperate with agents of the PDA, because the

Dog Law already requires that kennels (and therefore certificate holders) cooperate with agents of the PDA. Moreover, the duties of certificate holders listed in § 31.108 is not meant to be an exhaustive list, which is why § 31.103 (relating to applicability of other laws and rules) discusses the applicability of other laws and rules, specifically listing, “The Dog Law (3 P.S. §§ 459-101—459-1206).” Therefore, the requirement that certificate holders admit agents of the Board and PDA is necessary regardless of whether the Board enters into an MOU with the PDA.

IRRC identifies that, in § 31.115(c) (relating to disciplinary sanctions), the proposed rulemaking states, the Board “*may* summarily revoke the certificate of a certificate holder if the PDA revokes a license associated with the shelter or certificate holder,” whereas section 304(a)(3) of ADMAL states that if the PDA revokes a license associated with the shelter or certificate holder, “the authorization to purchase, possess and administer drugs approved for euthanasia under subsection (c) *shall* be immediately revoked. . .” IRRC suggests § 31.115(c) does not meet the statutory obligation requiring the revocation of a certificate, and asks the Board to revise and clarify this subsection to delete discretionary language and align it with the requirements in section 304(a)(3) of ADMAL. In response, the Board amends § 31.115(c), deleting the discretionary language so that it now states, “The Board *will* summarily revoke the certificate of a certificate holder if the PDA revokes a license associated with the shelter or certificate holder.” (Emphasis added.)

IRRC questions the Board’s decision, in § 31.122(a)(2), to allow an applicant for licensure as a euthanasia technician, who has not received a high school diploma or its equivalent, to submit at least three letters of recommendation attesting to the applicant’s ability to perform the functions of a euthanasia technician, including at least one recommendation from a veterinarian licensed in this Commonwealth or another state. IRRC expresses three concerns: 1) How will the Board evaluate the letters and recommendations to determine that the applicant has the necessary skills to perform the duties of a euthanasia technician; 2) Why is it reasonable to lower the educational requirements for this license given the skills needed to perform this work; and 3) How does this provision protect the public health, safety and welfare given the use of controlled substances? In response, the Board determines: 1) It is reasonable to require that an applicant for licensure as a euthanasia technician provide evidence the applicant received a high school diploma or its equivalent; and 2) The provision allowing for letters of recommendation in lieu of a high school education does not sufficiently protect the public health, safety and welfare given the use of controlled substances. Accordingly, the Board amends § 31.122(a)(2) to require that applicants for licensure as a euthanasia technician submit satisfactory evidence the applicant received a high school diploma or its equivalent, and in doing so, deletes all language regarding the submission of letters of recommendation in lieu of evidence of having obtained a high school education.

IRRC identifies that, in § 31.123(c)(2) (relating to educational programs and examinations for euthanasia technicians), the proposed rulemaking listed the curriculum that must be included in a euthanasia technician certification course, however § 31.123(c)(2) does not include “knowledge of the Commonwealth’s statutes and regulations relating to euthanasia” as required by section 304(c)(1)(i) of ADMAL. IRRC asks that the Board revise this paragraph to include the statutorily required eligibil-

ity criteria. However, while ADMAL clearly requires an applicant for licensure as a euthanasia technician demonstrate “knowledge of the Commonwealth’s statutes and regulations relating to euthanasia,” the Board suggests this requirement need not be included in the euthanasia technician certification course. In fact, should an applicant for licensure complete a euthanasia technician certification course in another jurisdiction, there is very little chance the out-of-State course would have provided the applicant with knowledge of the Commonwealth’s statutes and regulations relating to euthanasia. In response, the Board amends § 31.122(a) to include the following language, in paragraph (5), requiring that an applicant: “Has adequate knowledge of the Commonwealth’s statutes and regulations relating to euthanasia and demonstrates knowledge in a manner and format approved by the Board.” The “manner and format approved by the Board” is a “worksheet” that must be completed by applicants for licensure as euthanasia technicians which will require that applicants demonstrate knowledge of the Commonwealth’s statutes and regulations relating to euthanasia by requiring them to obtain a copy of the act, the Board’s regulations and ADMAL, and cite to the appropriate section and paragraph in the act, the Board’s regulations and ADMAL, where specific information (as identified on the worksheet) may be located (for example approved drugs for euthanasia; duties of euthanasia technicians; and the like). A copy of the Board’s worksheet has been added to “Attachment A” of the Regulatory Analysis Form (RAF).

IRRC suggests that the Board update the RAF to include: 1) The cost of certification courses for euthanasia technicians and supervisors of animal care services in RAF Questions # 19 and # 23; 2) An estimate of costs for local governments in RAF Questions # 20 and # 23 or explain why it is not possible to do so; and 3) An estimate of Board costs in implementing the proposed rulemaking in RAF Questions # 21 and # 23. In response, the Board updated the RAF, to include these cost estimates.

IRRC identifies that the defined term “small domestic animals” and the undefined term “animal” are used interchangeably throughout Subchapter B and asks that the Board review and revise the regulations to ensure the consistent use of the defined term. In response, and because the terms were used interchangeably for no distinguishable reason, the Board amends every occurrence of the term “animal” to instead read as “small domestic animal,” where applicable.

IRRC also identifies that §§ 31.127(b)(6) and 31.128(e) (relating to duties of euthanasia technicians; and standards for euthanasia of small domestic animals) discuss confirmation of death but seem to establish different tests for confirmation of death. In response, and in the interest of uniformity, the Board deletes language from § 31.128(e), and copies language from § 31.127(b)(6), so that both sections now provide that death shall be verified or confirmed “by examination and establishment of the absence of heartbeat and respiration and lack of corneal and pupillary reflexes before disposal of the body.”

The Board identified that §§ 31.113 and 31.126 (relating to renewal of certificate of registration; and renewal of license, inactive status and reactivation of license) should be amended to reflect current BPOA policy with regard to initial certificates and licenses issued less than 90 days prior to the expiration date set by regulation. Generally, within the context of each licensing board, all certificates and licenses expire on the same date, as set by regulation. However, if an initial certificate or license

is issued less than 90 days prior to the expiration date set by regulation, the Pennsylvania Licensing System automatically “pushes” the certificate or license into the next renewal cycle, thereby issuing a certificate or license that is valid for slightly longer than 2 years. The proposed rulemaking was designed to “push” certificates and licenses issued near the expiration date set by regulation into the next renewal cycle, but the proposed rulemaking was designed to do so for all certificates and licenses issued within 6 months of the expiration date set by regulation, whereas BPOA policy is 90 days (3 months). The Board finds that 90 days is a more acceptable standard. Accordingly, the Board amends §§ 31.113 and 31.126 to require that certificates licenses issued at any time after September 1 of an even-numbered year will not be subject to renewal until the next even-numbered year, with September 1 being 90 days prior to the expiration date set by regulation (certificates of registration and euthanasia technician licenses shall be renewed biennially before December 1 of each even-numbered year (see §§ 31.113 and 31.126). In this way, an animal protection organization or euthanasia technician would not be required to almost immediately renew their certificate of registration or license within 90 days of initial issuance. Moreover, the Board transposed a clarifying statement regarding certificates and licenses issued after September 1 of even-numbered years. Accordingly, §§ 31.113 and 31.126 now provide that “[a] renewed license is valid for a period of 2 years. An initial [certificate or license] issued at any time after September 1 of an even-numbered year will not be subject to renewal until the next even-numbered year.”

Finally, in the interest of uniformity the Board amends numerous occurrences of the phrase “euthanasia drugs” to instead use the defined term “drugs for euthanasia.”

*Fiscal Impact*

This final-form rulemaking should not have any fiscal impact on the general public. Animal protection organizations that seek a certificate of registration and individuals who seek a license as a euthanasia technician will be required to pay fees set forth in this final-form rulemaking, as well as the fees associated with certification courses for euthanasia technicians and supervisors of animal care services. There may be costs associated with compliance with the facility and equipment requirements for existing facilities that do not currently comply. An estimate of the cost of compliance with this final-form rulemaking is set forth in the RAF required by IRRC, which is available on request.

*Paperwork Requirements*

This final-form rulemaking does not create additional paperwork for the Board, the Board’s existing licensees or the general public. Applicants for registration as an animal protection organization and for licensure as a euthanasia technician will be required to file an online application and submit supporting documentation as required. Certificate holders and licensed euthanasia technicians will be required to complete required paperwork relating to the purchase, dispensing and disposal of drugs used for euthanasia, but these requirements are set by Federal regulations and are included in this final-form rulemaking for ease of reference. Certificate holders and licensed euthanasia technicians will be required to complete biennial renewal applications and to submit updated information to the Board as set forth in this final-form rulemaking.

*Regulatory Review*

Under Section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 10, 2022, the Board submitted a copy of the notice of proposed rulemaking, published at 52 Pa.B. 1980 and a copy of a RAF to IRRC and to the SCP/PLC and the HPLC for review and comment. A copy of this material is available to the public upon request.

Under section 5(c) of the Regulatory Review Act (71 P.S. § 745.5(c)), the Board shall submit to IRRC, the SCP/PLC and the HPLC copies of comments received as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the SCP/PLC, the HPLC and the public.

Under section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)), on April 29, 2024, the Board delivered this final-form rulemaking to IRRC, the SCP/PLC and the HPLC. Under section 5.1(j.2) of the Regulatory Review Act, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC on June 19, 2024. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 20, 2024, and approved the final-form rulemaking.

*Additional Information*

Additional information may be obtained by writing to Michelle Roberts, Board Administrator, State Board of Veterinary Medicine, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-Veterinary@pa.gov.

*Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law, and all comments received were considered in drafting this final-form rulemaking.

(3) The amendments to this final-form rulemaking do not enlarge the original purpose of the proposed rulemaking published at 52 Pa.B. 1980.

(4) This final-form rulemaking is necessary and appropriate for the administration of ADMAL.

*Order*

The Board, therefore, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 31, are amended by adding the heading, Subchapter A, to existing §§ 31.1—31.41, and Subchapter B, §§ 31.101—31.115 and 31.121—31.130, to read as set forth in Annex A.

(b) The Board shall submit this final-form rulemaking to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall submit this final-form rulemaking to IRRC, the SCP/PLC and the HPLC as required by law.

(d) The Board shall certify this final-form rulemaking and deposit it with the Legislative Reference Bureau as required by law.

(e) This final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

THOMAS N. GARG, VMD,  
Chairperson

(Editor's Note: See 54 Pa.B. 3855 (July 6, 2024) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 16A-5726 remains valid for the final adoption of the subject regulations.

### Annex A

## TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

### PART I. DEPARTMENT OF STATE

#### Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

#### CHAPTER 31. STATE BOARD OF VETERINARY MEDICINE

##### Subchap.

##### A. VETERINARIANS, CERTIFIED VETERINARY TECHNICIANS AND VETERINARY ASSISTANTS

##### B. ANIMAL PROTECTION ORGANIZATIONS AND EUTHANASIA TECHNICIANS

#### Subchapter B. ANIMAL PROTECTION ORGANIZATIONS AND EUTHANASIA TECHNICIANS

#### GENERAL PROVISIONS

##### Sec.

- 31.101. Applicability of subchapter.  
31.102. Definitions.  
31.103. Applicability of other laws and rules.  
31.104. Schedule of fees.

#### CERTIFICATE OF REGISTRATION FOR ANIMAL PROTECTION ORGANIZATIONS

- 31.105. Application for certificate of registration.  
31.106. Qualifications for a certificate of registration; duty to update certification information.  
31.107. Authority of certificate holders to purchase, possess and administer controlled substances; limitations on authority.  
31.108. Duties of certificate holders.  
31.109. Area used for small domestic animal euthanasia; required equipment and supplies.  
31.110. Approved drugs for euthanasia.  
31.111. Storage and security of drugs for euthanasia, certificates of registration and drug order forms.  
31.112. Maintenance of records and inventories of drugs for euthanasia.  
31.113. Renewal of certificate of registration.  
31.114. Grounds for refusal, suspension, revocation or imposition of other disciplinary sanction.  
31.115. Disciplinary sanctions.

#### EUTHANASIA TECHNICIANS

- 31.121. Application for licensure.  
31.122. Qualifications for licensure; duty to update licensure information.  
31.123. Educational programs and examinations for euthanasia technicians.  
31.124. Reports to be filed with the Board.  
31.125. Employment required; services to be provided at shelter only.  
31.126. Renewal of license, inactive status and reactivation of license.  
31.127. Duties of euthanasia technicians.  
31.128. Standards for euthanasia of small domestic animals.  
31.129. Standards for administration of drugs for euthanasia.  
31.130. Grounds for refusal, suspension, revocation or imposition of other disciplinary sanction.

#### GENERAL PROVISIONS

##### § 31.101. Applicability of subchapter.

Subchapter B shall apply to all animal protection organizations operating in this Commonwealth and all individuals, except those exempted by statute, that provide, either personally or through contract or other arrangement, euthanasia for small domestic animals,

whether or not the animal protection organization orders drugs for euthanasia under the certificate granted by the Board.

##### § 31.102. Definitions.

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

**ADMAL**—The Animal Destruction Method Authorization Law (3 P.S. §§ 328.101—328.1102).

**Animal protection organization**—A nonprofit society or association incorporated under 15 Pa.C.S. Chapter 53, Subchapter A (relating to incorporation generally) for the purpose of the prevention of cruelty to animals or a municipality which operates an animal shelter.

**Certificate holder**—An animal protection organization that holds a current certificate of registration issued by the Board.

**Chemical restraint**—The use, through administration by routes recommended by the manufacturer, of drugs for euthanasia to sedate or tranquilize a small domestic animal prior to the provision of euthanasia.

**DEA**—The United States Drug Enforcement Administration.

**Drug for euthanasia**—A commercially available injectable drug or combination of drugs approved by the Federal Food and Drug Administration and the Board for the purpose of euthanasia of small domestic animals and chemical restraint approved by the Board for use in conjunction with the euthanasia of small domestic animals.

**Euthanasia technician**—An individual who holds a current euthanasia technician license issued by the Board.

**OSHA**—The Occupational Safety and Health Administration within the United States Department of Labor.

**PDA**—The Pennsylvania Department of Agriculture.

**Restraint**—A safe and humane method of restricting a small domestic animal's movement, including holding the animal or placing the animal in an appropriately-sized enclosure.

**Shelter**—The physical facility at which a certificate holder provides humane euthanasia in accordance with ADMAL.

**Small domestic animals**—Cats and dogs, and any of the following animals whose general intended purpose is to be kept and cared for as household pets: rabbits, mice, rats, hamsters, guinea pigs, ferrets, birds, reptiles and amphibians.

**Supervisor of animal care services**—The individual who is responsible to the animal protection organization for animal care services including euthanasia and supervision of euthanasia technicians.

##### § 31.103. Applicability of other laws and rules.

(a) Individuals and certificate holders are subject to the act, ADMAL, this chapter and all other applicable law. For purposes of this section, applicable law includes all of the following:

- (1) The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).
- (2) The Dog Law (3 P.S. §§ 459-101—459-1206).
- (3) Regulations of the PDA, the DEA and OSHA.

(4) Any other or subsequent statute, rule or regulation of any government entity, whether Federal, State or local, relevant to the purchase, possession and administration of drugs for euthanasia of small domestic animals, the handling of small domestic animals or the disposal of small domestic animal remains.

(b) Except as set forth in ADMAL, activities and proceedings before the Board are subject to 2 Pa.C.S. Chapter 5, Subchapter A and Chapter 7, Subchapter A (relating to Administrative Agency Law) and 1 Pa. Code §§ 31.1—35.251 (relating to the General Rules of Administrative Practice and Procedure).

**§ 31.104. Schedule of fees.**

The Board will charge the following fees for the administration of this subchapter:

*Animal protection organizations:*

Application for certificate of registration (includes initial inspection).....	\$244
Re-inspection fee.....	\$216
Biennial renewal of certificate of registration.....	\$50
Late renewal fee—per month or part of month.....	\$5

*Euthanasia technicians:*

Application for initial license.....	\$87
Verification of licensure.....	\$15
Biennial renewal.....	\$25
Late renewal fee—per month or part of month.....	\$5

**CERTIFICATE OF REGISTRATION FOR ANIMAL PROTECTION ORGANIZATIONS**

**§ 31.105. Application for certificate of registration.**

(a) An applicant for a certificate of registration from the Board shall file an application in accordance with this chapter and in the manner and format prescribed by the Board.

(b) An applicant for a certificate of registration with the Board shall pay the fee set forth in § 31.104 (relating to schedule of fees) upon submission of the application.

(c) An applicant for a certificate of registration with the Board shall demonstrate that it meets the requirements of ADMAL and this chapter.

**§ 31.106. Qualifications for a certificate of registration; duty to update certification information.**

(a) The Board may issue a certificate of registration to an animal protection organization that meets all of the following requirements:

(1) Demonstrates that it is a nonprofit society or association incorporated in this Commonwealth for the purpose of the prevention of cruelty to animals or is a municipality which operates an animal shelter.

(2) Demonstrates that the supervisor of animal care services has completed the didactic portion of a Board-approved euthanasia technician certification course.

(3) Demonstrates, by submission of a criminal history record check, that the supervisor of animal care services has not been convicted of a drug trafficking offense as defined in 63 Pa.C.S. § 3113(i) (relating to consideration of criminal convictions), a crime that directly relates to the profession as defined in 63 Pa.C.S. § 3102 (relating to definitions) or a crime of violence as defined in 42 Pa.C.S. § 9714 (relating to sentences for second and subsequent offenses), unless the supervisor of animal care services

demonstrates, at a hearing before the Board or its designee, the required mitigating or rehabilitative criteria as enumerated in the act and 63 Pa.C.S. § 3113(b)(1), as applicable.

(4) Demonstrates, through a precertification inspection by agents of the Board, that the animal protection organization has adequate shelter facilities to safely and humanely purchase, possess and administer drugs for euthanasia.

(5) Submits the names of all euthanasia technicians employed by or under contract with the animal protection organization to administer drugs for euthanasia to small domestic animals.

(6) Submits the names of any licensed veterinarian associated with the animal protection organization, along with a description of the association.

(b) An application will not be considered until the application is complete and is accompanied by the required fee set forth in § 31.104 (relating to schedule of fees).

(c) An application for certificate of registration will be thoroughly investigated.

(d) An animal protection organization applying for a certificate of registration will be inspected by agents of the Board to determine if the equipment and facilities of the organization meet the requirements of this subchapter. An animal protection organization that does not meet the requirements of this subchapter may not commence or continue operations until the organization has been inspected again and found to be compliant. An animal protection organization shall pay the re-inspection fee set forth in § 31.104 prior to re-inspection.

(e) The Board reserves the authority to require an applicant to provide additional information or evidence to support the application for certificate of registration. The Board may require an applicant to appear before the Board to provide the Board this additional information or evidence.

(f) An application submitted to the Board will be active for a period of 12 months from the date the application fee is paid by the applicant. If an application is not completed within 12 months, it will be deemed withdrawn and a new application, including payment of the application fee, will be required should the applicant later seek registration.

(g) An applicant shall update the application if any information on the application changes prior to issuance of the certificate of registration.

**§ 31.107. Authority of certificate holders to purchase, possess and administer controlled substances; limitations on authority.**

(a) A certificate holder that holds a current, unrestricted DEA Certificate of Registration may do all of the following:

(1) Purchase, possess and administer, through its authorized agents, drugs for euthanasia.

(2) Transfer drugs for euthanasia to a currently licensed euthanasia technician or veterinarian who is employed by or under contract with the certificate holder to provide euthanasia to small domestic animals for the purpose of administration to small domestic animals, provided, however, that the drugs for euthanasia may only be used to provide euthanasia at the shelter.

(3) Dispose of drugs for euthanasia in accordance with law.

(b) A certificate holder may not do any of the following:

(1) Purchase, possess or administer any controlled substance or any other legend drug which is not a drug for euthanasia. This provision does not prohibit a certificate holder with a staff veterinarian to possess drugs used for other purposes acquired under the authority of the staff veterinarian's license and DEA registration.

(2) Transfer a drug for euthanasia to anyone other than a currently licensed euthanasia technician or veterinarian employed by or under contract with the animal protection organization to provide euthanasia on the premises of the certificate holder.

(3) Authorize, permit or allow any drug for euthanasia purchased or possessed by the certificate holder under the authority of ADMAL to leave the premises of the shelter.

(4) Authorize, permit or allow the disposal of drugs for euthanasia in any manner other than that required by law.

(5) Authorize, permit or allow any other individual or animal protection organization to use the certificate holder's certificate of registration issued by the Board or DEA Certificate of Registration to purchase, possess, administer or transfer a drug for euthanasia or any other controlled substance or legend drug.

**§ 31.108. Duties of certificate holders.**

(a) A certificate holder shall do all of the following:

(1) Inform the Board if the certificate holder knows or has reason to believe that a euthanasia technician providing euthanasia at the shelter does not possess, or no longer possesses, the knowledge and ability to provide humane handling and euthanasia to small domestic animals in this Commonwealth by the administration of injectable agents by intravenous and intraperitoneal injection.

(2) Provide an area suitable for storage of drugs and equipment for euthanasia, and for the provision of euthanasia, in accordance with § 31.109 (relating to area used for small domestic animal euthanasia; required equipment and supplies).

(3) Register with and receive a certificate of registration from the DEA prior to the purchase, possession or administration of any drugs for euthanasia.

(4) Obtain separate certificates of registration from the Board and DEA for each address where euthanasia drugs are stored or administered.

(5) Submit a copy of the DEA Certificate of Registration to the Board within 5 business days of receiving each initial certificate of registration and within 5 business days of the renewal of each certificate of registration.

(6) Maintain a controlled substance log in the manner and format required by the DEA and immediately make the controlled substance log available for inspection by agents of the Board, PDA or the DEA upon request. Unless a longer retention period is specified by DEA regulation at 21 CFR Part 1304 (relating to records and reports of registrants), records and reports must be retained for 2 years.

(7) Cooperate with the Board and its agents in the inspection of the euthanasia facility, inspection of licenses and registrations, and investigation of complaints filed with the Board.

(b) A certificate holder shall provide written notice of any of the following to the Board within 30 days:

(1) Change of supervisor of animal care services, including proof that the new supervisor of animal care services has completed the didactic portion of a Board-approved euthanasia technician course.

(2) Change or addition of euthanasia technician, including the name and license number of the new or additional euthanasia technician or technicians employed by or under contract with the animal protection organization.

(3) Change to the list of personnel authorized to access drugs for euthanasia under § 31.111(c) (relating to storage and security of drugs for euthanasia, certificates of registration and drug order forms).

(4) A disciplinary action taken against any euthanasia technician, the supervisor of animal care services or the executive director of the certificate holder by a licensing agency of another jurisdiction, or a finding or verdict of guilt, an admission of guilt, a plea of nolo contendere, probation without verdict, a disposition in lieu of trial or an Accelerated Rehabilitative Disposition of any felony or misdemeanor.

(5) Change in the physical location or significant changes to the shelter, and, if applicable, demonstration that a new DEA Certificate of Registration has been obtained for the new address.

**§ 31.109. Area used for small domestic animal euthanasia; required equipment and supplies.**

(a) A certificate holder shall provide an area used for small domestic animal euthanasia at a shelter that meets all of the following requirements:

(1) Is separated from the rest of the shelter and from public view, is not used for any other purpose while a small domestic animal is being euthanized and in which unrelated animals are not present.

(2) Has bright and even lighting. Additional lighting over the location where euthanasia agents are administered by injection is highly recommended.

(3) Has an ambient temperature that is between 60-degrees and 80-degrees Fahrenheit.

(4) Has adequate ventilation to prevent the accumulation of odors.

(5) Has flooring, which is dry and non-slip to prevent accidents, and is easy to clean and disinfect.

(6) Is kept clean and disinfected.

(b) A certificate holder shall provide, at a minimum, the following equipment and supplies for the area used for small domestic animal euthanasia:

(1) A table or work area where a small domestic animal can be handled and restrained while being euthanized. The surface must be easily disinfected and appropriate for the species and size of small domestic animals euthanized by the animal protection organization.

(2) A cabinet, table or workbench where the controlled dangerous substances, needles, catheters, syringes, clippers and other equipment and supplies can be placed while euthanasia is being performed. This surface should be adjacent to, but separate from, the area where the small domestic animals are handled.

(3) A hand-washing sink that can be easily accessed by the animal protection organization's euthanasia technician and animal handler. For purposes of this provision,

the sink must be no more than 30 feet from the area where euthanasia is conducted. Animal protection organizations with alternate physical layouts may request a variance from this provision.

(4) Emergency eye wash equipment in working order that can be easily accessed by the animal protection organization's euthanasia technician and animal handler. For purposes of this provision, the emergency eye wash equipment must be no more than 30 feet from the area where euthanasia is conducted. Animal protection organizations with alternate physical layouts may request a variance from this provision.

(5) Documented procedure for providing clean and sanitary towels.

(6) Equipment and supplies as needed for adequate room sanitation, such as detergents, disinfectants, paper towels, brooms and mops.

(7) Eye or face protection for personnel reconstituting drugs for euthanasia, performing injections or restraining small domestic animals for injection.

(8) Disposable medical exam gloves.

(9) Suitable personal protective equipment, including animal handling gloves.

(10) An assortment of muzzles or appropriate disposable material which can be used for muzzles.

(11) A control stick for dogs.

(12) Capture/restraint nets suitable for the species and size of small domestic animals normally handled by the certificate holder and constructed of materials that can be sanitized.

(13) Towels of terry cloth or other fabric suitable for restraining small domestic animals.

(14) Hair clippers with a minimum of two sets of # 30 or # 40 or equivalent size clipper blades, maintained sharp and in good condition.

(15) Quick-release tourniquets appropriate for the sizes of small domestic animals normally handled by the certificate holder.

(16) A supply of 18-gauge, 20-gauge and 22-gauge disposable needles of medical quality in appropriate lengths and in other gauges and lengths as required by the species and size of small domestic animals normally handled by the certificate holder, in a quantity appropriate considering the number of small domestic animals euthanized by the certificate holder over a period of time and the schedule for ordering these supplies.

(17) A supply of disposable syringes of medical quality in sizes appropriate for the volumes of drugs which must be administered based on the species and sizes of small domestic animals normally handled by the certificate holder, in a quantity appropriate considering the number of small domestic animals euthanized by the certificate holder over a period of time and the schedule for ordering these supplies.

(18) A commercially available sharps container for used needles and syringes, constructed of puncture-resistant material and which complies with 29 CFR 1910.1030(d)(2)(viii) (relating to bloodborne pathogens).

(19) A stethoscope.

(20) A penlight and spare batteries.

(21) Hand soap.

(22) A first-aid kit for humans, which includes, at a minimum, the supplies suggested by the American Red Cross for a first aid kit for a family of four.

(23) A spill kit, as defined by OSHA, suitable for cleaning spills of drugs for euthanasia.

(24) A freezer, refrigerator or mortuary cooler for the storage of the remains of euthanized small domestic animals pending disposal.

(c) The equipment and supplies must be kept clean, free of dust or other foreign matter and in good working order. The equipment and supplies must be stored in an orderly, safe manner.

**§ 31.110. Approved drugs for euthanasia.**

(a) The Board will publish the list of approved drugs for euthanasia that certificate holders may purchase, possess and administer in the *Pennsylvania Bulletin* and on the Board's web site. The Board may update the list of approved drugs for euthanasia by adding or deleting drugs from the approved list to conform to standards of practice that are acceptable in the veterinary medical community. Changes to the list of approved drugs will be published in the *Pennsylvania Bulletin* and on the Board's web site.

(b) A certificate holder may petition the Board for the addition or deletion of drugs for euthanasia on the Board's approved list by filing a written petition with the Board setting out the request and justification for the request, as a petition for amendment of regulations under 1 Pa. Code § 35.18 (relating to petitions for issuance, amendment, waiver or deletion of regulations).

(c) A certificate holder may use drugs for euthanasia only to provide humane euthanasia of small domestic animals within the shelter facility.

(d) A certificate holder shall use drugs for euthanasia within the expiration date printed on the primary commercial container by the manufacturer.

**§ 31.111. Storage and security of drugs for euthanasia, certificates of registration and drug order forms.**

(a) A certificate holder shall store all drugs for euthanasia in accordance with the Federal regulations at the level of security required for practitioners at 21 CFR 1301.71—1301.77 (relating to security requirements). The level of security required may vary depending on the registered location, the number of employees and other personnel who have access to the area where drugs for euthanasia are stored, the quantity of drugs for euthanasia kept on hand and the prior history of theft or diversion. Specific questions regarding the adequacy of security measures shall be directed to the DEA.

(b) A certificate holder shall provide for the storage, security and disposal of drugs for euthanasia at the shelter. Acceptable storage and security are required at the location for which the animal protection organization is registered with the Board and the DEA. Expired drugs shall be disposed of in accordance with Federal law and implementing regulations at 21 CFR Part 1317 (relating to disposal).

(c) A certificate holder shall store all drugs for euthanasia in a securely locked, substantially constructed cabinet which is securely attached to the building in which it is housed, and which is accessible only to personnel authorized by the animal protection organization to have access to the drugs. A list of individuals

authorized to have access to the drugs shall be provided to the Board upon initial inspection, reinspection or upon request.

(d) A certificate holder shall store drugs for euthanasia in an environment that meets the manufacturer's recommendations for proper storage.

(e) A certificate holder shall maintain its original DEA Certificate of Registration in the cabinet or safe or separately in a securely locked metal container within the cabinet or safe, as appropriate, so that it is accessible only to the shelter director in charge of ordering or purchasing drugs for euthanasia or an individual who has a current DEA Certificate of Registration.

(f) A certificate holder shall secure unexecuted order forms for Schedule II drugs (DEA Form 222) in a cabinet or safe or separately in a securely locked metal container within the cabinet or safe, as appropriate, which is accessible only to the shelter director or an individual who has a current DEA Certificate of Registration for Schedule II drugs.

**§ 31.112. Maintenance of records and inventories of drugs for euthanasia.**

(a) A certificate holder shall comply with all applicable Federal and State laws, rules and regulations relating to registration, ordering and receiving, security, record keeping, inventory and disposal of drugs for euthanasia.

(b) A certificate holder shall maintain all drugs for euthanasia in their original container, clearly marked as to contents, until the drugs are ready to be used or reconstituted for use.

(c) A certificate holder shall maintain current accurate records of the purchase, administration, transfer and disposal of drugs for euthanasia. These records shall consist of all of the following:

(1) A master logbook containing information about the purchase, receipt and disposal of all drugs for euthanasia.

(2) Drug administration records for every drug for euthanasia.

(3) A weekly physical inventory of all drugs for euthanasia.

(d) The master log shall be created and maintained as required by the DEA.

(e) The drug administration records shall meet all of the following requirements:

(1) Be made available to the Board or its agents on demand.

(2) Consist of a separate form for each container of a drug for euthanasia on which all of the following information is recorded:

(A) The generic name of the drug for euthanasia.

(B) The volume of the container.

(C) The concentration of the drug for euthanasia in milligrams per milliliter, capsule or tablet, as applicable.

(D) The species, weight and individual identification number, if applicable, of every small domestic animal to which the contents of the container were administered, the route of administration and the volume or amount of drugs for euthanasia administered.

(E) The remaining balance of the drugs for euthanasia in the container.

(3) Be maintained at the shelter facility in a readily retrievable file.

(f) The weekly physical inventory of drugs for euthanasia shall meet all of the following requirements:

(1) Be conducted in accordance with DEA regulations at 21 CFR 1304.11 (relating to inventory requirements) and be recorded on a form acceptable to the DEA.

(2) Be signed or initialed by the supervisor of animal care services.

(3) Be maintained in a readily retrievable file at the shelter where the drugs are stored.

(g) The supervisor of animal care services or his or her designee shall report suspected or documented theft or diversion of drugs for euthanasia to the Board and the DEA immediately.

(h) A certificate holder shall maintain original copies of the records at the shelter for not less than 2 years.

(i) If a certificate holder surrenders its Board or DEA Certificate of Registration for a shelter, the original copies of the records required by this section shall be retained at the shelter facility if the shelter is a subsequent certificate holder. If the shelter is not a subsequent certificate holder, or if retaining the records at the shelter facility is impossible or impracticable, the certificate holder shall notify the Board, in writing, at least 30 days prior to the date a certificate holder surrenders its Board or DEA Certificate of Registration. The written notice must include instructions on how to obtain copies of the records from the custodian of the records and the name, address and telephone number of the custodian of records. The custodian of records shall maintain original copies of the records for not less than 2 years.

(j) If a certificate holder surrenders its Board or DEA Certificate of Registration, the certificate holder shall promptly dispose of drugs for euthanasia in accordance with DEA regulations at 21 CFR Part 1317 (relating to disposal) and shall immediately, upon completion of disposal, send a copy of the disposal documentation to the Board.

**§ 31.113. Renewal of certificate of registration.**

A certificate of registration shall be renewed biennially before December 1 of each even-numbered year by filing a biennial renewal application provided by the Board and paying the biennial renewal fee in § 31.104 (relating to schedule of fees). A certificate holder shall renew the certificate prior to the expiration date of the certificate. Applications for renewal must be submitted in accordance with this subchapter and in the manner and format prescribed by the Board. A renewed certificate of registration is valid for a period of 2 years. An initial certification of registration issued at any time after September 1 of an even-numbered year will not be subject to renewal until the next even-numbered year.

**§ 31.114. Grounds for refusal, suspension, revocation or imposition of other disciplinary sanction.**

(a) A certificate holder is subject to the disciplinary provisions in the act, including the authorization for the Board to discipline any license or certificate in section 21 of the act (63 P.S. § 485.21), which applies to the certificate of registration granted to an animal protection organization, for violating the act, this chapter and other applicable law as set forth in § 31.103 (relating to applicability of other laws and rules). The Board may refer matters related to a certificate holder to other civil, criminal or administrative agencies for investigation.

(b) A certificate holder is subject to the penalty provisions in the act, ADMAL, this chapter and other applicable law.



(c) A certificate holder or an animal protection organization that does not hold a current certificate of registration with the Board may not provide euthanasia to small domestic animals under ADMAL. The following apply:

(1) Violations of this section may be prosecuted before the Board under the act, ADMAL, 63 Pa.C.S. § 3108 (relating to civil penalties) or this chapter.

(2) The Board may refer any suspected or proven violation of the act, ADMAL, 63 Pa.C.S. § 3108 or this chapter for criminal prosecution.

(d) A certificate holder is subject to discipline by the Board for all of the following:

(1) Failing to admit agents of the Board to conduct investigations or inspections of the certificate holder's compliance with applicable laws or for failing to admit agents of the PDA to conduct investigations or inspections that the PDA is authorized to conduct.

(2) Having discipline imposed by the DEA on the DEA Certificate of Registration or any enforcement action by the PDA.

(3) Failing to ensure that euthanasia technicians employed by or under contract with the certificate holder hold a current license issued by the Board.

(4) Allowing a euthanasia technician to perform duties in an unsafe or inhumane manner or in a manner that violates applicable law.

**§ 31.115. Disciplinary sanctions.**

(a) When the Board finds that a certificate holder or unlicensed entity performing euthanasia has violated the act or ADMAL, the Board may suspend or revoke the certificate of registration, impose other disciplinary sanctions set forth in section 24 of the act (63 P.S. § 485.24) and may impose civil penalties provided for in section 28 of the act (63 P.S. § 485.28), in section 502 of ADMAL (3 P.S. § 328.502) and in 63 Pa.C.S. § 3108 (relating to civil penalties).

(b) Disciplinary action will be taken in accordance with the procedures set forth in the act, 2 Pa.C.S. Chapter 5, Subchapter A and Chapter 7, Subchapter A (relating to Administrative Agency Law) and 1 Pa. Code §§ 31.1—35.251 (relating to General Rules of Administrative Practice and Procedure).

(c) The Board will summarily revoke the certificate of a certificate holder if the PDA revokes a license associated with the shelter or certificate holder.

**EUTHANASIA TECHNICIANS**

**§ 31.121. Application for licensure.**

(a) An applicant for licensure as a euthanasia technician shall do all of the following:

(1) File an application for licensure in a manner and format approved by the Board.

(2) Pay the application fee in § 31.104 (relating to schedule of fees) which shall be submitted with the application. Application fees are nonrefundable, regardless of the Board's determination as to whether a license will issue.

(3) Demonstrate that the applicant meets the requirements of ADMAL and this chapter.

(b) An applicant whose application for licensure has been provisionally denied by the Board is entitled to a hearing at which the applicant will bear the burden of demonstrating that the application should be granted.

(c) Final denial of an application for licensure is subject to appeal to the Commonwealth Court of Pennsylvania.

**§ 31.122. Qualifications for licensure; duty to update licensure information.**

(a) The Board may issue a euthanasia technician license to an applicant who pays the application fee in § 31.104 (relating to schedule of fees) and submits satisfactory evidence that the applicant meets all of the following requirements:

(1) Is 18 years of age or older.

(2) Has received a high school diploma or its equivalent.

(3) Has adequate knowledge of the potential hazards and proper techniques to be used in the administration of drugs for euthanasia by satisfying the requirements of this section and meets at least one of the following criteria:

(i) Has successfully completed a euthanasia technician certification course, including at least 14 hours of instruction, which is administered by an animal protection organization or school approved by the Board under § 31.123 (relating to educational programs and examinations for euthanasia technicians) to administer the course and is listed on the Board's web site as an approved course.

(ii) Is a euthanasia technician registered or licensed under the laws of another state or territory of the United States which has requirements substantially similar to the requirements of this section and who presents satisfactory proof to the Board of being engaged in the practice of euthanasia for a period of at least 1 year out of the past 5 years.

(4) Has not been convicted of a drug trafficking offense as defined in 63 Pa.C.S. § 3113(i) (relating to consideration of criminal convictions), a crime that directly relates to the profession as defined in 63 Pa.C.S. § 3102 (relating to definitions) or a crime of violence as defined in 42 Pa.C.S. § 9714 (relating to sentences for second and subsequent offenses), unless the applicant demonstrates, at a hearing before the Board or its designee, the required mitigating or rehabilitative criteria as enumerated in the act and 63 Pa.C.S. § 3113(b)(1), as applicable.

(5) Has adequate knowledge of the Commonwealth's statutes and regulations relating to euthanasia and demonstrates knowledge in a manner and format approved by the Board.

(b) An application for licensure will not be considered until the application is complete, including providing a criminal background check, obtaining verification of licensure in other states or making personal written statements regarding matters related to the qualifications for licensure as instructed by Board staff.

(c) An application for licensure will be thoroughly investigated. The Board or its agents may inquire from the references or by other means the Board deems expedient as to the accuracy of the information submitted. If the replies from the references cited are not received within a reasonable time, the Board will notify the applicant so the applicant can provide additional references. Information obtained in the investigation of an application will be maintained by the Board as a permanent record and will remain the property of the Board.

(d) The Board reserves the authority to require an applicant to provide additional information or evidence to

support the application for licensure. The Board may require an applicant to appear before the Board to provide the Board with additional information or evidence.

(e) An application for licensure submitted to the Board will be active for a period of 12 months from the date the application fee is paid by the applicant. If an application is not completed within 12 months, it will be deemed withdrawn and a new application and application fee will be required should the applicant later seek licensure.

(f) An applicant shall update the application for licensure if any information on the application changes prior to issuance of the license.

**§ 31.123. Educational programs and examinations for euthanasia technicians.**

(a) In accordance with section 304(c)(1)(ii)(A) of ADMAL (3 P.S. § 328.304(c)(1)(ii)(A)), the Board may approve euthanasia technician certification courses that include at least 14 hours of instruction, administered by any of the following:

- (1) The National Animal Control Association.
- (2) The American Humane Association.
- (3) The Humane Society of the United States.
- (4) The Pennsylvania Veterinary Medical Association.
- (5) The University of Pennsylvania School of Veterinary Medicine.
- (6) The Federated Humane Societies of Pennsylvania.
- (7) Another organization or school approved by the Board.

(b) The Board will announce the list of approved euthanasia technician certification courses on its web site.

(c) Administrators of euthanasia technician certification courses that wish to be included on the list of Board-approved courses shall submit all of the following to the Board:

- (1) A list of the minimum qualifications of instructors who will teach the courses.
- (2) A copy of the program curriculum, which must consist of a minimum of 14 hours of instruction and must evidence the ability to provide certificate holders with the knowledge and ability to provide humane handling and euthanasia to small domestic animals in this Commonwealth by the administration of injectable agents by intravenous and intraperitoneal injection. Curriculum must include content in all of the following:
  - (i) Humane handling and appropriate restraint of small domestic animals for euthanasia.
  - (ii) Appropriate criteria and techniques to verify the death of a small domestic animal.
  - (iii) Proper handling of drugs for euthanasia.
  - (iv) Proper security and storage of drugs for euthanasia.
  - (v) Required documentation related to drugs for euthanasia.
  - (vi) Correct calculation of a dosage of drugs for euthanasia.
  - (vii) Universal precautions for handling and disposal of needles and syringes.
  - (viii) Preparation of injection site.
  - (ix) Injection technique for intravenous injection.

(x) Injection technique for intraperitoneal injection.

(xi) Appropriate uses of intraperitoneal injection.

(3) A copy of the evaluative tool used to measure competence of students who have completed the certification course. An examinee may be provided no more than three attempts at demonstrating competence through utilization of the administrator's evaluative tool without a requirement that the student retake the training course prior to being reevaluated.

**§ 31.124. Reports to be filed with the Board.**

(a) A licensed euthanasia technician shall provide written notice of any of the following to the Board within 30 days:

(1) A disciplinary action taken against the licensee by a licensing agency of another jurisdiction.

(2) A finding or verdict of guilt, an admission of guilt, a plea of nolo contendere, probation without verdict, a disposition in lieu of trial or an Accelerated Rehabilitative Disposition of any felony or misdemeanor offense.

(3) A change in the licensee's name or mailing address.

(b) The Board may take disciplinary action against a licensee who violates this section.

**§ 31.125. Employment required; services to be provided at shelter only.**

A euthanasia technician license authorizes the license holder to administer drugs for euthanasia only on the shelter premises at which the euthanasia technician is employed or with which the euthanasia technician has a contract for the provision of humane euthanasia services.

**§ 31.126. Renewal of license, inactive status and reactivation of license.**

(a) A euthanasia technician license shall be renewed biennially before December 1 of each even-numbered year, by filing a biennial renewal application provided by the Board and paying the biennial renewal fee in § 31.104 (relating to schedule of fees).

(b) A euthanasia technician shall renew the euthanasia technician's license prior to the expiration date of the license by submitting a renewal form provided by the Board and paying the biennial renewal fee. Applications for renewal must be submitted in accordance with this subchapter and in the manner and format prescribed by the Board. A renewed license is valid for a period of 2 years. An initial euthanasia technician license issued at any time after September 1 of an even-numbered year will not be subject to renewal until the next even-numbered year.

**§ 31.127. Duties of euthanasia technicians.**

(a) A euthanasia technician shall perform euthanasia services humanely, as further set forth in § 31.128 (relating to standards for euthanasia of small domestic animals).

(b) A euthanasia technician shall do all of the following:

(1) Maintain the euthanasia technician's license in active status.

(2) Provide updated information to the Board as set forth in § 31.124 (relating to reports to be filed with the Board).

(3) Perform small domestic animal euthanasia in accordance with ADMAL and this chapter.

(4) If chemical restraint is not used, document the specific circumstances that make the administration of chemical restraint more likely to cause more distress to a particular small domestic animal.

(5) If intravenous injection of euthanasia solution cannot be used, document the physical condition, size or behavior of any dog or cat over the age of 16 weeks and any other small domestic animal to support the use of peritoneal injection.

(6) Verify death of a small domestic animal by examination and establishment of the absence of heartbeat and respiration and lack of corneal and pupillary reflexes before disposal of the body.

(7) Maintain the security of all controlled substances and other drugs used for the purposes of small domestic animal euthanasia.

(8) Promptly and accurately record the quantity of controlled substances and other drugs used for euthanasia and any drug waste.

(9) Immediately report suspected or documented theft or diversion of controlled substances and other drugs used for the purposes of small domestic animal euthanasia to the Board and the DEA.

**§ 31.128. Standards for euthanasia of small domestic animals.**

(a) In accordance with ADMAL, the euthanasia of small domestic animals in the custody of a certificate holder shall comply with the standards set forth in this subchapter.

(b) Euthanasia of small domestic animals shall be performed by administration of drugs for euthanasia approved by the Board.

(c) Euthanasia shall be provided in a humane manner, meaning that services are provided in a professional and gentle manner with respect for the individual small domestic animal and nature of that small domestic animal and its species, with the goal of minimizing pain, fright and anxiety in the small domestic animal being euthanized and any other animals in the area, using the best available ethical and veterinary medical knowledge and technology.

(d) The small domestic animal shall be kept as free from pain, fear and anxiety as possible.

(e) Death shall be confirmed by examination and establishment of the absence of heartbeat and respiration and lack of corneal and pupillary reflexes before disposal of the body.

(f) Drugs for euthanasia shall be administered in a registered facility only by:

(1) A licensed veterinarian.

(2) A licensed euthanasia technician acting in accordance with ADMAL and this subchapter.

**§ 31.129. Standards for administration of drugs for euthanasia.**

An individual administering drugs for euthanasia shall comply with all of the following standards:

(1) A small domestic animal shall be restrained, as defined in § 31.102 (relating to definitions), after injection of drugs for euthanasia until the small domestic animal is unconscious, except as provided in paragraph (2).

(2) If a small domestic animal should not be held or restrained because holding or other physical restraint would either increase the anxiety or fear of the small domestic animal or would place the person holding or restraining the small domestic animal in physical danger, it shall be placed alone in an enclosure which is appropriate for the species and size of the small domestic animal and permits adequate visual observation of the small domestic animal, except that dogs or cats under 16 weeks of age or other small domestic animals which have not been weaned may be placed together in an enclosure with their littermates or dam, or both.

(3) Unless the small domestic animal to be euthanized is heavily tranquilized, anesthetized or comatose, an individual administering drugs for euthanasia shall have the assistance of an animal handler immediately available in the euthanasia area when the individual is administering an intravenous injection.

(4) Chemical restraint shall be used to minimize distress to the small domestic animal or danger to the staff, unless specific documented circumstances make the administration of chemical restraint more likely to cause more distress to the small domestic animal. Chemical restraint may be administered by routes as appropriate to the objectives of minimizing distress and maximizing safety.

(5) Intravenous injection of euthanasia solution shall be used on all dogs and cats 16 weeks of age and older and any other small domestic animal, unless the physical condition, size or behavior of the small domestic animal presents a danger to the individual performing the injection or the animal handler, or the physical restraint required for intravenous injection would cause unnecessary fear or anxiety in the small domestic animal.

(6) A drug for euthanasia may be administered by intraperitoneal injection to a small domestic animal only when the physical condition, size or behavior of the small domestic animal presents a danger to the individual performing the injection or the animal handler, the physical restraint required for intravenous injection would cause unnecessary fear or anxiety in the small domestic animal or the small size of the small domestic animal would make location and injection into a vein extremely difficult or impossible. The following apply:

(i) After an intraperitoneal injection of a drug for euthanasia, the small domestic animal shall be placed alone in an enclosure which is appropriate for the species and size of the small domestic animal and permits adequate visual observation of the small domestic animal and where the small domestic animal can be kept calm and free of anxiety. An exception may be made in the case of young littermates.

(ii) A small domestic animal which has received a drug for euthanasia by intraperitoneal injection shall be observed at least every 5 minutes after injection until death is verified.

(7) The gauge and length of the needle or catheter used shall be appropriate to minimize pain and distress for the size and species of the small domestic animal and the method of injection.

(8) A new, unused disposable needle or catheter of medical quality shall be used for the administration of drugs for euthanasia for each small domestic animal. Each needle or catheter shall be disposed of in a commercial sharps container immediately after a single use.

**§ 31.130. Grounds for refusal, suspension, revocation or imposition of other disciplinary sanction.**

(a) A licensed euthanasia technician is subject to all disciplinary provisions in the act, ADMAL, this chapter and other applicable law.

(b) A licensed euthanasia technician is subject to all penalty provisions in the act, ADMAL, this chapter and other applicable law.

(c) An individual performing euthanasia under this subchapter who is not licensed by the Board or otherwise authorized by law to perform euthanasia may not provide euthanasia to small domestic animals subject to ADMAL. Violations may be prosecuted before the Board and may be referred for criminal prosecution.

[Pa.B. Doc. No. 24-1110. Filed for public inspection August 9, 2024, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE CIVIL SERVICE COMMISSION

[ 4 PA. CODE CH. 105 ]

### Hearings

The State Civil Service Commission (Commission) proposes to delete § 105.12 (relating to requests) of its regulations and add §§ 105.12a and 105.12b (relating to appeal requests; and signatures) to read as set forth in Annex A.

#### *Statutory Authority*

The Commission's authority to promulgate regulations is set forth in 71 Pa.C.S. § 3003(1) (relating to duties of commission) and section 506 of The Administrative Code of 1929 (71 P.S. § 186).

#### *Purpose and Background*

Section 3003(7) of 71 Pa.C.S. confers upon the Commission a duty to schedule and hold public hearings upon receiving notice of appeals. The filing requirements for appeals to the Commission are currently set forth in § 105.12 of the Commission's regulations. The Commission seeks to make the requirements set forth in this section easier to navigate by promulgating a new regulation that reorganizes and reformats the requirements. Additional amendments within the new regulations are also proposed to reflect the Commission's current practices and procedures including the acceptance of electronic signatures.

#### *Description of Proposed Rulemaking*

The Commission proposes to delete § 105.12 of its regulations and add §§ 105.12a and 105.12b. Each of these proposed actions are described as follows.

#### *§ 105.12. Requests*

This section is proposed to be deleted and incorporated into § 105.12a.

#### *§ 105.12a. Appeal requests*

This section reorganizes and reformats the contents of § 105.12 which is proposed to be deleted, adds the place of filing, clarifies how time limits for appeal requests are calculated, eliminates the personal signature requirement to allow for electronic signatures and adds a requirement related to written notices of the challenged actions.

In reorganizing and reformatting the contents of § 105.12, headings are proposed to be added to identify the topic of each subsection thereby making the regulation easier to navigate. Language identifying the place of filing is also proposed to be added to eliminate any potential confusion with proceedings before the Governor's Office of Administration (OA). The potential confusion stems from the changes implemented by 71 Pa.C.S. Part III (relating to civil service reform). As a result of the implementation of 71 Pa.C.S. Part III, the OA is now responsible for the administration of classified service employment, whereas the Commission has retained appellate oversight.

Additionally, to highlight the importance of timely filing appeal requests, the requirements related to time limits are moved to their own subsection. Previously, the time limit requirements were grouped with the requirements relating to the form of the appeal request. The time limit

requirements are now located at the beginning of the regulation immediately following the place and manner of filing.

Directly following the time limits subsection, new language is proposed to be added clarifying that the date received will be used as the filing date for appeal requests without postmarks or where the postmarks are unreadable. This has been the Commission's practice. However, the Commission has noticed an increased number of filings which were submitted by mail that do not bear postmarks. This subsection is proposed to be added in response to that growing issue.

The language requiring individuals to personally sign their appeal requests is also proposed to be revised. As currently written § 105.12(a)(2) of the Commission's regulations requires persons appealing to personally sign their appeal request forms. By effect, individuals who electronically file their appeals are also required to mail or hand deliver another copy containing their original signature. This proposed regulation deletes the word "personally" to eliminate this redundancy in filing.

Lastly, language is proposed to be added requiring persons appealing to include a copy of the written notice of the challenged action or, in the alternative, if written notice was not received, a written explanation of why the appeal does not contain a written notification. Prior to the enactment of 71 Pa.C.S. Part III, the Commission received or had immediate access to copies of all written notices of challenged actions. Generally, the written notice provides the framework for the appeal because it sets forth the challenged action and identifies the agency taking the action. For that reason, § 105.15(c)(1) (relating to procedure under 71 Pa.C.S. § 3003(7)(i)) of the Commission's regulations requires that the written notice be entered as an exhibit at the hearing.

The Commission also reviews the information contained within the written notice to confirm the received date; the effective date of the action; the nature of the challenged action; the charges, if any; the involved appointing authority; and the job title and status of the person appealing. Occasionally, persons appealing provide mistaken information, such as misidentifying the appointing authority, which is easily clarified by reviewing the written notice. The issuance date on the written notice is also critical in determining the timeliness of appeal. Therefore, it is important for the Commission to receive a copy of the written notice.

Presently, the Commission's practice is to request a copy of the written notice from the person appealing. The language proposed to be added to this regulation formalizes this practice and provides an alternative for circumstances in which written notice was not provided.

#### *§ 105.12b. Signatures*

This proposed section permits the use of either handwritten or electronic signatures on filings submitted to the Commission. This regulation also proposes to establish parameters for using electronic signatures. The Commission has a longstanding practice of accepting electronic signatures for filings other than appeal requests. As previously explained, § 105.12 of the Commission's regulations constrained the Commission from accepting electronic signatures on appeal requests. This will be remedied by proposed § 105.12a, thereby enabling the Commission to accept electronic signatures on all submissions.

*Persons Likely to be Affected*

This proposed rulemaking would affect all persons who wish to file an appeal with the Commission and participants in hearings before the Commission.

*Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its appointing authorities.

*Paperwork Requirement*

This proposed rulemaking will not add to existing paperwork requirements. The proposed amendments may actually reduce current paperwork because physical copies containing personal signatures will no longer be required when submitting appeal requests.

*Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

*Contact Person*

Individuals interested in further information may contact Michele Whiting, Administrative Professional, State Civil Service Commission, Executive Office, P.O. Box 569, 320 Market Street, Harrisburg, PA 17108-0569, (717) 783-8806, fax (717) 783-8736, ra-cs-exec\_dir@pa.gov.

This proposed rulemaking is available electronically through the State Civil Service Commission's web site at <http://www.ssc.pa.gov>.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. 745.5(a)), on July 22, 2024, the Commission submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Review Form to the Independent Regulatory Review Commission (IRRC), the chairperson of the State Government Committee of the Senate and the chairperson of the Labor and Industry Committee of the House of Representatives. A copy of this material will be available to the public upon request.

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

*Public Comments*

The Commission invites written comments, suggestions or objections to this proposed rulemaking from interested persons, agencies and organizations, in-person comments or questions at its public hearing on the proposed amendments to be held as follows:

*Location:* State Civil Service Commission  
Harrisburg Office Headquarters—Public Hearing Room  
Strawberry Square  
Bowman Tower, 4th Floor  
320 Market Street  
Harrisburg, PA 17108-0569

*Date:* August 22, 2024

*Time:* 9:30 a.m.

Individuals desiring to present their views on the proposed amendments or receive a copy shall notify Michele Whiting, Administrative Professional, State Civil Service Commission, Executive Office, P.O. Box 569, 320 Market Street, Harrisburg, PA 17108-0569, (717) 783-8806, fax (717) 783-8736, ra-cs-exec\_dir@pa.gov.

Notification of intent to speak at the public hearing shall be made no later than 4:30 p.m. on August 21, 2024. Speakers will be required to identify themselves and the organization they represent, if any. Persons with a disability who wish to attend this public hearing and who may require an auxiliary aid or other service to participate should also contact Michele Whiting to discuss possible accommodation of needs.

MARIA P. DONATUCCI,  
*Chairwoman*

**Fiscal Note:** 61-14. No fiscal impact; recommends adoption.

**Annex A****TITLE 4. ADMINISTRATION****PART IV. CIVIL SERVICE COMMISSION****Subpart A. RULES OF THE CIVIL SERVICE COMMISSION****CHAPTER 105. NOTICE AND HEARINGS****§ 105.12. [ Requests ] [Reserved].**

[ (a) Requests for hearings shall be:

(1) Made in writing.

(2) Personally signed by the individual appealing.

(3) Received or postmarked not more than 20 calendar days after the employee receives notice of the challenged personnel action. A person appealing discrimination under 71 Pa.C.S. § 2704 (relating to prohibition of discrimination) shall appeal within 20 calendar days of the alleged discrimination.

(b) The person appealing shall state clearly and concisely the:

(1) Grounds of the interest of the person in the subject matter.

(2) Facts relied upon.

(3) Relief sought.

(c) Appeals alleging discrimination which do not include specific facts relating to discrimination may be dismissed. Specific facts which should appear on the appeal form include:

(1) The acts complained of.

(2) How the treatment differs from treatment of others similarly situated.

(3) When the acts occurred.

(4) When and how the appellant first became aware of the alleged discrimination.

(d) Acceptance of an amendment to an appeal is solely at the discretion of the Commissioners.

(e) Subsections (a)—(d) supplement 1 Pa. Code §§ 35.9 and 35.10 (relating to formal complaints generally; and form and content of formal complaints). ]

(*Editor's Note:* Sections 105.12a and 105.12b are proposed to be added and are printed in regular type to enhance readability.)

**§ 105.12a. Appeal requests.**

(a) *Place and manner.* Requests for hearings shall be filed with the Commission on and in accordance with the Commission's form, which may be obtained by contacting the Commission.

(b) *Time limits.*

(1) *Under 71 Pa.C.S. § 3003(7)(i).* Requests for hearings shall be received by close of business or postmarked not more than 20 calendar days after the employee received notice of the challenged action.

(2) *Under 71 Pa.C.S. § 3003(7)(ii).* Requests for hearings shall be received:

(i) by close of business or postmarked not more than 20 calendar days after the employee or job seeker received notice of the challenged action; or

(ii) by close of business or postmarked not more than 20 calendar days after the employee or job seeker became aware of the alleged discrimination.

(c) *Receipt.* If there is no postmark or the postmark is unreadable, the filing date shall be the date recorded by the Commission when it receives the document.

(d) *Form.* Requests for hearings shall be:

(1) Made in writing.

(2) Signed by the individual appealing.

(e) *Contents.*

(1) *General requirements.* Requests for hearings shall state clearly and concisely all of the following:

(i) Grounds of the interest of the person in the subject matter.

(ii) Facts relied upon.

(iii) Relief sought.

(2) *Written notification.*

(i) Requests for hearings shall include a copy of the written notice of the challenged actions.

(ii) If written notice was not received, a written explanation of why the appeal does not contain a written notification shall be included with the request for hearing.

(3) *Discrimination claims.*

(i) In addition to the requirements in paragraphs (1) and (2), requests for hearings which allege discrimination shall specify all of the following:

(1) The acts complained of.

(2) How the treatment differs from treatment of others similarly situated, if applicable.

(3) When the acts occurred.

(4) When and how the person appealing first became aware of the alleged discrimination.

(ii) Requests for hearings which allege discrimination and do not include specific facts relating to discrimination may be dismissed.

(f) *Amendments.* Acceptance of an amendment to an appeal is solely at the discretion of the Commissioners.

(g) Subsections (a)—(f) supplement 1 Pa. Code §§ 35.9 and 35.10 (relating to formal complaints generally; and form and content of formal complaints).

**§ 105.12b. Signatures.**

(a) *General Rule.* Signatures may be handwritten or electronic.

(b) *Electronic Signature.*

(1) The use of an electronic signature shall have the same force and effect as a handwritten signature.

(2) Electronic signatures shall comply with sections 303—312 of the Electronic Transactions Act (73 P.S. §§ 2260.303—2260.312) and other laws governing electronic signatures.

[Pa.B. Doc. No. 24-1111. Filed for public inspection August 9, 2024, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 1 ]

### Executive Orders, Management Directives and Other Issuances of the Directives Management System Indexed for Reference Purposes

The Index of Issuances is being updated to reflect changes since 53 Pa.B. 3976 (July 29, 2023). This amendment adds new issuances, amends and rescinds others. Recipients of publications listed in this index should be kept informed of the status of these publications.

NEIL R. WEAVER,  
*Secretary of Administration*

*(Editor's Note: This Index of Issuances is published under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code). This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

This manual provides a complete listing of issuances, specified in Title 4 of the *Pennsylvania Code* § 1.2, from the Governor's Office and from agencies under the Governor's jurisdiction, except proclamations and press releases, that are intended for distribution to two or more agencies following the procedures for publication of issuances in Management Directive 210.01, Directives Management System.

The manual will be amended to reflect the latest issuances, and published annually in Title 4 of the *Pennsylvania Code* § 1.4 at the end of each fiscal year.

This amendment updates the index for all executive orders, management directives, and manuals issued, amended and rescinded between July 1, 2023, and June 30, 2024. Changes are indicated by an asterisk (\*).

Individuals should subscribe to <https://www.oa.pa.gov/Policies/Pages/default.aspx> to receive e-Alerts to receive notification of published issuances. For questions regarding the Directives Management System, contact OA, EB-DMS at [ra-eb-dms@state.pa.us](mailto:ra-eb-dms@state.pa.us).

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This manual replaces, in its entirety, Manual 210.03 Amended, dated July 1, 2023. This manual includes all new and amended issuances through June 30, 2024.

#### *How to Use Index:*

- Executive orders are by year of issuance.
- Management directives and manuals are numbered in sequence by category (e.g., Financial Management) and subcategory (e.g., Payroll).
- All documents preceded by the letter "M" are manuals. All documents preceded by the letter "MD" are management directives.
- Documents that have been rescinded are indicated as rescinded.
- Amendments are presented as complete documents that incorporate all changes since the last issuance.
- Revisions which generally affect older issuances are pen and ink changes or replacement pages and affect only those parts of an issuance being changed. Therefore, the issuance changed by a revision will be in more than one document because there will be original issuance and any revision.

**Fiscal Note:** Manual 210.03 (Amended). No fiscal impact; recommends adoption.



## Annex A

## TITLE 4. ADMINISTRATION

## PART I. GOVERNOR'S OFFICE

## CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

## Subchapter A. DIRECTIVES MANAGEMENT SYSTEM

## § 1.4. Index of Issuances.

<i>Executive Orders</i>				
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>	<i>Current Revisions</i>
	1973-09	Environmental Protection by State Agencies	7/13/1973	
	1974-11	Governor's Interdepartmental Council on Seasonal Farmworkers	11/2/1978	
	1975-05	Commitment Towards Equal Rights	9/19/1978	
	1975-06	Preservation of Historic Resources	5/6/1975	
	1977-05	Implementation of Act No. 1976-101	9/27/1977	
	1978-04	Flood Plain Management	3/1/1978	
	1978-09	Public Information Policies and Practices	5/23/1978	
	1979-13	Governor's Office of Policy and Planning	9/18/1979	
	1980-03	Life Cycle Costing	2/8/1980	
*	1980-18	Code of Conduct	5/16/1984, 1 & 3 Amended	2.4 Rescinded Revision 5— 5/6/2024
	1980-20	Pennsylvania Coastal Zone Management Program	9/22/1980	
	1981-03	Scheduling of Bond and Note Issue Sales	1/30/1981	
	1984-03	Accounting and Financial Reporting	10/11/1984	
	1986-01	Commonwealth Single Audit Coordinator	2/24/1986	
	1986-07	Liquor Control Board Sunset: Privatization of State Liquor Monopoly; Transfer of Liquor Control Board Functions	12/1/1986	
	1987-09	Allocation of State Low-Income Housing Credit Authority Under the Internal Revenue Code of 1986	4/22/1987	
	1987-10	Highway Safety	11/25/1992	
	1988-08	Pennsylvania State Data Center	7/12/1988	
	1989-03	Master Leasing Program	3/2/1989	
	1990-03	Contractor Responsibility Program	6/29/1990	
	1990-07	Interagency River Island Task Force	10/17/1990...1	
	1992-01	Records Management	1/8/1992	
	1993-02	Civil Disorder and Emergency	4/9/1993	
	1993-03	State Land Use Planning—Goals and Objectives for Commonwealth Agencies	8/31/1993	
	1993-04	State Center for Health Statistics and Research	10/13/1993	
	1994-01	State Commission on National and Community Service	1/28/1994	
	1995-04	Monitoring Supplies of Petroleum Products	7/10/1995	
	1996-01	Regulatory Review and Promulgation	2/6/1996	
	1996-10	State Employee Assistance Program	12/20/1996	
	1996-13	Commonwealth of Pennsylvania's Policy on Substance Abuse in the Workplace	12/20/1996	
	1997-02	Developmental Disabilities Council	5/30/1997	

## STATEMENTS OF POLICY

<i>Executive Orders</i>				
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>	<i>Current Revisions</i>
	1997-05	Governor's Advisory Council on Physical Fitness and Sports	9/24/1997	
	1998-03	The Pennsylvania Greenways Partnership Commission	8/16/2001	
	1999-01	Land Use Planning	1/7/1999	
	2001-01	Directives Management System	2/13/2001	
	2001-02	State Employee Combined Appeal	2/14/2001	
	2002-04	Prohibition of Sexual Harassment in the Commonwealth	5/3/2002	Rescinded by EO 2021-04—6/15/2021
	2002-05	Disability-Related Policy	5/3/2002	
	2002-06	PA Open for Business	6/6/2002	
	2002-07	Integrating Mediation into State Government	6/14/2002	
	2002-13	Proposed Keystone Opportunity Improvement Sub-zones	12/31/2002	
	2003-02	Agricultural Land Preservation Policy	3/20/2003	
	2003-04	Workplace Policy for HIV/AIDS	5/5/2003	
	2003-05	Upper Delaware Federal Scenic River	6/22/2003	
	2004-02	Utilization of Commonwealth-Owned and Leased Space	2/18/2004	
	2004-04	Anti-Sweatshop Procurement Policy	3/18/2004	
	2004-05	Pennsylvania Energy Development Authority	4/8/2004	
	2004-06	Minority and Women-Owned Business Opportunities	1/17/2011	
	2005-04	Proposed Economic Development District	7/14/2005	
	2005-08	Governor's Renewable Agricultural Energy Council	9/20/2005	
	2006-08	Contractor Social Responsibility and Offshore Services	9/14/2006	
	2006-09	Governor's Cabinet for People with Disabilities—Governor's Advisory Committee for People with Disabilities	11/21/2006	
	2006-10	Strategic Development Areas	12/22/2006	
	2007-01	Strategic Development Area, Butler County	4/24/2007	
	2007-02	Strategic Development Area, Westmoreland County	4/30/2007	
	2007-03	Commonwealth Automotive Fleet Efficiency Initiative	5/9/2007	
	2007-04	Office of Health Equity	5/21/2007	
	2007-06	Registered Family Child Care Providers	6/14/2007	
	2007-07	Subsidized Child Care Providers Exempt from Certification or Regulation	6/14/2007	
	2007-08	Strategic Development Area, Lehigh County	9/6/2007	
	2007-09	Governor's Advisory Council on Rural Affairs	10/2/2007	
*	2008-06	Office of Diversity Management	4/15/2010	Rescinded by EO 2024-01—5/13/2024
	2008-07	Early Learning Council	9/11/2008	Rescinded by EO 2022-04—10/5/2022
	2010-03	Pennsylvania-Produced Agricultural Products Program	9/14/2010	

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	2011-06	Commonwealth Licensee Tax Responsibility Program	9/15/2011	
	2011-09	Small Business Procurement Initiative	11/21/2011	
	2011-10	Veteran-Owned Small Business Procurement Initiative	12/7/2011	
	2012-03	Pennsylvania Homeland Security	2/22/2012	
	2012-05	Commonwealth Continuity of Government	4/30/2012	
	2012-11	Permit Decision Guarantee for the Department of Environmental Protection	7/24/2012	
	2012-12	Pennsylvania Military Community Protection Commission	9/17/2012	
	2013-02	Rescission of Executive Order 1987-3 Transfer of Waynesburg Youth Development Center to the Department of Corrections	3/18/2013	
	2013-03	Governor's Advisory Council on Veterans Services	11/11/2013	Amended 11/4/2019
	2014-02	Pennsylvania Justice Network (JNET) Governance Structure	3/18/2014	
	2014-04	Transition Period for the Pennsylvania Health Care Cost Containment Council	7/1/2014	
	2014-05	Rescission of: Executive Order 2003-1, Executive Order 2010-2 As Amended, and Executive Order 2011-4	7/31/2014	
	2015-01	Executive Branch Employee Gift Ban	1/20/2015	Rescinded by EO 2023-04—1/20/2023
	2015-02	Competitive Process for Procurement of Legal Services	1/20/2015	
	2015-03	Leasing of State Forest and State Park Land for Oil and Gas Development	1/29/2015	
	2015-04	Governor's Office of Transformation, Innovation, Management and Efficiency ("GO TIME")	2/1/2018	
	2015-05	Participant-Directed Home Care Services	2/27/2015	
	2015-06	State Emergency Operations Plan	4/16/2015	
	2015-07	Governor's Advisory Commission on African American Affairs	8/4/2015	Rescinded by EO 2023-10—6/6/2023
	2015-08	Governor's Advisory Commission on Latino Affairs	8/4/2015	Rescinded by EO 2023-12—6/6/2023
	2015-10	Governor's Advisory Commission on Asian Pacific American Affairs	8/4/2015	Rescinded by EO 2023-11—6/6/2023
*	2015-11	Diversity, Inclusion and Small Business Opportunities in Commonwealth Procurement and in Pennsylvania's Economy	9/23/2015	Rescinded by EO 2023-18—9/5/2023
	2015-12	Coordination of Food and Nutrition Programs: Appointment of the Advisor to the Governor on Food and Nutrition Programs and the Governor's Food Security Partnership	9/29/2015	Rescinded by EO 2022-05—12/15/2022
	2015-13	Governor's Advisory Council for Hunting, Fishing and Conservation	11/24/2015	
	2016-02	Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts	3/7/2016	Amended 1/25/2022

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	2016-03	Establishing "Employment First" Policy and Increasing Competitive Integrated Employment for Pennsylvanians with a Disability	3/10/2016	
	2016-04	Equal Employment Opportunity	4/7/2016	
	2016-05	Contract Compliance	6/18/2016	
	2016-06	Enterprise Information Technology Governance	4/18/2016	Amended 10/26/2020
	2016-07	Open Data, Data Development, and Data Governance	4/18/2016	Amended 7/24/2019
	2016-08	Rescission of Executive Orders	12/5/2016	
	2017-02	Pennsylvania Commission on Women	10/6/2017	Rescinded by EO 2023-15—6/6/2023
	2017-03	Review of State Professional and Occupational Licensure Board Requirements and Processes	10/24/2017	
	2017-04	Intergovernmental Affairs	12/20/2017	
*	2017-05	Early Learning Investment Commission	12/20/2017	Rescinded by EO 2023-22—12/13/2023
	2017-06	Public Private Partnership	12/20/2017	Rescinded by EO 2023-16—6/9/2023
	2017-07	Governor's Invasive Species Council	12/20/2017	
	2018-01	Governor's Office for Performance through Excellence (OPE)	Amended 9/10/2020	Rescinded by EO 2023-06—1/27/2023
	2018-03	Equal Pay for Employees of the Commonwealth	6/6/2018	
	2018-04	Pennsylvania Workforce Investment Board	8/2/2018	
	2018-05	EO 2018-5—Governor's Census 2020 Complete Count Commission	9/10/2018	Terminated 3/31/2021
	2018-06	Pennsylvania Commission on LGBTQ Affairs	8/6/2018	Rescinded by EO 2023-13—6/6/2023
	2018-07	Pennsylvania Redistricting	11/29/2018	Rescinded by EO 2023-02—1/12/2023
	2018-08	PFAS Action Team	9/19/2018	
	2019-01	Commonwealth Leadership in Addressing Climate Change and Promoting Energy Conservation and Sustainable Governance	1/8/2019	
	2019-02	Keystone Economic Development and Workforce Command Center	2/19/2019	
	2019-03	Pennsylvania State Employee Military Service Recognition Campaign	6/14/2019	
	2019-04	Establishing a "Citizen-First" Government and Promoting Customer Service Transformation	7/24/2019	Rescinded by EO 2023-08—4/25/2023
	2019-05	Protection of Vulnerable Populations	7/31/2019	
	2019-06	Reducing Gun Violence	8/16/2019	
	2019-07	Commonwealth Leadership in Addressing Climate Change Through Electric Sector Emissions Reductions	10/3/2019	Amended 6/22/2020
	2020-01	Office of Inspector General	1/2/2020	
	2020-03	Judicial Advisory Commission	6/17/2020	
*	2020-04	Pennsylvania State Law Enforcement Citizen Advisory Commission	7/17/2020	Rescinded by EO 2023-21—11/2/2023
	2020-05	Health Care Reform Council	10/2/2020	
	2021-01	Extension of Deadline for Filing of Annual Campaign Finance Reports	2/1/2021	Expired 2/5/2021

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	2021-02	Governor's Transportation Revenue Options Commission	3/12/2021	Amended 3/18/2021 Expired 8/1/2021
	2021-03	Sustaining Regulatory Relief Outside the Covid-19 Emergency	4/8/2021	Expired 7/1/2021
	2021-04	Prohibition of Sexual Harassment in the Commonwealth	6/15/2021	
	2021-05	Pennsylvania Redistricting Advisory Council	9/13/2021	Rescinded by EO 2023-02—1/12/2023
	2021-06	Worker Protection and Investment	10/21/2021	
	2021-07	Environmental Justice	10/28/2021	
	2021-08	No Surprises Act Implementation	12/20/2021	
	2022-01	Reproductive Health Care	7/12/2022	
	2022-02	Protecting Pennsylvanians from Conversion Therapy and Supporting LGBTQIA+ Pennsylvanians	8/16/2022	
	2022-03	Expansion of Voter Registration Opportunities	9/7/2022	
	2022-04	State Advisory Council	10/05/2022	
	2022-05	Pennsylvania Food Policy Council	12/15/2022	
	2023-01	Pennsylvania Longitudinal Data System (PALDS)	1/6/2023	
	2023-02	Rescission of Executive Orders	1/12/2023	
	2023-03	Creating Opportunities by Prioritizing Work Experience for State Government Jobs	1/18/2023	
	2023-04	Executive Branch Employee Gift Ban	1/20/2023	
	2023-05	Pennsylvania Office of Transformation and Opportunity	1/24/2023	
	2023-06	Rescission of Executive Order	1/27/2023	
	2023-07	Building Efficiency in the Commonwealth's Permitting, Licensing, and Certification Processes	1/31/2023	
	2023-08	Bolstering Service Delivery through a Digital Experience Strategy	4/25/2023	
	2023-09	Pennsylvania's Master Plan for Older Adults	5/25/2023	
	2023-10	Governor's Advisory Commission on African American Affairs	6/6/2023	
	2023-11	Governor's Advisory Commission on Asian American and Pacific Islander Affairs	6/6/2023	
	2023-12	Governor's Advisory Commission on Latino Affairs	6/6/2023	
	2023-13	Governor's Advisory Commission on LGBTQ Affairs	6/6/2023	
	2023-14	Governor's Advisory Commission on Next Generation Engagement	6/6/2023	
	2023-15	Governor's Advisory Commission on Women	6/6/2023	
	2023-16	Public Private Partnership	6/9/2023	
*	2023-17	Commonwealth Workforce Transformation Program	7/31/2023	
*	2023-18	Improving State Government Contracting Opportunities for Pennsylvania's Small Businesses and Small Diverse Businesses	9/5/2023	

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*	2023-19	Expanding and Governing the Use of Generative Artificial Intelligence Technologies Within the Commonwealth of Pennsylvania	9/20/2023	
*	2023-20	Pennsylvania Behavioral Council	10/10/2023	
*	2023-21	Pennsylvania Citizen Law Enforcement Advisory and Review (CLEAR) Commission	11/2/2023	
*	2023-22	Early Learning Investment Commission	12/13/2023	
*	2024-01	Hire, Improve, Recruit, Empower Committee	5/13/2024	

<i>Management Directives and Manuals</i>				
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>	
<b>BUDGET</b>				
<b>General</b>				
*	MD 105.01	Allocation and Allotment of Funds	7/10/2023	
	MD 105.05	Use of the Determination of Tax-Exempt Category for Capital Projects Form	11/2/2020	
<b>Budget Preparation</b>				
*	M 110.01	2024-25 Budget Instructions	8/15/2023	
	MD 110.02	Request for Approval of Federal Funds	7/6/2022	
<b>MANAGEMENT/ADMINISTRATIVE SUPPORT</b>				
<b>General</b>				
	MD 205.04	Delegation of Authority to Sign and Delegation to Authorize SAP Payments	5/11/2009	
	MD 205.06	Defense of Suits Against Commonwealth Employees	9/30/1986	
	MD 205.09	Code of Conduct Statement of Financial Interest—Filing	12/11/2013	
	MD 205.10	Financial Disclosure Required by the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101—1113	12/11/2013	
	MD 205.12	Financial Disclosures Required of Former Employees by the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101—1113	3/27/2014	
	MD 205.14	Prohibition of Activities Not Specifically or Directly Connected with the Official Business of the Commonwealth on Commonwealth Property	11/21/2011	
	MD 205.15	Membership in Associations, Organizations, or Societies	12/11/2017	
	MD 205.16	Compliance with the Whistleblower Law, Act 1986-169, As Amended	9/17/2014	
	MD 205.18	Ballot Question Advocacy by Executive Branch Employees, Appointees, and Officials	4/11/1988	
	MD 205.21	Commonwealth Child Care Program	4/8/2013	
	MD 205.22	Recycling, Waste Reduction and Procurement of Environmentally Preferable Products	9/19/2014	
	MD 205.23	Submission of Commonwealth Publications to the State Library for Distribution to Other Designated Libraries	7/13/2012	
	MD 205.24	Display of Flags on Commonwealth Buildings and Grounds	10/12/2011	

<i>Management Directives and Manuals</i>			
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*	MD 205.25	Employment-Related Disability Accommodations	7/24/2023
	MD 205.26	The Americans With Disabilities Act of 1990, Title II, Subtitle A, Nondiscrimination in State and Local Government Services	7/22/1992
	MD 205.27	Implementation of Act 194-1990, Asbestos Occupations Accreditation and Certification Act	Rescinded 1/19/2021
	MD 205.31	Pro Bono Publico Legal Services	2/11/1999
	MD 205.32	Hiring/Contracting Sign Language Interpreters/Transliterators	9/12/2014
	MD 205.33	Workplace Violence	6/16/2014
	MD 205.34	Commonwealth of Pennsylvania Information Technology Acceptable Use Policy	9/7/2022
*	MD 205.35	Information Reporting from the Commonwealth's Enterprise SAP Business Information Warehouse System	6/12/2024
	MD 205.36	Right-to-Know Law Compliance	3/18/2010
	MD 205.37	Role Assignment, Security, and Internal Control Maintenance	3/25/2013
	MD 205.38	Emergency Evacuation and Safe Assembly	6/20/2019
	MD 205.40	Commonwealth Branding	5/15/2012
	MD 205.41	Commonwealth of Pennsylvania Continuity of Operations (COOP) Program	2/16/2011
	MD 205.42	Social Media	2/6/2012
	MD 205.43	Quality Assurance for Business Productivity Tools	6/25/2014
<b>Management Programs</b>			
	MD 210.01	Directives Management System	6/26/2023
	M 210.01	The Commonwealth of Pennsylvania Employee Records Management Manual	5/20/2010
*	M 210.03	Index of Issuances	7/1/2023
	MD 210.04	Central Microfilm Management	11/18/2002
	M 210.04	Forms Management	8/16/1983...1-2
	MD 210.05	The Commonwealth of Pennsylvania State Records Management Program	10/31/2017
	M 210.05	Standard (STD) Forms Management	9/15/1998
	M 210.06	Publications Management	8/1/1984...1
	M 210.07	State Records Management Manual	6/8/2004
	MD 210.08	Micrographics Procedures to be Used in Conjunction with Central Microfilm Management	11/18/2002
	M 210.08	Vital Records Disaster Planning	5/9/1995
	M 210.09	The Commonwealth of Pennsylvania General Records Retention and Disposition Schedule	6/26/2023
	MD 210.11	Acceptance of Imaged Documents	6/16/1997
	MD 210.12	Electronic Commerce Initiatives and Security	12/23/2010
<b>Contracts Management</b>			
	M 215.03	Procurement Handbook	6/30/2017
	MD 215.08	Contractor Integrity Provisions for Commonwealth Contracts	1/14/2015
	MD 215.09	Contractor Responsibility Program	12/1/2020

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<i>Management Directives and Manuals</i>			
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	MD 215.12	Provisions Concerning The Americans with Disabilities Act	10/14/2011
	MD 215.13	Contract Provisions for Donation of Excess Prepared Food	10/12/2011
	MD 215.16	Contract Compliance Program	8/2/2018
<b>Central Services</b>			
*	MD 220.01	Commonwealth Media Services	7/10/2023
	MD 220.09	Publication Services	11/25/2013
	MD 220.11	Preservation of Commonwealth Deeds	3/7/2013
	M 230.01	Commonwealth Travel Procedures Manual	12/13/2019
	MD 230.06	Travel Expenses of Job Applicants	11/1/2011
	MD 230.07	Remittance of Witness Fees	8/6/2010
	MD 230.10	Commonwealth Travel Policy	12/13/2019
<b>Information Technology Management</b>			
	MD 240.07	Submission of Changes to the Commonwealth Telephone Directory	8/18/2008
	MD 240.11	Commonwealth Wireless Communication Device Policy	Rescinded 9/7/2022
	MD 240.12	Commonwealth of Pennsylvania Mobile Devices Security Policy	Rescinded 1/25/2022
	MD 245.13	Strategic Direction for Information Technology Investments	2/8/2006
	MD 245.15	Pennsylvania Statewide Radio Network	12/5/2016
	MD 245.16	Pennsylvania Justice Network (JNET) Governance Structure	3/18/2014
	MD 245.18	IT Administrator Acceptable Use, Auditing, and Monitoring	3/14/2023
	MD 245.19	Enterprise Technology Security Council	8/17/2016
<b>Public Information Program</b>			
	MD 250.01	Notice and Advertisement of Meetings	3/14/2023
<b>Organization and Space Management</b>			
	MD 260.01	Reorganization Requests	3/2/2017
	M 260.01	Manual for Space Utilization	5/19/2022
	MD 260.03	Gubernatorial Transitions	8/10/2022
<b>FINANCIAL MANAGEMENT</b>			
<b>General</b>			
	MD 305.02	Standard Check Endorsement Procedure	5/22/2009
	MD 305.03	Responsibilities of Comptroller Operations	4/8/2021
	MD 305.04	Payments to Counties	7/22/2022
	MD 305.05	Cash Management	5/22/2009
	MD 305.06	Withholding Payments to Municipalities (Act No. 166 of 1978)	Rescinded 3/6/2023
	MD 305.07	Interest Penalties for Late Payments	10/26/2022
	MD 305.08	Commonwealth Bank Accounts and Special Banking Services	6/11/1997
	MD 305.10	Receipt of Federal Funds by Wire Transfer	1/23/1989
	MD 305.11	Depositing Checks, Money Orders and Cash	4/23/2012



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	MD 305.12	Accounting, Reporting, and Cash Management of Federal Grants and Contracts	1/25/1999
	MD 305.15	Processing and Distributing Returned Checks	8/30/1989
	MD 305.16	Lobbying Certification and Disclosure	7/3/2003
*	MD 305.19	Identification of Boards, Commissions, Councils, Advisory Committees, and Authorities	9/27/2023
	MD 305.20	Grant Administration	3/2/2018
	MD 305.21	Federal Award Payments to Local Governments and Other Subrecipients	5/10/2022
	MD 305.22	Commonwealth Licensee Tax Responsibility Program	11/14/2011
<b>Accounting</b>			
	MD 310.01	Fiscal Guidelines for Federal Reimbursement of Disaster Related Expenditures	1/5/1983
	M 310.01	Agency Operated Advancement Accounts	8/11/1999
	M 310.02	Definitions of Major and Minor Objects of Expenditures	Rescinded 3/6/2023
*	MD 310.03	Encumbering and Lapsing of Appropriations	7/26/2023
	MD 310.09	Purpose and Use of Restricted Receipt and Restricted Revenue Accounts	1/9/2020
	MD 310.10	Collection, Referral, and Compromise, or Write-Off of Delinquent Claims	11/18/2011
	MD 310.12	Refunding Fees and Charges Collected in Error	11/23/2021
	MD 310.13	Responsibilities for Comprehensive Annual Financial Reporting	10/5/2016
	MD 310.14	General Capital Asset and Other Fixed Asset Accounting and Reporting in SAP	5/16/2022
	MD 310.15	Tax Identification Numbers Assigned to the Commonwealth and its Agencies	11/1/2021
	MD 310.19	Accounting for Disbursement of Funds for Interagency Agreements, Memorandums of Understanding, and Notifications of Subgrant	9/4/2020
	MD 310.23	Commonwealth Purchasing Card Program	4/5/2013
	MD 310.24	Accepting Debit and Credit Cards for Commonwealth Revenues	11/18/2019
*	MD 310.25	Transfers of Revenue or Expenses in SAP	7/26/2023
	MD 310.26	Vendor Data Management Unit (VDMU) for Agencies Using SAP	Rescinded 11/18/2021
	MD 310.27	Month-End Closing Processes	Rescinded 5/13/2022
	MD 310.28	Use of One-Time Vendor Records in SAP	5/12/2022
	MD 310.29	Using Value (Service) Date in SAP	5/13/2022
	MD 310.30	Pennsylvania Electronic Payment Program (PEPP)	Rescinded 7/16/2021
	MD 310.31	Purchase Order Receiving, Invoice Processing and Invoice Reconciliation Processes	11/1/2021
	MD 310.32	Voyager Fleet Card Invoice Processing for Agencies Using SAP	2/12/2020
	MD 310.33	Processing Electronic Invoices in SAP	2/1/2022
	MD 310.34	Use of Agency-Level Dun & Bradstreet Data Universal Numbering System (DUNS) Numbers in Applications for Federal Grants and Cooperative Agreements	2/10/2022

## STATEMENTS OF POLICY

<i>Management Directives and Manuals</i>			
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>
	MD 310.36	Identifying, Recording, and Reporting Computer Software as a Capital Asset	12/10/2009
	MD 310.37	Approving, Monitoring, and Accounting for New Information Technology Application Projects	7/20/2012
	MD 310.38	Commonwealth Loan Accounting, Financial Management, and Reporting	5/17/2022
	MD 310.39	Establishment, Collection, and Management of Master Data for Customers, Vendors, and Business Partners	11/18/2021
	MD 310.40	Automated Clearing House (ACH) Payments	7/16/2021
	MD 310.41	Reporting of General Tort Fund Claims	9/15/2021
	MD 310.42	Preparation and Management of Closing Activities	5/13/2022
<b>Payroll</b>			
	MD 315.01	Calculation and Payment of Statutory Salaries	2/1/2022
	MD 315.06	Employees' Requests for State or Federal Income Tax Withholding	5/12/2022
	MD 315.08	Restitution of Overpayments and Collections of Employee Debts	3/26/2021
	MD 315.09	Withholding of Delinquent Local Taxes from Employees' Paychecks	11/23/2021
	MD 315.13	Payment of Wages, Salary, Employee Benefits, and Travel Expenses Reimbursements Due Deceased Employees	7/22/2022
	MD 315.14	Maintenance Charges for Employees Residing or Subsisting in Commonwealth Facilities	10/16/2013
	MD 315.15	Withholding of Pennsylvania Higher Education Assistance Agency Loans from Employee Pay	11/1/2021
*	MD 315.16	Payment of Annuitant Medical and Hospital Benefits	Rescinded 4/1/2024
	MD 315.17	Direct Deposit of Pay and Travel Reimbursement	5/17/2022
	MD 315.20	Taxability of the Use of State-Provided Vehicles	4/26/2023
	MD 315.22	Preparation and Filing of Federal Forms 1099 and 1096	Rescinded 11/24/2021
*	MD 315.25	Pennsylvania Personal Income Tax	10/17/2023
	MD 315.26	Backup Withholding on Missing and/or Incorrect Taxpayer Identification Numbers	11/18/2021
	MD 315.27	Recoupment of Conversion Pay Amounts	1/19/2021
	MD 315.28	Taxability of State-Provided Parking	2/1/2022
	MD 315.30	Local Services Tax	7/26/2022
	MD 315.31	Preparation, Distribution, Processing and Filing of Internal Revenue Service Forms 1099	11/24/2021
<b>Audits</b>			
	MD 325.02	Audit Inquiry Relative to Agency Litigation, Claims, and Assessments	11/1/2021
	MD 325.03	Performance of Audit Responsibilities	8/30/2022
	MD 325.05	State Level Single Audit Costs	Rescinded 11/18/2021
	MD 325.06	Auditing Computer-Based Systems	Rescinded 8/30/2022
	MD 325.07	Implementation of the Commonwealth's State-Level Single Audit	11/18/2021

<i>Management Directives and Manuals</i>			
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>
	MD 325.08	Remedies for Recipient Noncompliance with Audit Requirements	11/24/2021
	MD 325.09	Processing Audits of Federal Pass-Through Funds	1/10/2022
	MD 325.10	Review of Auditor General, Treasury, Legislative Budget and Finance Committee, and Other Audit Reports	8/27/2009
	MD 325.11	Evaluating Agency Internal Controls and Financial Risk through Self-Assessment	Rescinded 10/1/2021
	MD 325.12	Standards for Enterprise Risk Management in Commonwealth Agencies	10/1/2021
*	MD 325.13	Service Organization Controls	2/15/2024
<b>EQUAL EMPLOYMENT OPPORTUNITY (EEO)</b>			
<b>Equal Employment Opportunity Programs</b>			
*	M 410.03	Guidelines for Equal Employment Opportunity Plans and Programs	Rescinded on 1/30/2024
	MD 410.10	Guidelines for Investigating and Resolving Internal Discrimination Complaints	12/5/2012
	MD 410.11	Commonwealth's Equal Employment, Outreach, and Employment Counseling Program	5/8/1997
*	MD 410.12	Employment-Related Religious Accommodations	11/14/2023
<b>EMPLOYEE DEVELOPMENT AND UTILIZATION</b>			
<b>General</b>			
	MD 505.01	Employee Furlough Policy	2/16/2006
	MD 505.02	Salaried Complement Management and Control	8/7/2014
	M 505.02	Personnel Management Review	7/9/1997
	M 505.03	State Employee Assistance Program	3/13/2017
	M 505.05	Commercial Driver License Drug and Alcohol Testing and Related Procedures	7/25/2013
	M 505.06	An Agency Guide to Workplace Violence Prevention and Response	6/16/2014
	MD 505.07	Personnel Rules	11/9/2010
	MD 505.09	Standard Abbreviations for Use with the Compensation Plan and SAP R/3 System	3/11/2004
	MD 505.11	Emergency Assignments of Employees During Emergencies	6/17/1998
	MD 505.15	Employee Mobility Information Program	4/12/2012
	MD 505.18	Maintenance, Access, and Release of Employee Information	9/23/2014
	MD 505.20	Wage Complement Management and Control	12/27/2011
	MD 505.21	Office Hours	7/19/2018
	MD 505.22	State Employee Assistance Program	3/13/2017
	MD 505.23	Employee Recognition Program	7/31/2012
	MD 505.25	Substance Abuse in the Workplace	3/13/2017
	MD 505.26	HIV/AIDS and Other Bloodborne Infections/Diseases in the Workplace	12/11/2013
	MD 505.27	Worker and Community Right-to-Know Act	3/22/2017
*	MD 505.28	Family Care Account Program	Rescinded 1/9/2024
	MD 505.30	Prohibition of Sexual Harassment in Commonwealth Work Settings	6/19/2002...1
	MD 505.32	Governor's Awards for Excellence	12/19/2018

<i>Management Directives and Manuals</i>			
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>
	MD 505.33	Working from Home During Emergencies Including a Pandemic Influenza Event	8/20/2007
	MD 505.34	Commercial Driver License Drug and Alcohol Testing Requirements	7/25/2013
	MD 505.35	Alternative Work Schedule	7/25/2018
	MD 505.36	Telework	4/7/2021
<b>Employment</b>			
	MD 515.02	Transfer of Employees from One Agency to Another	1/20/2016
	MD 515.04	Seniority Rights of Commonwealth Employees	7/12/2006
*	MD 515.10	Non-Civil Service Hiring	7/24/2023
	MD 515.12	Confidential Employees	9/28/2004
*	MD 515.15	Hiring-Related Verifications and Background Checks	7/21/2023
	MD 515.16	Appointment to Senior Level Positions	2/28/2019
	MD 515.18	Supplementary Employment	2/22/2016
	MD 515.20	Reemployment of Commonwealth Annuitants	2/22/2016
*	MD 515.21	High School Internships	10/12/2023
<b>Classification</b>			
	MD 520.03	Unclassified Codes	7/10/2012
	MD 520.04	Position Classification Post-Audits	11/21/2011
	MD 520.05	Centralized Job Control System	3/25/2013
	MD 520.06	Position Classification	9/14/2020
	MD 520.07	Development and Validation of Job Standards	6/12/2012
	MD 520.08	Pay Action Effective Dates for Changes to Position Classifications and the Commonwealth's Classification and Compensation Plan	11/2/2012
	MD 520.09	Appointments Above the Minimum	1/23/2019
	MD 520.10	Position Descriptions	10/23/2014
<b>Pay</b>			
	MD 525.04	Temporary Assignment in Higher Classification	5/3/2013
	MD 525.06	Payroll Advances	11/24/2021
	MD 525.11	Dual Employment	2/10/1997
*	MD 525.12	Payment of Back Pay Due to Reinstatement of a Separated Employee or Reduction of Disciplinary Suspension	8/11/2023
	MD 525.15	Overtime	2/10/1997
	MD 525.16	Physicians and Related Occupations Quality Assurance Program	2/14/2006
	MD 525.17	Internal Revenue Service's Levies on Wages, Salary, and Other Income or Payments Processing Notices and Releases of Internal Revenue Service Levies	7/6/2020
<b>Benefits</b>			
	MD 530.01	Agency Benefit Coordinators	5/12/2022
	M 530.02	Injury Leave Manual	2/2/2016
	M 530.03	Group Life Insurance Program Manual	Rescinded 5/13/2022
	M 530.07	Absence Program	4/23/2009
	MD 530.08	Motor Vehicle Financial Responsibility Law	4/25/2014

<i>Management Directives and Manuals</i>			
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>
	MD 530.09	Social Security Records	2/1/2022
	M 530.09	Unemployment Compensation Insurance	Rescinded 4/17/2023
	MD 530.10	Administrative Leave to Train for and Compete in Olympic or International Games on Behalf of the United States	9/8/2022
	MD 530.11	Benefit Rights of Permanent and Temporary Employees	11/9/2016
	M 530.15	Pennsylvania State Police Administrative Manual Health Benefits Program	10/22/2018
	M 530.16	Temporary Clerical Pool Agency User Manual	10/1/1999
	MD 530.17	Partial and Full Day Closings of State Offices	5/25/2010
	M 530.17	Temporary Clerical Pool Employee Handbook	10/1/1999
	MD 530.18	Benefit Rights of Furloughed Employees	5/10/2016
	MD 530.21	Paid Absence for Blood Donation	4/8/2010
	M 530.21	State Employee Combined Appeal Procedures Manual	6/12/2017
	MD 530.22	Unemployment Compensation, Noncovered Employment—"Major Nontenured Policymaking or Advisory Positions"	11/20/1996
	MD 530.23	State Employee Combined Appeal	6/12/2017
	MD 530.24	Retired Employees Health Program	Rescinded 6/22/2023
	MD 530.26	Absence for Military Duty	11/2/2017
	MD 530.27	Leave Related Policies for Employees Excluded from Earning Leave and Leave Service Credit	2/7/1997
	MD 530.30	Sick, Parental and Family Care Absence, Military Exigency Absence and Military Caregiver Absence Policy	12/11/2013
	MD 530.31	Workplace Safety and Health Program	1/2/2013
	MD 530.32	Group Life Insurance Program	Rescinded 5/13/2022
<b>Training</b>			
	MD 535.01	Employee Training and Development	5/1/2015
	MD 535.02	Physicians and Related Occupations Specialty Board Certification Payments	2/21/2006
	MD 535.03	Out-Service Training	8/17/2016
	MD 535.07	Annual Agency Training Plan and Report	7/8/1999
	MD 535.09	Information Technology Security Trainings	5/3/2023
<b>Performance Evaluations</b>			
	MD 540.07	Performance Management Program	5/2/2011
<b>Retirement</b>			
	MD 570.01	Mandatory Membership in the State Employees' Retirement System	4/7/2014
	MD 570.05	Employer Contributions Required on the Purchase of Previously Uncredited State Service	4/7/2014
	MD 570.06	Optional Membership in State Employees' Retirement System	4/7/2014
	MD 570.08	Reinstatement of Terminated Employees into the State Employees' Retirement System	4/7/2014
	MD 570.09	Reinstatement of Furloughed or Otherwise Terminated and Reemployed Employees in the State Employees' Retirement System	4/7/2014

<i>Management Directives and Manuals</i>			
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>
	MD 570.11	Amending Data in Retirement and Personnel/Payroll System and Collecting Arrears Balances	4/7/2014
	MD 570.12	Furloughed State Employees Retirement System Members' Right to Earn Interest on Member Contributions	4/7/2014
	MD 570.13	State Employees' Retirement System, Regional Counseling Centers	4/7/2014
	MD 570.14	Deferred Compensation Program	4/7/2014
	MD 570.15	Reporting Potential Public Employee Pension Forfeiture Crimes to the State Employees' Retirement System	4/7/2014
	MD 570.16	State Employees' Retirement System, Duties of Departments and Agencies	7/1/2022
<b>Civil Service</b>			
	MD 580.06	Tabulation of Classified Service Employees	6/16/2006
	MD 580.27	Limited Appointments to Positions Exempted from the Classified Service Pursuant to Section 3(c)(4), Civil Service Act	10/28/2009
<b>Labor Relations</b>			
	MD 590.01	Labor Relations	6/27/2018
	MD 590.02	Confidential Positions and Employees	3/8/2006
	MD 590.03	Deduction of Union Dues	6/27/2018
	MD 590.05	Guidelines to be Followed During Legal or Illegal Strikes	5/25/2006
	MD 590.07	Labor Relations—Grievance Administration	6/8/2006
	MD 590.08	Classification Grievance Processing	8/20/2020
<b>SUPPLIES, SERVICES, AND EQUIPMENT</b>			
<b>Supplies and Equipment Acquisition/Disposition</b>			
<b>Automotive Services</b>			
	MD 615.01	Commonwealth Temporary Transportation Vehicles	2/27/2013
	M 615.03	Commonwealth Fleet Procedures Manual	11/10/2011
	MD 615.15	Vehicle Parking License Agreements	10/26/2006
	MD 615.16	Commonwealth Fleet Policy	11/10/2011
<b>Commodity Standards</b>			
	MD 620.01	Coal Sampling and Reporting	10/4/2005
<b>Buildings, Property, and Real Estate</b>			
	MD 625.01	Repairs, Alterations, and Improvements to Commonwealth Buildings Under the Direct Supervision of the Department of General Services	10/4/2004
	MD 625.02	Inventory of Commonwealth Real Property	9/16/2008
	MD 625.03	Moving Employee Household Goods	4/30/2018
	MD 625.04	Enforcement of Fire and Panic Regulations	3/27/1991
	MD 625.05	Reporting Surplus Real Property	5/6/1996
*	MD 625.06	Leasehold Improvements	7/10/2023
	MD 625.08	Contracting for Bargaining Unit Work	2/25/1994

<i>Management Directives and Manuals</i>			
<i>(*) Indicates change</i>	<i>Number of Issuance</i>	<i>Title of Issuance</i>	<i>Date of Original or Latest Amendment</i>
	MD 625.10	Card Reader and Emergency Response Access to Certain Capitol Complex Buildings and Other State Office Buildings	6/2/2014
<b>Bonds and Insurance</b>			
	MD 630.02	Reporting of Employee Liability Self Insurance Program Claims	7/10/2018
<b>COMMONWEALTH PROGRAMS</b>			
<b>Protection and Safety</b>			
	MD 720.02	Wage Standards Picketing	2/3/1977
	MD 720.05	Energy Management and Conservation in Commonwealth-Owned or Leased Facilities	9/21/2021
	MD 720.06	Call Trace Procedures for Threatening, Harassing, and Nuisance Telephone Calls	5/12/2022
	MD 720.07	Bomb Threats and Suspicious Packages	7/29/2010

[Pa.B. Doc. No. 24-1112. Filed for public inspection August 9, 2024, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Program Requirements for the 2024-2025 Agriculture and Youth Organization Grant Program

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Agriculture and Youth Organization Grant Program (Program).

The Program is established under authority of 3 Pa.C.S. §§ 10301—10307 (relating to agriculture and youth development) as amended by the act of July 7, 2022 (P.L. 504, No. 52), referred to as the Agriculture and Youth Development Grant Program Act. The Program allows the Department to award direct grants and matching grants to help fund eligible projects, programs and equipment purchases conducted or made by an organization composed mainly of youth, or an organization with programs that benefit youth, and organized to promote development in the areas of agriculture, community leadership, vocational training and peer fellowship.

This notice establishes the policy guidelines for the Program. It establishes the process by which grant applications will be solicited, reviewed and awarded for Fiscal Year (FY) 2024-2025. The amount appropriated for grants in FY 2024-2025 will be no less than \$500,000.

For the FY 2024-2025 Program, the Department will consider an eligible applicant to be any organization composed mainly of youth or an organization with programs that benefit youth and organized to promote development in the areas of agriculture, community leadership, vocational training and peer fellowship. The term includes a school district. This will include but is not limited to applications from schools or school districts to help fund eligible projects conducted by or for the benefit of agriculture and youth organizations operated under the applicant school or school district. The Department may revise these policy guidelines in subsequent years, as the Department gains experience in administering the Program.

This document has been developed in consultation with the State Agriculture and Youth Development Board (Board).

1. *Program objective.* The Program's objective is to provide grants to eligible agriculture and youth organizations to help fund projects such as educational programs, work force development programs, eligible seminars and field trips, agricultural safety training programs, capital projects, equipment purchases and special projects, as approved by the Board.

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

*Agriculture and youth organization.* An organization composed mainly of youth, or an organization with programs that benefit youth, and organized to promote development in the areas of agriculture, community leadership, vocational training and peer fellowship. The term includes a school district.

*Board.* The State Agriculture and Youth Development Board.

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

*Eligible project.* One or more of the following, approved by the Board:

a. An educational or work force development program conducted by an agriculture and youth organization.

b. Educational or work force development seminars and field trips conducted by an agriculture and youth organization.

c. An agricultural safety training program conducted by an agriculture and youth organization.

d. A capital project or an equipment purchase for an agriculture and youth organization.

*Program.* The Agriculture and Youth Organization Grant Program.

3. *Eligibility.* An agriculture and youth organization may apply to the Department for a grant under the Program. For an organization to be eligible to apply, most of its membership must be 24 years of age or younger or must have programming/initiatives focused on individuals 24 years of age or younger. A school or school district may apply to receive grant funds for an eligible project conducted by or for the benefit of an agriculture and youth organization that is operated under that school or school district.

4. *Annual allocation limit for FY 2024-2025.* The annual allocation limits for grant funds under the Program shall be as presented in section 5, on a funds-available basis.

5. *Grant types.* There are two different types of grants that can be awarded under the Program:

a. Direct, non-matching reimbursement grants of up to \$7,500 to defray the costs of an eligible project, other than a capital project; and

b. Matching reimbursement grants of up to \$25,000 to defray the costs of an eligible capital project or equipment purchase, where the grant comprises no more than 50% of the project costs.

6. *Limitations on grants.* The following shall apply:

a. The amount of reimbursement is based on actual eligible costs submitted by an approved applicant for an approved project during any fiscal year in which grants are offered.

b. Grant reimbursement money is limited as described in section 5.

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

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

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

7. *Application procedure.*

a. *Online Applications Only.* An applicant for a grant under the Program shall be submitted through the Commonwealth's Single Application for Assistance online application system at [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us).



b. *Application Window.* Applications must be submitted through the Single Application for Assistance online application system between 8 a.m. on August 19, 2024, and 5 p.m. on September 27, 2024. Applications received outside of that application window will not be considered or reviewed.

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

i. The applicant's name, business address and contact information.

ii. A brief narrative explaining how the applicant is an agriculture and youth organization.

iii. A statement as to whether the applicant seeks a direct, nonmatching reimbursement grant or a matching reimbursement grant, as these are described in section 5.

iv. The details of the project or equipment purchase for which reimbursement grant money is sought, including the following:

A. A project budget.

B. A statement of the maximum amount of grant money sought for the project.

C. A project implementation schedule, a construction schedule or an equipment purchase plan, as appropriate for the project or purchase with respect to which the grant is sought.

D. A narrative identifying each entity that will assist in, participate in and benefit from the project.

E. A project completion date, which shall be no later than June 30, 2026.

v. An attestation signed by the applicant, verifying the accuracy of the information presented on the application.

8. *Disposition and review of grant applications.*

a. The Department will review each application, and supporting documentation submitted therewith, for completeness and accuracy, and shall determine whether the application is eligible for consideration by the Board.

b. If an application is found to be incomplete or inaccurate, the Department may request additional documentation and may discontinue further processing of the application until the requested information is received.

c. If the Department determines an application is complete, accurate and eligible for consideration by the Board, it shall submit that application for consideration by the Board at its next scheduled meeting. The Board shall consider the project, capital project or equipment purchase that is the subject of the application and shall vote to recommend approval or disapproval of the application by the Department.

d. The Department will consider the Board's recommendation and make the decision as to approval or disapproval of an application upon the recommendation of the Board.

9. *Notice of disposition of application.* The Department will provide the applicant e-mail notice of the disposition (approval or disapproval) of the application.

10. *Grant agreement.* After the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant will execute a written or electronic grant agreement which describes the terms and conditions subject to which the grant is made. The grant agreement will contain and conform to the requirements of this notice and will also contain any special terms and conditions as required by the Secretary. Among the terms of the grant agreement will be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit the information as the Department may require. Applicants who wish to view the full terms and conditions of the grant agreement in advance of submitting an application may contact the Department at the e-mail address set forth in Section 12. Applicants who are unable to agree to the terms and conditions should not apply.

11. *Distribution of grant money.* As Program grants are reimbursement grants, the Department will not issue grant money until the successful applicant delivers the following to the Department immediately following project completion, but no later than June 30, 2026:

a. A verified statement that the eligible project has been completed or implemented, or that the subject equipment has been purchased.

b. A verified statement of the project completion date or the equipment purchase date.

c. Photos of the completed or implemented project or the equipment purchased, with a narrative explanation of each photo.

d. Bills and invoices demonstrating that expenses were incurred for which reimbursement grant funds are sought.

Documents submitted to the Department under this section shall be directed to the Department of Agriculture, Bureau of Market Development, Attn: Agriculture and Youth Organization Grant Program Coordinator, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

12. *Additional information:* Additional information may be obtained from the Department by contacting Sara Gligora, (717) 798-5048, sgligora@pa.gov.

RUSSELL REDDING,  
*Secretary*

[Pa.B. Doc. No. 24-1113. Filed for public inspection August 9, 2024, 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 July 30, 2024.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, may file comments in writing with the Department, for Bank Supervision, by e-mail to ra-bnbnksbmsnspspt@pa.gov or for credit unions, by e-mail to ra-bncusubmissions@pa.gov and trust companies, by e-mail to ra-bntrustsuprvsninq@pa.gov. Comments must be received no later than 30 days from the date that the notice regarding acceptance of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240, or for credit unions or trust companies (717) 783-2253.

**APPLICATIONS FOR COMMENT**

**BANKING INSTITUTIONS**

**Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Status</i>
07-30-2024	Reliance Savings Bank Altoona Blair County	Accepted
	Amendment to Article II of the institution’s Articles of Incorporation provides for a change in the principal place of business from 1119 12th Street, Altoona, Blair County, PA to 2424 8th Avenue, Altoona, Blair County, PA 16602.	
	Articles of Amendment provide for the institution’s Articles of Incorporation to be amended and restated in their entirety.	

**CREDIT UNIONS**

No activity.

**OTHER APPLICATION ACTIVITY**

**BANKING INSTITUTIONS**

**Branch Applications**

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
07-29-2024	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	<i>To:</i> 101 South 3rd Street Easton Northampton County  <i>From:</i> 46 Centre Square Easton Northampton County	Effective

**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.

WENDY S. SPICHER,  
*Secretary*

[Pa.B. Doc. No. 24-1114. Filed for public inspection August 9, 2024, 9:00 a.m.]

**DEPARTMENT OF EDUCATION**

**Individuals with Disabilities Education Act (IDEA)  
Committee Schedule of Meetings**

The IDEA Committee will meet virtually on Thursday, September 26, 2024, at 2 p.m. and Thursday, November 14, 2024, at 2 p.m.

The public virtual meetings may be attended by means of Microsoft Teams through a link that may be requested by contacting Cindy Jay at [ra-edlegal@pa.gov](mailto:ra-edlegal@pa.gov).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Cindy Jay at (717) 787-5500 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Education may accommodate their needs.

DR. KHALID N. MUMIN,  
*Secretary*

[Pa.B. Doc. No. 24-1115. Filed for public inspection August 9, 2024, 9:00 a.m.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0042102	Industrial Stormwater Individual NPDES Permit	Transfer	RQ Resins LLC 408 Manor Harrison City Road Harrison City, PA 15636-1102	Manor Borough Westmoreland County	SWRO
1023815	Joint DEP/PFBC Pesticides Permit	Transfer	Amy Reiss 115 Wiegand Drive Cranberry Township, PA 16066-3007	Cranberry Township Butler County	NWRO
1524811	Joint DEP/PFBC Pesticides Permit	New	UMH Properties Inc. Alan Patterson Assist VP of Eng 150 Clay Street Suite 410 Morgantown, WV 26501	Honey Brook Borough Chester County	SERO
6324802	Joint DEP/PFBC Pesticides Permit	New	Duritza Robert 423 Estate Lane Washington, PA 15301-8102	South Franklin Township Washington County	SWRO
6713801	Joint DEP/PFBC Pesticides Permit	Renewal	Red Lion Borough Municipal Authority York County 11 E Broadway Red Lion, PA 17356-1401	Windsor Township York County	SCRO

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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>
0215416	Major Sewage Treatment Facility Individual WQM Permit	Amendment	W Elizabeth Sanitary Authority 125 Lower First Street West Elizabeth, PA 15088	West Elizabeth Borough Allegheny County	SWRO
PA0204935	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Transfer	Cambria Ready Mix Concrete LLC 234 Merlo Road Mineral Point, PA 15942-5703	Cambria Township Cambria County	SWRO
PA0288993	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Transfer	Express 80 Service LLC 3035 Lynnwood Drive Hermitage, PA 16148-2104	Hermitage City Mercer County	NWRO
1198201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Transfer	Cambria Ready Mix Concrete LLC 234 Merlo Road Mineral Point, PA 15942-5703	Cambria Township Cambria County	SWRO
NOEXNE005	No Exposure Certification	Renewal	Utz Quality Foods Inc. 900 High Street Hanover, PA 17331-1639	Hanover Township Luzerne County	NERO
NOEXNW178	No Exposure Certification	Renewal	PSB Ind Inc. 1202 W 12th Street Erie, PA 16501-1519	Erie City Erie County	NWRO
NOEXNW194	No Exposure Certification	Renewal	Ameridrives International LLC 1802 Pittsburgh Avenue Erie, PA 16502-1943	Erie City Erie County	NWRO
NOEXSC428	No Exposure Certification	New	Purecycle Prep LLC 4360 Bronte Lane Douglasville, GA 30135-4981	East Cocalico Township Lancaster County	SCRO
NOEXSC429	No Exposure Certification	New	Veolia ES Tech Solutions LLC 3100 Hedley Street Philadelphia, PA 19137-1934	York City York County	SCRO
NOEXSE059	No Exposure Certification	Renewal	National Refrigeration & Air Conditioning Inc. 539 Dunksferry Road Bensalem, PA 19020-5908	Bensalem Township Bucks County	SERO
NOEXSW252	No Exposure Certification	New	Flowserve US Inc. 130 S Campus Drive Imperial, PA 15126-2401	Findlay Township Allegheny County	SWRO
PAG032436	PAG-03 NPDES General Permit for Industrial Stormwater	New	Energy Transfer Market & Terminal LP 60 S Wyoming Avenue Edwardsville, PA 18704-3102	Edwardsville Borough Luzerne County	NERO
PAG038318	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Winland Foods Inc. 11160 Parkway Drive North East, PA 16428-6512	North East Borough Erie County	NWRO
PAG041388	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	McCleary Gary 1525 Greenville Mercer Road Mercer, PA 16137-1827	Jefferson Township Mercer County	NWRO
PAG041390	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Lippert Regis 245 Lindsay Road Zelienople, PA 16063-8917	Jackson Township Butler 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>
PAG041396	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Sanders Tammy 2419 Master Road Emlenton, PA 16373-3415	Parker Township Butler County	NWRO
PAG041397	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Gustin Nancy 9499 Oliver Road Waterford, PA 16441-3317	McKean Township Erie County	NWRO
PAG043995	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Point View Cottage Association 173 Point View Drive Williamsburg, PA 16693-6940	Catharine Township Blair County	SCRO
PAG123544	PAG-12 NPDES General Permit for CAFOs	Renewal	Wenger Farms Pork Products Network LLC 101 West Harrisburg Avenue P.O. Box 26 Rheems, PA 17570	Howe Township Perry County	SCRO
PAG123545	PAG-12 NPDES General Permit for CAFOs	Renewal	Wenger Farms Pork Products Network LLC P.O. Box 26 138 Airport Road Marietta, PA 17547-0026	South Londonderry Township Lebanon County	SCRO
PAG123713	PAG-12 NPDES General Permit for CAFOs	Renewal	Malcolm R Rudolph 200 Ginzel Road New Oxford, PA 17350-9011	Tyrone Township Adams County	SCRO
0624402	Pump Stations Individual WQM Permit	New	Reading City Berks County 815 Washington Street Reading, PA 19601-3615	Reading City Berks County	SCRO
3703	Pump Stations Individual WQM Permit	Amendment	Blawnox Borough Allegheny County 376 Freepport Road Pittsburgh, PA 15238-3440	Blawnox Borough Allegheny County	SWRO
6503403	Pump Stations Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park and Pool Road New Stanton, PA 15672	Hempfield Township Westmoreland County	SWRO
0224404	Sewer Extensions Individual WQM Permit	New	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0331	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
3560S	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
4286	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny 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>
5010	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
5131S	Sewer Extensions Individual WQM Permit	Transfer	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
1024408	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Sanders Tammy 2419 Master Road Emlenton, PA 16373-3415	Parker Township Butler County	NWRO
2524405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Risjan Vanessa 2660 Old Wattsburg Road Waterford, PA 16441-9637	Waterford Township Erie County	NWRO
3324401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Pringle Austin 5350 Stevenson Hill Road Falls Creek, PA 15840-2508	Washington Township Jefferson County	NWRO
4224403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kline Tiffany 2983 W Washington Street Bradford, PA 16701-2427	Bradford Township McKean County	NWRO
6224405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Hopkins Pennie 1315 Lanning Hill Road Sugar Grove, PA 16350-6105	Farmington Township Warren County	NWRO
WQG01282401	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	New	Black Evans P.O. Box 12 Roxbury PA 17251	Lurgan Township Franklin County	SCRO
WQG01212404	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	New	William Steele 590 N. Middleton Rd Carlisle PA 17013	North Middleton Township Cumberland County	SCRO
WQG02092402	WQG-02 Sewer Extension WQM General Permit	New	Sellersville Borough 140 E. Church Street Sellersville, PA 18960	West Rockhill Township Bucks County	SERO
WQG02672402	WQG-02 Pump Stations WQM General Permit	New	Silver Spring Township Authority 5 Willow Mill Park Road Suite 3 Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	SCRO

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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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### *Northcentral Regional Office*

**PA0040835**, Industrial, SIC Code 0273, **Pennsylvania Fish and Boat Commission**, 1735 Shiloh Road, State College, PA 16801-8400. Facility Name: Bellefonte Lower Spring Creek Fish Cultural Station. This existing facility is located in Benner Township, **Centre County**.

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

The receiving stream(s), Spring Creek (HQ-CWF), is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

There are no proposed changes to the effluent limits for Outfall 001, which are based on a design flow of 7.206 MGD.—Limits.

The only change is the allowable usage rate for florfenicol, a chemical additive used to treat fish disease.

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PA0275948**, Storm Water, SIC Code 2655, **Mauser USA LLC**, 7 McFadden Road, Easton, PA 18045. Facility Name: Mauser—Easton Branch. This existing facility is located in Palmer Township, **Northampton County**.

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

The receiving stream(s), Bushkill Creek (HQ-CWF, MF), is located in State Water Plan watershed 1-F and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

The proposed effluent limits for Outfall 101 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 201 are based on a design flow of 0 MGD.—Limits.

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

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

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

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PA0276871**, Storm Water, SIC Code 3411, **Silgan Containers Manufacturing Corp**, 8201 Industrial Boulevard, Breinigsville, PA 18031-1241. Facility Name: Silgan Containers Manufacturing Corp. This proposed facility is located in Upper Macungie Township, **Lehigh County**.



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

The receiving stream(s), Unnamed Tributary to Iron Run (HQ-CWF, MF), is located in State Water Plan watershed 2-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Concentrations (mg/L)		Daily Maximum	IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly		
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

Southwest Regional Office

**PA0111201**, SIC Code 4952, **Carrolltown Borough Municipal Authority**, P.O. Box 307, Carrolltown, PA 15722-0307. Facility Name: Carrolltown Borough Cambria County. This existing facility is located in East Carroll Township, **Cambria County**.

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

The receiving stream(s), Trib 26884 Little Chest Creek is located in State Water Plan watershed 8-B and is classified for Cold Water Fisheries, 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 0.2 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Concentrations (mg/L)		Weekly Average	IMAX
	Average Monthly	Weekly Average	Minimum	Average Monthly		
Flow (MGD)	0.20	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.019	XXX	0.063
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	41.7	62.5	XXX	25	38	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	50.0	75.0	XXX	30	45	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	5.5	8.3	XXX	Geo Mean	5.0	6.6
Nov 1 - Apr 30				3.3		
May 1 - Oct 31	3.3	5.0	XXX	2.0	3.0	4
Copper, Total	0.083	0.166	XXX	0.05	0.10	0.125
Zinc, Total (ug/L)	Report	Report Daily Max	XXX	Report	Daily Max Report	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report	XXX
					Daily Max	

This permit amendment is the result of a Consent Order and Agreement (COA) entered into on June 28, 2024 by the Commonwealth of Pennsylvania and Cambria Township Sewer Authority and resolves EHB Appeal Docket No. 2022-085-B.

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*

**PA0216852**, Sewage, SIC Code 6515, **Jones Estates TRC LLC**, 2310 S Miami Boulevard, Durham, NC 27703-5798. Facility Name: Jones Estates TRC STP. This existing facility is located in East Huntingdon Township, **Westmoreland County**.

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

The receiving stream(s), Buffalo 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 001 are based on a design flow of .008 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Concentrations (mg/L)		Maximum	IMAX
	Average Monthly	Average Weekly	Instantaneous Minimum	Average Monthly		
Flow (MGD)	0.004	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	4.0	XXX	8.5
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5.0
Ultraviolet light dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .008 MGD.—Limits.

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

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

The EPA Waiver is in effect.

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

*Northeast Regional Office*

Applicant: **Nestle Purina Pet Care Company, c/o Jeanne Lee**

Applicant Address: 2050 Pope Road, Allentown, PA 18104-9308

Application Number: **PAD390299**

Application Type: New

Municipality/County: South Whitehall Township, **Lehigh County**

Project Site Name: Wastewater Treatment Upgrades

Total Earth Disturbance Area (acres): 10.6 acres

Surface Waters Receiving Stormwater Discharges: UNT to Jordan Creek (HQ-CWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Construction of an upgraded secondary wastewater treatment plant.

Special Conditions: N/A—No site-specific specials conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

*Southwest Regional Office*

Applicant: **Peoples Natural Gas Company LLC**

Applicant Address: 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212

Application Number: **PA630002DA-1**

Application Type: New

Municipality/County: North Bethlehem Township, Nottingham Township, and Somerset Township, **Washington County**

Project Site Name: Goodwin Tombaugh Phase 2 Areas 18-19

Total Earth Disturbance Area (acres): 9.7 acres

Surface Waters Receiving Stormwater Discharges: Center Branch Pigeon Creek (WWF), Mingo Creek (HQ-TSF), South Branch Pigeon Creek

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The project consists of the installation of three miles of new 12-inch plastic gas pipeline in North Bethlehem, Nottingham, and Somerset Townships, Washington County, PA. PNG intends to complete a portion of the Project using Horizontal Directional Drilling (HDD) to reduce earth disturbance and limit environmental impacts. The remainder of the Project will be installed via trenching methods. Use of the existing pipeline will be abandoned. The pipeline will remain in place except for sections of exposed pipeline within streams and wetlands, which will be removed. Additionally, the abandoned pipeline will either be removed or capped at all stream and wetland crossings in accordance with PA DEP requirements. In-lieu of grouting the abandoned line at resource crossings, PNG shall maintain liability of the abandoned line. If there are any environmental concerns or any issues identified due to the abandoned pipe, PNG will be responsible to correct the issue. The Project will be restored to pre-construction conditions and no new permanent impervious areas are proposed.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

*Northcentral Regional Office*

Applicant: **Steven Hoover**

Applicant Address: 217 Gingerbread Lane, Millmont, PA 17845

Application Number: **PAD600013**

Application Type: New

Municipality/County: Lewis Township, **Union County**

Project Site Name: Steven Hoover AG Operation

Total Earth Disturbance Area (acres): 9.88 acres

Surface Waters Receiving Stormwater Discharges: UNT to Buffalo Creek (HQ-CWF) MF

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The project is located in Lewis Township, Union County, PA. The proposal is to construct a new poultry operation inclusive of two poultry barns (42' x 600'), manure storage (50' x 88'), egg room (36' x 50'), roster pen (24' x 42'), gravel driveway, and associated stormwater management controls.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 570-327-3693.

*Cambria District Office*

Applicant: **PA DEP Bureau of Abandoned Mine Reclamation**

Applicant Address: 286 Industrial Park Road, Ebensburg, PA 15931

Application Number: **PAD680018**

Application Type: New

Municipality/County: Cook Township, **Westmoreland County**

Project Site Name: AMD 65(1948, 4415)101.1 Powdermill Nature Reserve

Total Earth Disturbance Area (acres): 93.8 acres

Surface Waters Receiving Stormwater Discharges: Laurel Run (HQ-CWF) & White Oak Run (HQ-CWF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: AMD 65(1948,4415)101.1 Powdermill Nature Reserve involves the reclamation of over 20 acres of abandoned mine lands including surface mine pits, dangerous highwalls, and spoil piles. The project is located at Powdermill Nature Reserve (within PA-4415 Weaver Mill), which is open to the public for recreation and provides research opportunities for colleges and universities. The design of the project also includes the renovation and expansion of two existing Acid Mine Drainage (AMD) passive treatment systems within PA-1948 Laurel Run.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 814-472-1800.

*Regional Permit Coordination Office*

Applicant: **SFP Properties, LLC**

Applicant Address: 675 Nottingham Road, Peach Bottom, PA 17563

Application Number: **PAD360124**

Application Type: New

Municipality/County: Fulton Township, **Lancaster County**

Project Site Name: Stoltzfus Forest Products (Yard # 2)

Total Earth Disturbance Area (acres): 4.5 acres

Surface Waters Receiving Stormwater Discharges: tributary to Conowingo Creek (HQ-CWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: SFP Properties is proposing the construction of two buildings. Construction will also include an accessory building, dust collection system, and stormwater management facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

*Southeast Regional Office*

Applicant: **Philadelphia Energy Solutions Refining and Marketing LLC**

Applicant Address: 3144 W Passyunk Avenue, Philadelphia, PA 19145-5208

Application Number: **PAD510217 A-3**

Application Type: Major Amendment

Municipality/County: City of Philadelphia, **Philadelphia County**

Project Site Name: The Bellwether District Industrial Major Amendment 3

Total Earth Disturbance Area (acres): 287 acres

Surface Waters Receiving Stormwater Discharges: Schuylkill River (WWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: This application is for Major Amendment 3 of the overall project and includes site demolition and earthwork of 287 acres for site preparation in support of future development. The 287 acres represents the remainder of the property not under a previously approved permit/amendment. The existing area is classified as impervious under historic land cover per Question # 62 in the PAG-02 General Permit and Individual NPDES Permit, Frequently Asked Questions, Version 1.7, document published by PA DEP on September 1, 2023. This area covers conceptual lots 1, 2, 5, 6, 12, and 13 and does not propose impervious coverage.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Northwest Regional Office*

Applicant: **GenOn Holdings LLC**

Applicant Address: 1360 Post Oak Boulevard, Suite 2000, Houston, TX 77056

Application Number: **PAD250024**

Application Type: New

Municipality/County: Conneaut Township, **Erie County**

Project Site Name: Erie West Solar Development

Total Earth Disturbance Area (acres): 7.09 acres

Surface Waters Receiving Stormwater Discharges: UNT to Crooked Creek HQ CWF

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The applicant proposes to construct a solar panel farm that includes solar equipment areas and access roads. The project will result in approximately 7.09 acres of earth disturbance. Two vegetated filter strips and two retentive berms are proposed to manage stormwater.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

*Southeast Regional Office*

Applicant: **Chester Valley Golf Club**

Applicant Address: 430 Swedesford Road, Frazer, PA 19355-1572

Application Number: **PAD150343**

Application Type: New

Municipality/County: East Whiteland Township, **Chester County**

Project Site Name: Chester Valley Golf Club short course

Total Earth Disturbance Area (acres): 8.58 acres

Surface Waters Receiving Stormwater Discharges: Valley Creek (EV)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: A 6-hole short golf course will be constructed in an area that was previously part of the 18-hole course.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Southeast Regional Office*Applicant: **Emerald Transformer PPM**

Applicant Address: 7850 Collin Mckineey Parkway, Suite 200, McKinney, TX 75070

Application Number: **PAD510243**

Application Type: New

Municipality/County: City of Philadelphia, **Philadelphia County**

Project Site Name: Whitaker Ave

Total Earth Disturbance Area (acres): 1.02 acres

Surface Waters Receiving Stormwater Discharges: Tacony-Frankford-Frankford Creek (WWF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The site is located at 4105 Whitaker Ave, and the applicant proposes to partially demolished the existing building (building does not contain any contamination) and disturb the site to remove the contaminated soils per 40 CFR 761.61(a)(5) and replace it with clean soil.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Southwest Regional Office*Applicant: **Greene County**

Applicant Address: 93 East High Street, Waynesburg, PA 15370

Application Number: **PAD300009**

Application Type: Renewal

Municipality/County: Waynesboro Borough, **Greene County**

Project Site Name: Wisecarver Recreation Park

Total Earth Disturbance Area (acres): 5.16 acres

Surface Waters Receiving Stormwater Discharges: Wisecarver Run (HQ-WWF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Development of boat and kayak launch.

Special Conditions: This permit does not authorize any obstructions or encroachments to any regulated watercourse or floodway. All permitting required for impacts to regulated watercourses or their floodway are subject to 25 Pa. Code Chapter 105. Appropriate authorization for impacts which require permitting under Chapter 105 must be obtained prior to beginning earth disturbance.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

*Regional Permit Coordination Office*Applicant: **Ammon Miller**

Applicant Address: 941 Little Britain Road North, Quarryville, PA 17566.

Application Number: **PAD360122**

Application Type: New

Municipality/County: East Drumore Township, **Lancaster County**.

Project Site Name: Ammon Miller

Total Earth Disturbance Area (acres): 2.63 acres

Surface Waters Receiving Stormwater Discharges: tributary to West Branch Octoraro Creek (HQ-CWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Ammon Miller is proposing the construction of a single family dwelling, driveway, horse barn, related improvements and stormwater management facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

*Northcentral Regional Office*

Applicant: **Pennsylvania Department of Transportation, Engineering District 3-0**

Applicant Address: 715 Jordan Ave, Montoursville, PA 17754

Application Number: **PAD570005**

Application Type: New

Municipality/County: Hillsgrove Township, **Sullivan County**

Project Site Name: SR 0087 Section 130 Bridge Replacment

Total Earth Disturbance Area (acres): 4.41 acres

Surface Waters Receiving Stormwater Discharges: Ogdonia Creek (EV), Stony Run (EV), Loyalsock Creek (EV)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The SR 0087, Section 130 site is a bridge replacement project. The project requires a temporary roadway and crossing of Ogdonia Creek to convey traffic during construction. The project is located over a narrow floodplain and will result in 4.41 total project area. The project includes 3.63 acres of earth disturbance, 1.12 acres of roadway maintenance, pre-construction impervious area of 1.2 acres and a post-construction impervious area of 1.1 acres. The project will restore and revegetate the area impacted by the temporary disturbance.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 570-327-3693.

*Southeast Regional Office*

Applicant: **Somerset Street Station LLC**

Applicant Address: 3020 Richmond Street, Philadelphia, PA 19134

Application Number: **PAD510203 A-1**

Application Type: Major Amendment

Municipality/County: City of Philadelphia, **Philadelphia County**

Project Site Name: 2200 E. Somerset Street

Total Earth Disturbance Area (acres): 4.75 acres

Surface Waters Receiving Stormwater Discharges: Delaware Estuary via storm sewer (WWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Construction of three (3) 6-story, mixed-use, multi-residential buildings, and eleven (11) triplex buildings. The 6-story buildings will have parking at the ground floor. All buildings will contain vegetated roofs and the ground cover will consist of porous pavement.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

**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>
Lost Creek Farm (Brent Hershey) 586 Benner Road McAlisterville, PA 17049	Juniata County	151.9	881.88	Swine	NA	Renewal
Randy Weaver 3884 Smaltz Road Womelsdorf, PA 19567	Berks County	181.7	913.44	Layers	NA	Renewal
Randy Weaver 118 Wintersville Road Richland, PA 17087	Berks County	181.7	913.44	Layers	NA	Renewal
Samuel King (King Farms LLC) 50 Parkside Inn Road Bernville, PA 19506	Berks County	65.68	2,137.79	Poultry Layers	NA	Renewal
Brendon Zimmerman 2490 Mill Road Elizabethtown, PA 17022	Dauphin County	1.3	352	Poultry (Broiler)	NA	Renewal
Shelmar Acres LLC Mitchell Shellenberger 580 Colebrook Road Mount Joy, PA 17552	Lancaster County	199.5	1,620.97	Swine/Beef	HQ	Renewal
Andrew Weaver 2560 Sunnyside Road Manheim, PA 17545	Lancaster County	207.8	525.55	Dairy/Swine	NA	Renewal
AG Ventures LLC Long Acre Farm 19625 Path Valley Road Dry Run, PA 17220	Franklin County	69	656.38	Swine	NA	Renewal
Daniel Petre 3409 Smoketown Road Spring Grove, PA 17362	York County	13.15	513.65	Layers Beef Cattle	NA	Renewal
Daniel Petre 5111 Miller Road Glebbville, PA 17329	York County	13.15	513.65	Layers Beef Cattle	NA	Renewal
Eric Newswanger 107 Awol Road Jonestown, PA 17038	Lebanon County	64.8	407.95	Broiler Beef	NA	Renewal



## PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

### SAFE DRINKING WATER

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

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

*Contact: Joseph Cherinko, P.E., Environmental Engineer, 570-826-2090.*

**Application No. 4024510**, Construction, Public Water Supply.

Applicant	<b>Valleystore, Inc.</b>
Address	P.O. Box 2241 Hazleton, PA 18201
Municipality	Butler Township
County	<b>Luzerne County</b>
Responsible Official	Marybeth Hayden P.O. Box 2241 Hazleton, PA 18201
Consulting Engineer	Chase A. Kelch, P.E. 2836 Brushy Ridge Road Montoursville, PA 17754
Application Received	June 14, 2024
Description	Application for the addition of sodium hypochlorite disinfection and an iron and manganese treatment system.

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

*Contact: Darin Horst, Environmental Engineer, 717-705-4948.*

**Application No. 3624511**, Construction, Public Water Supply.

Applicant	<b>Blissful Treats Cafe</b>
Address	235 North Ronks Road Bird-In-Hand, PA 17505
Municipality	Leacock Township
County	<b>Lancaster County</b>
Responsible Official	Steven Stoltzfus 235 North Ronks Road Bird-In-Hand, PA 17505
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received	April 22, 2024
Description	Construction of a new water system including a well, softener, and nitrate treatment.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.*

**Application No. 1124512**, Construction, Public Water Supply.

Applicant	<b>Greater Johnstown Water Authority</b>
Address	640 Franklin Street P.O. Box 1407 Johnstown, PA 15907
Municipality	City of Johnstown Dale Borough
County	<b>Cambria County</b>
Responsible Official	Michael Kerr 640 Franklin Street P.O. Box 1407 Johnstown, PA 15907
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street Latrobe, PA 15650
Application Received	July 16, 2024
Description	Construction of the new Kernville Dale Pump Station and upgrades to the existing Dale Pump Station.

### BIOSOLIDS INDIVIDUAL PERMITS (PABIG AND PABIS)

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to land apply biosolids subject to certain requirements in the permit.

Individuals wishing to comment on a proposed permit are invited to submit statements to the responsible The DEP Regional Office noted before the application within 30-days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding an application. A response should include the name, address and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Regional Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, comments received and other information on file and may be inspected and arrangements made for copying at the responsible DEP Regional Office indicated before the application.

Individuals in need of accommodations to participate in the proceedings should contact the Secretary to the Board at 717-787-3483. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984 or (800) 654-5988 (voice users).

*Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Thomas J Sweeney Jr., Soils Scientist 717-705-4786.*

**PABIS No. 3505, Frederick County MD, Ballenger-McKinney WWTP** 4520 Metropolitan Court, Frederick, MD 21704, Out of State Municipality Borough, Synagro, 62 North Main Street, Stewartstown, PA 17363. Darrin Strait and Cajan Reed Farms in Union Township, **Fulton County**. Agricultural utilization of biosolids by land application. Proposed site is located within the watershed of an Exceptional Value stream. Additional management practices and notification requirements have been included as permit conditions. The Ballenger-McKinney WWTP has coverage under permit PAG-08-9903 to land apply biosolids. Application received: May 10, 2024.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. An individual who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals not participating in the remediation.

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

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

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

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

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

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

**Rush Yard**, Primary Facility ID # **876982**, 3405 Cragle Road, Rome, PA 18837, Orwell Township, **Bradford County**. Civil & Environmental Consultants, Inc, 700 Cherrington Parkway, Moon Township, PA 15108 on behalf of Appalachian Midstream, Williams, 310 SR 29 North, Tunkhannock, PA 18657, submitted a Notice of Intent to Remediate. The NIR concerns soil contaminated with arsenic and lead. The applicant proposes to remediate the site to meet the Background Standard for Arsenic and the residential Statewide health standard for lead. The Notice of Intent to Remediate was published in *The Daily Review* on June 22, 2024. Application received: July 10, 2024.

**Denali Oilfield Services Diesel Fuel & Production Fuel Release**, Primary Facility ID # **870440**, East of Intersection of SR 298 and Broughton Hollow Road, Wellsboro, PA 16901, Delmar Township, **Tioga County**. Penn Environmental & Remediation Inc., 13180 Route 6, Mansfield, PA 16933 on behalf of Denali Oilfield Services, Inc., 1101 Callaway Drive, Apt 4207, Carlsbad, NM 88220, submitted a Notice of Intent to Remediate. The NIR concerns remediation of site soil contaminated with diesel fuel and MTBE. The applicant proposes to remedi-

ate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *Wellsboro Gazette* on July 11, 2024. Application received: July 3, 2024.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Former Union Trade Center (Hope Tower)**, Primary Facility ID # **661362**, 325 South Claude A. Lord Boulevard, Pottsville, PA 17901, City of Pottsville, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972 on behalf of AAA Northampton County, 3914 Hecktown Road, Easton, PA 18045, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with metals, volatile organic compounds, and semi-volatile organic compounds from historic site operations. The Notice of Intent to Remediate was published in *Republic Herald* on May 9, 2024. Application received: July 25, 2024.

*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.*

**Justin Rose Residence**, Primary Facility ID # **877282**, 2661 West Philadelphia Avenue, Oley, PA 19547, Oley Township, **Berks County**. EnviroSure, Inc., 1 North Bacton Hill Road, Suite 208, Malvern, PA 19355 on behalf of Mr. Justin Rose, 2661 West Philadelphia Avenue, Oley, PA 19547, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with No. 2 fuel oil. The site will be remediated to the Statewide health standard. Future use of the site will remain residential. The Notice of Intent to Remediate was published in *Reading Eagle* on June 21, 2024. Application received: July 22, 2024.

#### 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, RA-EPWM-SERO-PERMITS@pa.gov.*

**WMGR081SE020 (Formerly WMGR081D006)**, **TBS Industries, Inc.**, 4211 Van Kirk Street, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. This general permit renewal application is for the Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR081SE020 (Formerly WMGR081D006) for the beneficial use of waste electronics at TBS Industries Inc. Facility, located at 4211 Van Kirk Street in the City and County of Philadelphia. Application received: June 28, 2024. Deemed administratively complete: July 30, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, 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.

#### 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.*

**Bogg Express LLC**, 2300 Seymour Ave, Cincinnati, OH 45212. **License No. PA-AH 0954**. Accepted: June 12, 2024.

*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.*

**Eldredge, Inc.**, 898 Fern Hill Road, West Chester, PA 19380. **License No. PA-AH 0056**. Accepted: July 16, 2024.

**Maumee Express, Inc.**, P.O. Box 278, Somerville, NJ 08876. **License No. PA-AH 0420**. Accepted: July 9, 2024.

**McVac Environmental Services, Inc.**, 481 Grand Ave., New Haven, CT 06513. **License No. PA-AH 0801**. Accepted: July 9, 2024.

**Sioux Services LLC**, 6 Hall Road, Pottsville, PA 17901. **License No. PA-AH 0816**. Accepted: July 11, 2024.

**Innovative Recycling Technologies, Inc.**, 690 North Queens Ave., Lindenhurst, NY 11757. **License No. PA-AH 0849**. Accepted: July 2, 2024.

**Apollos Waters LLC**, 108 W 1250 S, Battle Ground, IN 47920. **License No. PA-AH 0922**. Accepted: July 8, 2024.

**ARM NE LLC**, 1675 Old Trail Road, Etners, PA 17319. **License No. PA-AH 0927**. Accepted: July 16, 2024.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC 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 Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste License.**

*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.

**Sioux Services LLC**, 6 Hall Road, Pottsville, PA 17901. License No. PA-HC 0258. Accepted: July 11, 2024.

**Triumvirate Environmental Services, Inc.**, 3701 SW 47th Ave., Davie, FL 33314. License No. PA-HC 0272. Accepted: July 16, 2024.

## 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

**Application(s) Received for Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B That May Have Special Public Interest. These Plan Approval Applications are in Review and No Decision on Disposition Has Been Reached.**

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

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

**37-00008D: Ellwood City Forge**, 800 Commercial Drive, Ellwood City, PA 16117, Ellwood City Borough, Lawrence County. Application received: May 31, 2024.

The Department has received a plan approval application from Ellwood City Forge.

**10-00440B: Spencer Geibel Funeral Home & Cremation Services**, 140 New Castle Rd., Butler, PA 16001, Butler Township, Butler County. Application received: May 14, 2024.

Spencer Geibel Funeral Home & Cremation Services is proposing to install a pet crematory at their Butler Township facility.

**116911: Keystone Powdered Metal Company**, 251 State Street, St. Marys, PA 15857, St Mary's Borough, Elk County. Application received: June 21, 2024.

The Department has received a plan approval application for the addition of two furnaces with associated equipment submitted by Civil and Environmental Consultants Inc. on behalf of Keystone Powdered Metal Company.

**25-00995E: Essentra Plastics LLC, dba Essentra Components**, 2614 McClelland Ave, Erie, PA 16510, City of Erie, Erie County. Application received: June 18, 2024.

Essentra Components is proposing to construct a new plastisol dip line at their facility in Erie, PA.

### 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: David Balog, New Source Review Section Chief, 814-332-6328.

**10-00001Q: Cleveland-Cliffs Steel Holding Corp**, 210 Pittsburgh Road, Butler, PA 16001, City of Butler,

**Butler County.** Application received: March 5, 2024. Plan Approval 10-00001Q is for the installation of a new, natural gas-fired, coil preheating furnace to be used for the purpose of heating hot rolled coils before side trimming in the manufacturing process. On March 5, 2024, the Department received Cleveland-Cliffs' Plan Approval Application and have developed Plan Approval 10-00001Q to address the changes Cleveland-Cliffs is making to their Butler Works facility. Proposed Plan Approval 10-00001Q will reestablish emission limits associated with the coil preheating furnace. Final limits will not exceed the values used by Cleveland-Cliffs in the PSD/NSR netting analysis performed in conjunction with Plan Approval 10-00001Q. Additionally, the Plan Approval authorizes a 5.26 tpy increase in allowable NO<sub>x</sub> emissions; a 6.13 tpy increase in allowable CO emissions; a 0.92 tpy increase in allowable particulate emissions, a 0.05 tpy increase in allowable SO<sub>x</sub> emissions; and a 0.63 tpy increase in allowable VOC emissions. The Plan Approval authorizes that no person may permit the emission into the outdoor atmosphere of particulate matter from this process in such a manner that the concentration of particulate matter in the effluent gas exceeds .04 grain per dry standard cubic foot when the effluent gas volume is less than 150,000 dry standard cubic feet per minute; no person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO<sub>2</sub>, in the effluent gas exceeds 500 parts per million, by volume, dry basis; the permittee shall only burn pipeline quality natural gas; and the permittee shall install, maintain, and operate the low NO<sub>x</sub> burners for the furnace in accordance with the manufacturer's emissions-related specifications, if available, or good air pollution control practices. The subject source(s) will be subject to the applicable requirements of 25 Pa. Code Chapters 121, 123, 127, 129 and 135. The Plan Approval will contain testing, monitoring, reporting, recordkeeping, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

*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.*

**67-03143F: The ESAB Group, Inc.,** 1500 Karen Lane, Hanover, PA 17331, Penn Township, **York County.** Application received: May 20, 2024. For the replacement of a baghouse at its welding and cutting products facility. PM emissions from a flux powder mixing operation will be controlled by the new baghouse. 2023 emissions from the facility were reported as 1.09 tpy PM<sub>10</sub>, 1.88 tpy CO, 4.42 tpy NO<sub>x</sub>, 17.68 tpy VOC, and < 1 tpy of SO<sub>x</sub> and HAPs. A PM<sub>10</sub> emission increase of < 1 tpy is anticipated from the project. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the 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.

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

**36-05019I: ASC Engineered Solutions, LLC,** 1411 Lancaster Avenue, Columbia, PA 17512, Columbia Borough, **Lancaster County.** Application received: May 2, 2024. For the construction of two (2) cold box core machines and the installation of wet packed bed scrubber at the foundry. The installation of the cold box core machines also includes the removal of the facility's warm box core machines associated with Source ID # 201, and the removal of baghouse DC-427 on Source ID # 603, with emissions being re-routed to 2 other baghouses (C02 and C12) currently controlling emissions from Source ID # 603. The expected change in emissions after the proposed modifications is an increase in VOC emissions of approximately 7.88 tpy. The facility is a major source that operates under a Title V permit. DEP's review of the information submitted by the applicant indicates that air contamination sources will comply with all regulatory requirements, including monitoring, recordkeeping and reporting requirements, furthermore pertaining to air contamination sources and the emission of air pollutants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, DEP proposes to issue a plan approval for the proposed activity. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

**06-03029D: Yuasa Battery, Inc.,** 2901 Montrose Avenue, Laureldale, PA 19605, Laureldale Borough, **Berks County.** Application received: May 3, 2024. For the installation and operation of new "3-process" battery assembly equipment at their lead-acid battery assembly plant. The emissions from the new equipment are expected to be 0.049 tpy PM and 0.010 tpy lead (Pb). The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination source 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. The new equipment will also be subject to 40 CFR 63 Subpart P and 40 CFR 60 Subpart KKa. Based on these findings, DEP proposes to issue a plan approval for the proposed installation. 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.

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

*Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.*

**PA-04-00059E: IPSCO Koppel Tubulars, LLC,** 6403 Sixth Avenue, Koppel, PA 16136, Koppel Borough, **Beaver County.** Application received: June 25, 2024. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Pennsylvania Department of Environmental Protection (Department) intends to issue Plan Approval PA-04-00059E to replace the existing

baghouse with a new unit with a higher airflow, increase production from 598,000 prime cast tons per year (short tons and metric tons) to 771,618 tpy, and construct a new cooling tower at the facility in Koppel Borough, Beaver County. Potential emissions increases from the facility as result of the project are 14.50 tons of particulate matter, 10.80 tons of particulate matter less than 10 microns (PM<sub>10</sub>), 9.79 tons of particulate matter less than 2.5 microns (PM<sub>2.5</sub>), 39.87 tons of nitrogen oxides (NO<sub>x</sub>), 10.13 tons of sulfur dioxide (SO<sub>2</sub>), 61.54 tons of carbon monoxide (CO), 10.01 tons of volatile organic compounds (VOC), and 0.57 ton of lead (Pb) per year. The Plan Approval has been conditioned to ensure compliance with all applicable rules including applicable requirements under 25 Pa. Code. This includes emission restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. The permittee shall also comply with all applicable requirements of New Source Performance Standards from 40 CFR Part 60 Subpart AA and National Emission Standards for Hazardous Air Pollutants from 40 CFR Part 63 Subpart YYYYY. The Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000. A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; [asandy@pa.gov](mailto:asandy@pa.gov); or fax 412-442-4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00059E) and a concise statement of the objections to the plan approval and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

### 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.

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

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

**65-00622, General Carbide Corporation**, 1151 Garden Street, Greensburg, PA 15601, Hempfield Township, Westmoreland County. Application received: November 2, 2023.

#### Notice of Proposed State Implementation Plan for Volatile Organic Compounds, Notice of Public Hearing, and Notice of Intent to Issue Air Quality Operating Permit TVOP-65-00622.

**TVOP-65-00622:** Approval of a Title V Operating Permit Modification and Reasonably Available Control Technology (RACT III) plan for facility known as General

Carbide Corporation, a carbide manufacturing facility located in Hempfield Township, **Westmoreland County**.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a modification to Title V operating permit (TVOP-65-00622) to General Carbide Corporation to incorporate RACT III requirements. The carbide powder manufacturing process consists of a powder preparation area, ball mills, dryers, condensers, ISO presser area, final fitz mill, crusher, CT-15 high pressure boiler (rated at 0.5 MMBtu/hr), Ajax low pressure boiler (rated at 0.6 MMBtu/hr), cooling tower, and various baghouses. The shaping operations include hydraulic pressing and furnaces, numerous lathes, grinders, mills, saws, and presses. Each piece of shaping equipment has a Torit dust collector that exhaust to one of two large baghouses. This facility's potential to emit VOC is limited to 79.43 tons/yr. Emission limitations, operating requirements, and work practice standards along with monitoring, recordkeeping, and reporting requirements have been included in this proposed revision to the Title V operating permit to ensure that the facility complies with applicable Federal and State air quality regulations.

Furthermore, in accordance with 25 Pa. Code §§ 129.111—129.115, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT III plan and an amendment to the State Implementation Plan (SIP) for the aforementioned facility. The facility is not subject to any RACT III requirements for NO<sub>x</sub>. The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT III approval for the facility, which are intended to satisfy the requirements for the 1997, 2008, and 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed amendments to the RACT III determination, if finally approved, for the Powder Manufacturing Process Plant 1 (Source ID 101) to be the use of good operating practices and compliance with the VOC emissions limitations listed in Section C, Condition # 009 of TVOP No. 65-00622, which limits VOC emissions to 79.43 tpy per 12-month rolling period. In addition, General Carbide is proposing VOC RACT as the continued use of LDAR, and compliance with its LDAR requirements listed in Section C, Condition #031, which state that the Facility shall employ the following emission control/Heptane recovery items:

- Water-cooled lids on all mixers.
- Heptane recovery via three condensers on the vacuum line and one condenser on the spray dryer line (estimated to recover 90% of the Heptane passing through the units).
- Work practice standards for minimizing heptane emissions, which include:
  - Keeping lids closed on Ball Mixers at all times except when empty or when filling.
  - Taking measures to seal around the mixer blade shafts; and use of a Heptane monitor to identify areas of high concentrations of Heptane throughout the facility—which may result from leaks.

General Carbide proposes to demonstrate compliance through continuing to employ monthly facility-wide Heptane use recordkeeping and LDAR documentation. Therefore, by compliance with TVOP Section C, Condition No. 009, Source ID 101 will be in compliance with the

alternative RACT requirement to use good operating practices. General Carbide will continue to demonstrate compliance with its Site-Level LDAR requirements listed in TVOP 65-00622.

In accordance with 25 Pa. Code § 129.115(f), General Carbide will keep sufficient records for demonstrating compliance with the RACT III Rule. Sufficient records include, but are not limited to:

- Sufficient data and calculations to demonstrate that the requirements of 25 Pa. Code §§ 129.112—129.114 are met.
- Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.
- Records necessary to determine compliance shall be reported to PA DEP or appropriate approved local air pollution control agency on a schedule specified in the applicable regulation or as otherwise specified in the operating permit or plan approval for the air contamination source.

All data used to comply with RACT emissions limitations will be recorded and maintained in a time frame that is consistent with the averaging period of the limitation. General Carbide will also maintain documentation of good operating practices and LDAR for the sources identified in this alternative RACT and Compliance Proposal. Pursuant to 25 Pa. Code § 129.115(k), all records will be maintained for at least five years and will be made available to PADEP upon receipt of a written request.

The relevant RACT III requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT III determination will be excluded from the SIP submittal.

**Public hearing.** A public hearing is scheduled to be held on September 18, 2024, from 9:30—10:30 a.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To register to speak at a hearing, or to inquire if a hearing will be held, please contact Thomas Joseph at 412-442-4336. The last day to pre-register to speak at the hearing will be on September 18, 2024. If we do not receive any pre-registered speakers by September 11, 2024, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <https://www.dep.pa.gov/About/Regional/SouthwestRegion/Community%20Information/Pages/default.aspx>. We ask that you contact Thomas Joseph at 412-442-4336 or monitor our website to determine if a hearing will be held.

## OPERATING PERMITS

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

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

*Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.*

**32-00197, Purchase Line School District**, 16559 Route 286 Hwy E, Commodore, PA 15729, Green Township, **Indiana County**. Application received: October 19,

2023. The Department intends to issue the renewal of the State Only Operating Permit for Purchase Line School District. The sources at the facility include two 12 MmBtu/hr coal-fired boilers used for heating purposes and an emergency diesel generator. Emissions from the facility are based on the operating limit of 410 tons of coal/year for each boiler: 8.6 tpy NO<sub>x</sub>, 4.5 tpy CO, 29.2 tpy SO<sub>x</sub>, 1.0 tpy PM, and 0.5 tpy NMOC. The facility is a Synthetic Minor and is subject to State Regulations and Federal Regulations (40 CFR Part 63 ZZZZ and JJJJJJ). The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

*Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.*

*Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.*

**OP22-000058, Philadelphia Navy Yard Annex**, 4921 S. Broad Street, Building 1, Philadelphia, PA 19112-1303, City of Philadelphia, **Philadelphia County**. Application received: December 16, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Natural Minor Operating Permit (NMOP) for the operation of an establishment of the Armed Forces. The facility's air emission sources include: four (4) 0.6 Million British Thermal Units per hour (MMBtu/hr) boilers firing natural gas; one (1) 0.7 MMBtu/hr boiler firing natural gas; two (2) 0.4 MMBtu/hr boilers firing natural gas; three (3) 0.5 MMBtu/hr boilers firing natural gas; two (2) 0.399 MMBtu/hr boilers firing natural gas; one (1) 85 kW emergency generator firing diesel fuel; and one (1) dust collector. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection by contacting the Source Registration Unit at 215-685-7572 or [DPHAMS\\_Service\\_Requests@phila.gov](mailto:DPHAMS_Service_Requests@phila.gov). Persons wishing to file protest or comments on the previously listed operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 7801 Essington Ave., Philadelphia, PA 19153 or e-mailed to [DPHAMS\\_Service\\_Requests@phila.gov](mailto:DPHAMS_Service_Requests@phila.gov) with "Philadelphia Navy Yard Annex, NMOP OP22-000058" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Individuals in need of accommodations and/or interpretation should contact AMS at [DPHAMS\\_Service\\_Requests@Phila.Gov](mailto:DPHAMS_Service_Requests@Phila.Gov) and/or 215-685-7572. Please include: (1) the name and contact information of the person requesting an accommodation and/or interpretation; (2) the name of the program, service, activity, or location of the request; and (3) a description of the modification and/or interpretation being requested.

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

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

**07-03046, Penn Mag Inc.**, 217 Strawberry Lane, Claysburg, PA 16625, Greenfield Township, **Blair**

**County.** Application received: June 21, 2024. To issue a State Only Operating permit for the iron chromite processing facility. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 72.9 tpy NO<sub>x</sub>, 19.7 tpy CO, 12.9 tpy PM<sub>10</sub>, 4.44 tpy SO<sub>x</sub>, 5.74 tpy VOC, and 0.12 tpy HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items the conditions include provisions from 40 CFR Part 63 Subpart ZZZZ National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 25 Pa. Code §§ 123.13 and 123.21.

**67-05028, Tolna Power, LLC,** 2802 Bridgeview Road, New Freedom, PA 17349, Hopewell Township, **York County.** Application received: April 29, 2024. For the operation of a peaking station facility. This is for renewal of the existing State-Only Permit. Facility-wide actual emissions in 2023 were estimated to be 0.01 tpy PM<sub>10</sub>, 2.51 tpy NO<sub>x</sub>, 0.01 tpy CO, 0.30 tpy SO<sub>x</sub>, and less than one ton per year of VOCs and HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items the conditions include provisions derived from 40 CFR Part 63 Subpart ZZZZ National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 25 Pa. Code §§ 123.13 and 123.21.

**67-05056, Ardent Mills, LLC,** 2800 Black Bridge Road, York, PA 17406, Manchester Township, **York County.** Application received: February 28, 2024. For the operation of a flour mill and animal feed mill. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 31.69 tpy PM<sub>10</sub>, 8.11 tpy PM<sub>2.5</sub>, 0.54 tpy NO<sub>x</sub>, 0.14 tpy CO, 0.01 tpy VOC, and 0.19 tpy SO<sub>2</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. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.13 and 123.22, and 40 CFR Part 63 Subpart JJJJJJ.

**67-03162, Church & Dwight Co., Inc.,** 5197 Commerce Drive, York, PA 17408, Jackson Township, **York County.** Application received: June 3, 2024. To issue a State Only Operating Permit renewal for the manufacturing facility. Air emissions reported for 2023 were 3.42 tpy NO<sub>x</sub>, 2.89 tpy CO, 18.55 tpy PM<sub>10</sub>, 13.85 tpy PM<sub>2.5</sub>, 15.95 tpy VOC, and < 1 tpy each SO<sub>x</sub> and total HAPs. The operating permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60 Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units) and 40 CFR Part 60 Subpart IIII (Standards of Performance for Stationary Compression Ignition Internal Combustion Engines).

**67-05135, BWAY,** 599 Davies Drive, York, PA 17402, Springettsbury Township, **York County.** Application received: December 14, 2023. For the operation of a paint can manufacturing facility. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 1.24 tpy PM<sub>10</sub>, 1.24 tpy

PM<sub>2.5</sub>, 2.08 tpy NO<sub>x</sub>, 0.90 tpy CO, 41.86 tpy VOC, 1.72 tpy total HAPs, and 0.09 tpy SO<sub>2</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. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52 and 129.63, 40 CFR Part 60 Subpart IIII, and 40 CFR Part 63 Subpart ZZZZ.

**21-05036, New Enterprise Stone & Lime Co., Inc.,** 205 Creek Road, Camp Hill, PA 17011, Lower Allen Township, **Cumberland County.** Application received: June 20, 2024. To issue a State Only Operating Permit for the batch asphalt facility. This is for renewal of the existing state-only permit. Potential air emissions from the facility are estimated at 630.7 tpy CO, 39.4 tpy NO<sub>x</sub>, 42.6 tpy PM<sub>10</sub>, 7.20 tpy SO<sub>x</sub>, 12.9 tpy VOC, and 12.0 tpy HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items the conditions include provisions derived from 25 Pa. Code §§ 123.13 and 123.21.

**67-05104, Tate Access Floors, Inc.,** P.O. Box 398, 52 Springvale Road, Red Lion, PA 17356, Windsor Township, **York County.** Application received: April 30, 2024. To issue a State-Only Operating Permit renewal for the specialty flooring manufacturing facility. Potential emissions from the facility are estimated to be 11.25 tpy VOC, 2.09 tpy HAP, 8.54 tpy PM<sub>10/2.5</sub>, 0.38 tpy SO<sub>x</sub>, 1.23 tpy CO, and 5.70 tpy NO<sub>x</sub>. The Operating Permit will include work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52d, 129.77 and 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

**06-05116, Packaging Corporation of America,** 171 Tuckerton Rd., Reading, PA 19605, Muhlenberg Township, **Berks County.** Application received: September 26, 2023. For operation of a corrugated paper products manufacturing facility. This is for renewal of the existing state-only permit. The facility's potential emissions are 7.76 tpy of CO, 4.62 tpy of NO<sub>x</sub>, 0.06 tpy of SO<sub>x</sub>, 19.77 tpy of PM, 10.16 tpy of VOC and 3.18 tpy of combined HAPs. The Operating Permit will include emission standards and work practice standards along with monitoring, recordkeeping and reporting requirements designed to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units since they were manufactured after June 9, 1989 and 40 CFR Part 63, Subpart KK—National Emission Standards for the Printing and Publishing Industry.

**36-03085, Goodhart Sons Inc.,** 2515 Horseshoe Road, Lancaster, PA 17601, Upper Leacock Township, **Lancaster County.** Application received: April 22, 2024. To issue a State Only Operating Permit renewal for the metal products manufacturing facility. The potential emissions from the facility are estimated at 1.1 tpy of PM<sub>10</sub>, 9.6 tpy of VOCs and 5.3 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping



and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63 Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories and 25 Pa. Code § 129.52d Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings.

**38-05037, Zimmerman Chair Shop/Lebanon**, 1486 Colebrook Rd., Lebanon, PA 17042, North Cornwall Township, **Lebanon County**. Application received: June 26, 2024. For operation of a furniture manufacturing facility. The facility actual emissions for 2023 are 0.08 tons of CO, 0.09 tons of NO<sub>x</sub>, 0.01 ton of PM, 0.001 ton of SO<sub>x</sub>, 14.12 tons of VOC and 2.36 tons of combined HAP's. The Operating Permit renewal will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 25 Pa. Code §§ 129.52 and 129.101—129.107 (Surface Coating Processes).

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

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

**04-00707, Colona Transfer, LP**, 1755 Pennsylvania Ave., Monaca, PA 15061, Monaca Borough, **Beaver County**. Application received: July 25, 2023. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that it intends to issue a renewal natural minor State Only Operating Permit for the operation of the Monaca Terminal in Monaca Borough, Beaver County. Air contamination sources at the facility include storage piles of bulk materials including coal, limestone, salt, sand, and other materials; barge, railcar, and truck loading/unloading operations, material handling, and plant roads. Air pollution prevention equipment includes water sprays for loading/unloading operations and a water truck for plant roads. Potential emissions from this facility are estimated to be 32.4 tons per year of total suspended particulate matter and 14.7 tons per year of particulate matter less than 10 microns (PM<sub>10</sub>). The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The proposed operating permit includes emission limitations, work practice standards, and operational, monitoring, reporting, and recordkeeping requirements for the facility. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by calling Thomas J. Joseph, P.E., Environmental Engineer Manager, at 412-442-4336. Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit 04-00707) and concise

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

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity

permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

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

### Coal Applications

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3.

**Mining Permit No. 30121301. NPDES No. PA0236915. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Morris, Washington, Center, Gray, Franklin, Richhill, East Finley and Morris Townships, **Greene** and **Washington Counties**. To renew and revise the permit and related NPDES permit to remove 3,786.84 acres in the subsidence control plan area and to remove fourteen (14) monitoring points, affecting 3,786.84 subsidence control plan acres. Application received: July 26, 2024. Accepted: July 24, 2024.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

**Mining Permit No. 17921602. NPDES No. PA0214191. King Coal Sales, Inc.**, P.O. Box 712, Philipsburg, PA 16866, Morris Township, **Clearfield County**. Application for a Change of Post-Mining Land Use from forestland to commercial/industrial and unmanaged natural habitat on an existing coal preparation plant and associated NPDES permit affecting 26.0 acres. Receiving stream(s): Alder Run classified for the following use(s): CWF. Application received: July 24, 2024. Accepted: July 29, 2024.

### 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.

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity.			
pH must always be greater than 6.0; less than 9.0.			

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

Contact: RA-EPCAMBRIADMO@pa.gov.

**Mining Permit No. 11190801. NPDES No. PA0279579. Hite Coal & Stone Supply, LLC**, P.O. Box 350, Carrolltown, PA 15722, East Carroll Township, **Cambria County**. NPDES renewal of a small noncoal (industrial minerals) operation affecting 5.0 acres. Receiving stream: Laurel Lick Run classified for the following use: HQ-CWF. Application received: July 25, 2024.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

**Mining Permit No. 4773SM4. NPDES No. PA0115461. Heidelberg Materials Northeast LLC**, 7660 Imperial Way, Allentown, PA 18195, Liberty Township, **Tioga County**. Renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site affecting 145.7 acres. Receiving stream(s): Bellman Run a tributary to Johnson Creek and Tioga River Watershed classified for the following use(s): CWF, MF. Application received: July 22, 2024. Accepted: July 26, 2024.

**Mining Permit No. 53140801. NPDES No. PA0269603. Donald R. Reed**, 392 Ridge Road, Genesee, PA 16923, Genesee Township, **Potter County**. Renewal of an NPDES permit associated with a small noncoal (industrial minerals) mining site affecting 5 acres. Receiving stream(s): West Branch Genesee River classified for the following use(s): HQ-CWF. Application received: July 15, 2024. Accepted: July 29, 2024.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

**Mining Permit No. 52970301. NPDES Permit No. PA0226033. Pocono Sand & Stone, LLC**, P.O. Box 540, Newfoundland, PA 798445, Greene Township, **Pike County**. Renew NPDES Permit on a quarry operation affecting 172.56 acres. Receiving stream: Wallenpaupack Creek, classified for the following uses: HQ—CWF, MF. Application received: July 15, 2024.

**Mining Permit No. 8074SM1. NPDES Permit No. PA0013722. Glasgow, Inc.**, P.O. Box 1089, Glenside, PA 19038, Montgomery Township, **Montgomery County**. Renew NPDES Permit on a quarry operation affecting 63.5 acres. Receiving stream: Park Creek, classified for the following uses: WWF, MF. Application received: July 22, 2024.

### 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*

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3.

#### **CORRECTION—previously published on July 20, 2024.**

**NPDES No. PA0235814. Mining Permit No. 56071301. RoxCOAL, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Stonycreek Township, **Somerset County**. Application received: November 7, 2023. Accepted: December 6, 2023.

To renew the NPDES permit and mining activity permit, affecting 116.4 surface acres and 2,545.4 underground acres. Receiving stream(s): Glades Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL

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

The proposed effluent limits for Outfall 001 discharging to Glades Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.83	3.65	4.57
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 002 discharging to Glades Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	1.31	2.62	2.62
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 003 discharging to Glades Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

**NPDES No. PA0214434. Mining Permit No. 63921301. Washington County Land Resources, Inc.,** 46226 National Road, St. Clairsville, OH 43950, Fallowfield Township, **Washington County.** Application received: December 7, 2023. Accepted: January 29, 2024.

A renewal and revision to the NPDES permit, affecting 64.6 surface acres and 2,130.0 underground acres. Receiving stream(s): Unnamed Tributary "B" to Taylors Run and Tributary 39648 to Taylors Run, classified for the following use: WWF.

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

The proposed effluent limits for Outfall 003 discharging to UNT "B" to Taylors Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Suspended Solids	(mg/l)	-	35	70	90
Iron	(mg/l)	-	2.06	4.12	5.15
Aluminum	(mg/l)	-	0.75	0.85	0.85
Manganese	(mg/l)	-	1.54	3.08	3.85
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 004 discharging to UNT 39648 to Taylors Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Suspended Solids	(mg/l)	-	35	70	90
Iron	(mg/l)	-	1.5	3.0	3.8
Aluminum	(mg/l)	-	0.75	0.75	0.75
Manganese	(mg/l)	-	1.0	2.0	2.5
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 005 discharging to UNT 39648 to Taylors Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Suspended Solids	(mg/l)	-	35	70	90
Iron	(mg/l)	-	1.5	3.0	3.8
Aluminum	(mg/l)	-	0.75	0.75	0.75
Manganese	(mg/l)	-	1.0	2.0	2.5
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 006 discharging to UNT "B" to Taylors Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Suspended Solids	(mg/l)	-	35	70	90
Iron	(mg/l)	-	2.06	4.12	5.15

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum	(mg/l)	-	0.75	0.85	0.85
Manganese	(mg/l)	-	1.54	3.08	3.85
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

**NPDES No. PA0213535. Mining Permit No. 30841316. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill Township, Greene County.**

A revision to the NPDES permit, affecting 2,013.81 surface acres and 43,393.31 underground acres. Receiving stream(s): Enlow Fork, classified for the following use: TSF. Application received: January 29, 2024. Application accepted: February 28, 2024.

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

The proposed effluent limits for Outfall 005 discharging to Enlow Fork are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 040 discharging to Enlow Fork are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.6	5.2	6.5
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	142	284	355
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

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

*Contact: RA-EPCAMBRIADMO@pa.gov.*

**NPDES No. PA0269298. Mining Permit No. 56130105. J & J Svonavec Excavating, Inc., 555 Philadelphia Street, Indiana, PA 15701, Elk Lick Township Somerset County, NPDES permit renewal for the continued operation of a bituminous surface mine affecting 95 acres. Receiving streams: unnamed tributary to/and the Casselman River, classified for the following uses: CWF, WWF. These receiving streams are included in the Casselman River TMDL. Application received: March 5, 2024.**

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

The following treated wastewater outfalls discharge to an unnamed tributary to Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N

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

<i>Outfalls: 001 and 002</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (mOsm/kg)	XX	XX	50.0
Sulfate (mg/l)		Report	
Temperature (°C)		Report	
Flow (gpm)		Report	
Total Dissolved Solids (mg/L)		Report	
Specific Conductance (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.  
Alkalinity must exceed acidity at all times.

The following stormwater outfalls discharge to an unnamed tributary to Casselman River and the Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003	N
004	N

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

<i>Outfalls: 003 and 004</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Aluminum (mg/l)	0.75	0.75	0.75
Sulfate (mg/l)		Report	
Temperature (°C)		Report	
Flow (gpm)		Report	
Specific Conductance (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.  
Alkalinity must exceed acidity at all times.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**NPDES No. PA0119334. Mining Permit No. 17793044. River Hill Coal Company**, P.O. Box 141, Kylertown, PA 16847, Karthaus Township, **Clearfield County**. Application received: January 31, 2024.

Renewal of an NPDES permit for discharge of water resulting from postmining treatment of coal mine drainage affecting 28.9 acres. Receiving stream(s): Saltlick Run, classified for the following use(s): HQ-CWF.

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

The following outfall discharges to Saltlick Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	Treatment Pond Outfall T-100	Continuous (0.062 MGD)

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

<i>Outfalls: 002 (T-100) (All Discharges)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/L)	1.6	3.2	4.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.5	5.0	6.2
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.  
Alkalinity must exceed acidity at all times.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

**NPDES Permit No. PA0123293. Mining Permit No. 54713002 & 54860106. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, New Castle Township, Schuylkill County.** Application received: March 19, 2020.

Renew NPDES permit affecting 1,687.0 acres. Receiving stream: East Branch Norwegian Creek, classified for the following uses: CWF, MF. The receiving stream is included in the Upper Schuylkill TMDL.

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 East Branch Norwegian Creek:

Outfall Number	New or Existing	Type	Discharge Rate
001	Existing	TFO	14.4 MGD

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

Outfalls: Parameter (unit)	Minimum	30-Day Average	Daily Maximum	Instant Maximum
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
Discharge (MGD)				
Total Iron (mg/L)		3.0	6.0	7.0
Total Manganese (mg/L)		2.0	4.0	5.0
Total Aluminum (mg/L)		0.75	1.5	1.75

<sup>1</sup>This Parameter is applicable at all times.

*Noncoal NPDES Draft Permits*

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

Contact: Alicia Cook, Clerical Assistant 3, 814-343-3328.

**NPDES No. PA0242365. Mining Permit No. 16030302. I.A. Construction Corporation, 24 Gibb Road, Franklin, PA 16323, Richland Township, Clarion County.** Application received: May 20, 2024.

Contact: Elias J Heferle.

**NPDES Permit No. PA0242365 (Mining Permit No. 16030302), I.A. Construction Corporation, 24 Gibb Road, P.O. Box 568, Franklin, PA 16323, renewal of NPDES permit for discharge of water resulting from surface mining of industrial minerals in Licking and Richland Townships, Clarion County, affecting 163.5 acres.** Receiving stream(s): unnamed tributary to the Clarion River, classified for the following use(s): CWF. This receiving stream is included in the Lower Clarion River TMDL. This permit also drains to an unnamed tributary to Turkey Run, classified for the following use(s): HQ-CWF. Application received: May 20, 2024.

The following outfalls discharge to unnamed tributary to the Clarion River:

Outfall No.	New or Existing	Type	Discharge Rate
001 (SPA)	Existing	Sedimentation Pond A	Precipitation Induced, 0.295 MGD
002 (SPB)	Existing	Sedimentation Pond B	Precipitation Induced, 0.208 MGD
004 (SPD)	Existing	Sedimentation Pond D	Precipitation Induced, 0.201 MGD
005 (TA)	Existing	Treatment Pond TA	Intermittent (Pumped), 0.072 MGD
006 (TB)	Existing	Treatment Pond TB	Intermittent (Pumped), 0.072 MGD

\*If an outfall has continuous discharge rate then enter the average flow rate in GPD or MGD.

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

Outfalls: 005, 006 (All Discharges) Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Iron, Total (mg/L)	3.0	6.0	7.0
Manganese, Total (mg/L)	2.0	4.0	5.0
Aluminum, Total (mg/L)	0.75	0.75	0.75
Net Alkalinity (as CaCO <sub>3</sub> )		Calculation	
Acidity, Total (as CaCO <sub>3</sub> )		Report	
Alkalinity, Total (as CaCO <sub>3</sub> )		Report	
Temperature (°C)		Report	
Specific Conductance (µmhos/cm)		Report	
Flow (gpm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units.

Alkalinity must exceed acidity at all times.



*Outfalls: 001, 002 and 004 (Discharges during Dry Weather Conditions)*  
*Parameter*

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Iron, Total (mg/L)	3.0	6.0	7.0
Manganese, Total (mg/L)	2.0	4.0	5.0
Aluminum, Total (mg/L)		Report	
Net Alkalinity (as CaCO <sub>3</sub> )		Calculation	
Acidity, Total (as CaCO <sub>3</sub> )		Report	
Alkalinity, Total (as CaCO <sub>3</sub> )		Report	
Temperature (°C)		Report	
Specific Conductance (µmhos/cm)		Report	
Flow (gpm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
Alkalinity must exceed acidity at all times.			

*Outfalls: 001, 002 and 004 (Discharges after ≤10-yr/24-hr Precip. Event)*  
*Parameter*

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Iron, Total (mg/L)			7.0
Net Alkalinity, Total (as CaCO <sub>3</sub> )		Calculation	
Alkalinity, Total (as CaCO <sub>3</sub> )		Report	
Acidity, Total (as CaCO <sub>3</sub> )		Report	
Flow (gpm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

*Outfalls: 001, 002 and 004 (Discharges after >10-yr/24-hr Precip. Event)*  
*Parameter*

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Net Alkalinity, Total (as CaCO <sub>3</sub> )		Calculation	
Alkalinity, Total (as CaCO <sub>3</sub> )		Report	
Acidity, Total (as CaCO <sub>3</sub> )		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

The following outfall requires a non-discharge alternative:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
003 (SPC)	Exiting	Sedimentation Pond C	No Discharge

There is no proposed surface discharge from the previously listed facility to the receiving stream due to the implementation of Best Management Practices in the form of an infiltration system. Waters entering the infiltration system must meet the following limits:

*Outfalls: 003 Sediment Pond (Waters Entering Infiltration System)*  
*Parameter*

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Iron, Total (mg/L)	3.0	6.0	7.0
Manganese, Total (mg/L)	2.0	4.0	5.0
Aluminum, Total (mg/L)	2.0	4.0	5.0
Net Alkalinity, Total (as CaCO <sub>3</sub> )		Calculation	
Acidity, Total (as CaCO <sub>3</sub> )		Report	
Alkalinity, Total (as CaCO <sub>3</sub> )		Report	
Sulfate, Total (mg/L)		Report	
Temperature (°C)		Report	
Specific Conductance (µmhos/cm)		Report	
Flow (gpm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
Alkalinity must exceed acidity at all times.			

The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event. Effluent limits for the emergency spillway are as follows:

*Outfalls: 003 Sediment Pond Emergency Spillway (During >10-yr/24-hr Precipitation Event)*  
*Parameter*

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	70.0
Alkalinity, Total (as CaCO <sub>3</sub> )	N/A	N/A	Report

*Outfalls: 003 Sediment Pond Emergency  
Spillway (During >10-yr/24-hr  
Precipitation Event)  
Parameter*

	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Acidity, Total (as CaCO <sub>3</sub> )	N/A	N/A	Report
Net Alkalinity, Total (as CaCO <sub>3</sub> )	N/A	N/A	Calculation

pH (S.U.): Must be between 6.0 and 9.0 standard units 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.*

**E5829224-005. SWN Production Company LLC**, 917 State Route 92 North, Tunkhannock, PA 18657, Harford Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 10, 2024.

To construct, operate, and maintain:

Seamans Well Site:

A well site release and subsequent remediation impacting 44,047-square feet (1.01-acres) of palustrine emergent wetlands (PEM) and temporary workspace impacting 48,220-square feet (1.11-acres) of palustrine emergent

wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41.802407°, Longitude: -75.763787°).

Elk Lake Mitigation Site:

A wetland restoration project and temporary workspace impacting 5,059-square feet (0.12-acre) of palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41.733725°, Longitude: -75.954888°), a stream restoration project and temporary workspace impacting 830-lineal feet of an unnamed tributary to White Creek (CWF-MF) and 36,223-square feet (0.83-acre) of floodway impacts thereto (Springville, PA Quadrangle; Latitude: 41.734073°, Longitude: -75.955183°), a gravel walking trail project impacting 2,401-square feet (0.06-acre) of floodway impacts to an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41.734073°, Longitude: -75.955183°).

1) A temporary workspace impacting 35-lineal feet of an unnamed tributary to White Creek (CWF-MF) (Springville, PA Quadrangle; Latitude: 41.733701°, Longitude: -75.955042°).

2) A wetland restoration project and temporary workspace impacting 17,521-square feet (0.40-acre) of palustrine emergent wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41.732822°, Longitude: -75.953985°).

The Seamans Well Site is situated in Harford Township, Susquehanna County. The release and subsequent remediation resulted in approximately 92,267-square feet (2.12-acres) of palustrine emergent wetland (PEM) impacts. The Elk Lake School Stream Restoration and Wetland Enhancement Project is situated in Dimock Township, Susquehanna County. The project will result in approximately 865-lineal feet of restored/established stream channel and 1.21-acres of palustrine emergent wetland to palustrine scrub-shrub wetlands enhancement (PEM to PSS), as mitigation.

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Clarissa Alcorn, Aquatic Biologist 2, 570-321-6525, RA-EPWW-NCRO@pa.gov.*

**E1404224-002. Spring Benner Walker Joint Authority**, 170 Irish Hollow Road, Bellefonte, PA 16823, Benner Township and Patton Township, **Centre County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 9, 2024.

The applicant is proposing to construct sewage conveyance along Shiloh Road, Rock Road, Big Hollow Road, and Walnut Grove Development in southern Benner Township. The sewer extension will tie into the existing Spring Benner Walker Joint Authority (SBWJA) sewer system along Alexander Drive near the University Park Airport. The project will include installation of 26,500 linear feet (LF) of gravity sewer, 23,000 LF of force main sewer, and three main pumping stations serving approximately 74 residential EDUs and two commercial EDUs with the potential to serve a proposed commercial development along Shiloh Road. The project also includes mitigation

sites along Spring Creek. Construction of the project will include eight stream crossings, four wetland crossings, seven floodway encroachments, and forty-nine stream rehabilitation structures. Threatened and endangered species exist within the project area; avoidance measures and conservation measures are included within the application. Latitude: 40°, 50', 35.2439", Longitude: -77°, 50', 14.531".

Contact: Jake Carson, Project Manager, 570-327-3565.

**E5904124-007. PA DOT Engineering District 3-0**, 715 Jordan Ave, Montoursville, PA 17754, Richmond Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 10, 2024.

PA DOT propose to install a Contra Costa Energy Dissipator at the outlet of an existing 6.5 Ft. diameter stream enclosure under SR 0015 to stabilize a highly eroded channel. There will be no changes made to the existing SR 0015 culvert, which conveys the 100 year storm without overtopping. The SR 0015 roadway will remain unchanged. There is a weir located within the outlet end section, which will be replaced with a concrete slab. The concrete bottom will have a six foot deep concrete cut off wall at the downstream end. There is an existing R-8 plunge basin at the outlet and R-8 Rip Rap along the channel banks, which will be replaced with the energy dissipator. The energy dissipator is 56 LF long, 13 Ft. high, 1:1 side slopes, bottom width of 10 Ft. and a top width of 36 Ft. The dissipator will have a cast in place concrete bottom with three baffles. The height of the baffles will be 3.1 Ft., 6.1 Ft., and 1.3 Ft. The third baffle will extend laterally to the side slopes of the grouted channel banks, which is at the channel bed elevation. The first two will have vertical side walls to allow low flow fish passage along the sides of the baffles. Grouted R-8 Rip Rap will be constructed on the channel bed and banks approximately 130 LF downstream. The top six inches of the channel bottom will not be grouted and will be choked with native streambed material. The side slopes of the dissipator will be constructed of grouted R-8 Rip Rap. There will be two step formations constructed in the Rip Rap downstream of the third baffle to further decrease velocities and tie into the stream channel. A permanent access road will be required to construct the energy dissipator and future inspection and maintenance. The access road will be constructed on fill to preserve hydrology to the upslope wetland. The project will utilize a detour to convey traffic during construction. The project will utilize a sandbag diversion and clean water pump to convey the stream during construction. The project will temporarily impact 0.06 acre and permanently impact 0.05 acre of jurisdictional wetlands. The wetland impact is considered de minimis and does not require mitigation. Slate Creek is designated as a Cold Water Fishery by 25 Pa. Code Chapter 93 Water Quality Standards. Latitude: 41°, 47', 06", Longitude: -77°, 04', 48".

*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.

**E400224-011. Sheetz, Inc.**, 243 Sheetz Way, Claysburg, PA 16625, Butler Township, **Luzerne**

**County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 15, 2024.

1. Construct and maintain an extension of an existing culvert for a road crossing of UNT to Nescopeck Creek (CWF, MF). The culvert addition will consist of 57 feet of RCP which will extend the existing 107' CMP culvert, and will end with a concrete wall and protective fence.  
2. Construct and maintain two (2) stormwater outfall structures which will discharge collected stormwater into UNT to Nescopeck Creek (CWF, MF). One discharge consists of an 18 inch SLCPP with a concrete endwall. A second discharge proposed consists of an 18 inch SLCPP that will end with the concrete wall mentioned for the culvert extension previously listed. The project is located in Butler Township, Luzerne County, PA, Quadrangle, Latitude: 41°, 03', 24", Longitude: -75°, 57', 37".

**E6602124-002. PA Department of Transportation, Eng District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, Nicholson Township, **Wyoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: July 11, 2024.

To authorize the following water obstructions and encroachments associated with the SR 0092 Section 792 project. 1. To remove the existing structure and to construct and maintain an 86-foot wide single span pre-cast concrete box culvert with a 25-foot normal clear span and an 8-foot minimum underclearance and to construct and maintain appurtenant structure features. The structure will carry SR 0092 over Monroe Creek (CWF, MF). 2. To construct and maintain an outfall in the floodway of Monroe Creek (CWF, MF) consisting of an 18" pipe and riprap protection. The proposed project is located along SR 0092 approximately 250' east of the SR 0092/SR 1011 intersection (Factoryville, PA Quadrangle, Latitude: 41.60492° Longitude: -75.83366°) in Nicholson Township, Wyoming County.

*Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

Contact: RA-EPOILGASDROPBOX@pa.gov.

**E0308224-008. Buffalo Creek Water Withdrawal Project. PennEnergy Resources LLC**, 3000 Westinghouse Drive, Suite 300, Cranberry Township, PA 16066, North Buffalo Township, **Armstrong County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 23, 2024. Latitude: 40.783056°, Longitude: -79.688333°.

**E0308224-008. PennEnergy Resources, LLC**, 3000 Westinghouse Drive, Suite 300, Cranberry Township, PA 16066. Buffalo Creek Water Withdrawal Project, in North Buffalo Township, **Armstrong County**, ACOE Pittsburgh District, Worthington, PA Quadrangle, Lat: 40.783056; Long: -79.688333.

The applicant is proposing to install, operate, and maintain two temporary 4' x 4' intake structures and a 12" temporary aboveground waterline to convey fresh water from Buffalo Creek to the existing W47 Well Development Impoundment in North Buffalo Township, Armstrong County. Buffalo Creek is classified as a high-quality trout stocked fishery (HQ-TSF).

The project will result in 82 linear feet of temporary stream impacts, and 0.092 acre of temporary floodway impacts with the installation of the intake system.

Resource Name	Aquatic Resource Type	Activity	Chapter 93 Designation	Latitude/ Longitude	Impact Area Temp. (LF)	Impact Area Perm. (LF)	Impact Area Temp. (Ac)	Impact Area Perm. (Ac)
Buffalo Creek	Perennial	Intake Structure	HQ-TSF	40.783389 -79.688640	4	N/A	0.001	N/A
Buffalo Creek	Perennial	Intake Structure	HQ-TSF	40.783362 -79.688657	4	N/A	0.001	N/A
Buffalo Creek	Perennial	Utility Line Crossing	HQ-TSF	40.783332 -79.688529	74	N/A	0.054	N/A
Buffalo Creek Floodway	Floodway	Utility Line Crossing/ Temporary Road Crossing	HQ-TSF	40.783332 -79.688529	80	N/A	0.092	N/A

Contact: RA-EPWW-NWRO@pa.gov.

**E2406224-002. Jones Township**, P.O. Box 25, Wilcox, PA 15870, Jones Township, **Elk County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 24, 2024.

To remove an existing steel I-beam bridge and to construct and maintain a prefabricated structural plate box culvert with a length of 46'-5", a span of 12'-11", and a rise of 6' across Nearing Run (CWF) and to permanently impact 0.04 acre of wetland on Horner Road approximately 1.1 miles North of the intersection of Horner Road and T-631. Latitude: 41.593467°, Longitude: -78.686404°.

**E2506224-006. Old Dominion Freight Line Inc.**, 500 Old Dominion Way, Thomasville, NC 27360, Summit Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: June 20, 2024.

To permanently impact 0.219 acre of wetlands for construction of a truck freight facility at the southwest corner of Pennbriar Drive and Footmill Road. Proposed mitigation for the wetland impacts the applicant is through to purchase credits from Pennsylvania's PIECES fund. Latitude: 42.07525°, Longitude: -80.03399°.

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

Contact: ra-ep-ww-sero-105@pa.gov.

**E5101224-002. Desert Diamond 34, LP, c/o Ensemble Investments, LLC**, 444 West Ocean Boulevard, Suite 1108, Long Beach, CA 90802, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 5, 2024.

To construct and maintain a 22-story residential tower and parking garage along the floodway/floodplain of the Delaware River (WWF, MF) associated with the family dwellings and redevelopment of Piers 34 and 35 south improvements. The project will also include the following miscellaneous activities e.g. 1) Two stormwater outfalls. 2) Approximately 2,619 cubic yards of collapsed pier material and debris will be removed from a 10,100-square feet (0.23 acre) area of the river at the end of Pier 34. 3) A new sheet pile bulkhead supported by an internal bracing system will be placed around the remaining 33,200 square feet (0.76 acre) portion of the pier. The existing earthen fill, along with the concrete seawall and timber decking within the new sheet pile, will be removed prior to installing new fill within the same footprint. 4) Approximately 11,809 square feet (0.27 acre) of permanent high deck structure between Piers 34 and 35 over existing mudflats with 1,915 square feet opening to allow sunlight. 5) A new 12-foot-wide elevated walkway at Pier 35 resulting in 11,701 square feet (0.27 acre) impact due to shadowing. 6) The Pier 35 bulkhead will be reconstructed and will connect to Pier 34 with a high deck platform over the interior area, etc. The site is located at 735 South Columbus Boulevard and Piers 34 and 35 (Philadelphia, PA USGS Quadrangle) in the City of Philadelphia, Philadelphia County. Latitude: 39.938177°, Longitude: -75.140771°.

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

Contact: D. J. Stevenson, 412-442-4281, RA-EPSW-OGSUBMISSION@pa.gov.

**E3007224-001. DTM Appalachia Gathering, LLC**, 1000 Noble Energy Drive, Suite 500, Canonsburg, PA 15317, Jefferson Township, **Greene County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 30, 2024. Latitude: 39.895057°, Longitude: -80.0086549°.

The project proposes to expand the existing AGS Booster Station pad to support additional compressor facilities. Project proposes permanent direct impact to one (1) palustrine emergent (PEM) wetland (Wetland 3) due to placement of permanent fill. Total permanent impacts are proposed to 1,801 SF (0.04 acre) of PEM wetland. Overall project impacts include construction/expansion of existing permanent booster pad, construction of a permanent access road, two permanent stormwater management detention facilities, and an overhead electric line.

Resource Name	Aquatic Resource Type	Activity	Chapter 93	Latitude/ Longitude	Impact Area Temp. (SF)	Impact Area Perm. (SF)	Impact Area Temp. (LF)	Impact Area Perm. (Ac)
Crossing 1—Wetland 3	Palustrine Emergent	Placement of Fill	Other Waters	39.894795 -80.086559	0	1801	0	0.04

**ENVIRONMENTAL ASSESSMENTS**

*Central Office: Waterways Engineering & Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, (717) 787-3411.*

*Niamh Hays, Water Program Specialist, 717-772-5959.*

**EA0215224-004. Pittsburgh Water and Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222. City of Pittsburgh, **Allegheny County**, Army Corps of Engineers Pittsburgh District. Latitude 40.451858, Longitude -80.079517. Application received: March 12th, 2024.

The applicant proposes to restore two unnamed tributaries to Chartiers Creek (WWF) by removing legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 520 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 0.5 acre. The project proposes to restore approximately 0.5 acre of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct rock construction entrances and other erosion controls during restoration activities. The restoration project is located northwest of Broadhead Fording Road, north of the Giant Eagle Cold Storage Warehouse in Fairywood, Pittsburgh, PA.

*Central Office: Waterways Engineering & Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, (717) 787-3411.*

*Jeffrey Hartranft, 717.772.5320.*

**EA0715224-002. Blair County Intergovernmental Stormwater Committee**, 100 Chief Logan Circle, Altoona, PA 16602. Hollidaysburg Borough, **Blair County**, Army Corps of Engineers Baltimore District. Latitude 40.432030, Longitude -78.406209. Application received: March 25th, 2024.

The applicant proposes to restore Beaverdam Branch (TSF-MF) and six unnamed tributaries to Beaverdam Branch by removing approximately 111,000 cubic yards of legacy sediment and other historic fills from the floodplain. The length of channel being temporarily impacted during construction is approximately 4,300 linear feet, and the total area being temporarily impacted during construction and within the limits of disturbance is approximately 28 acres. The project proposes to restore approximately 19.2 acres of integrated wetland, stream and floodplain areas. Additional restoration activities proposed include: to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. The restoration area is located south of Legion Memorial Park, beginning at the Plank Road bridge and continuing downstream approximately 4,200 LF in Hollidaysburg, PA.

**EROSION AND SEDIMENT CONTROL**

The following parties have applied for an Erosion and Sediment Control Permit (ESCP) for an earth disturbance activity associated with either a road maintenance or timber harvesting operation.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regula-

tions, the Department of Environmental Protection (DEP) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Individuals wishing to comment on the proposed permit are invited to submit a statement to the appropriate DEP Regional Office listed above the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this 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).

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**Applications Received Under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).**


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

*Contact: William Stevens, Clerical Supervisor 2, 412-442-4134.*

ESCP #	<b>ESP07022400100E Leto Well Pad</b>
Applicant Name	<b>Olympus Energy, LLC</b>
Contact Person	Brian Dillemath (724) 754-0110 bdillemath@olympusenergy.com
Address	501 Technology Drive Suite 1200
City, State, Zip	Canonsburg, PA 15317-7635
Township(s)	West Deer Township
County	<b>Allegheny County</b>
Receiving Stream(s) and Classification(s)	Dawson Run (CWF), Trib 42335 to Dawson Run (CWF), UNT 3 to Dawson Run (CWF). Latitude: 40.63308, Longitude: -79.88892.
Application received:	March 5, 2024

## ACTIONS

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

## FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at [www.dep.pa.gov/CWPublicNotice](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>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD150327	Chapter 102 Individual NPDES Permit	Issued	Artisan Land Co. P.O. Box 689 Devon, PA 19333-0689	East Coventry Township Chester County	SERO
PAD150341	Chapter 102 Individual NPDES Permit	Issued	Spring Ford Area School District 857 S Lewis Road Royersford, PA 19468-2711	East Vincent Township Chester County	SERO
PAD210060	Chapter 102 Individual NPDES Permit	Issued	Cambria LLC 1454 Baltimore Street Suite A Hanover, PA 17331-9816	South Middleton Township Cumberland County	SCRO
PAD330013	Chapter 102 Individual NPDES Permit	Issued	Joseph B Fay Co. Two Allegheny Center Nova Tower 2 Suite 800 Pittsburgh, PA 15212	Pine Creek Township Jefferson County	NWRO
PAD330015	Chapter 102 Individual NPDES Permit	Issued	Joseph B Fay Co. Two Allegheny Center Nova Tower 2 Suite 800 Pittsburgh, PA 15212	Pine Creek Township Jefferson County	NWRO
PAD390291	Chapter 102 Individual NPDES Permit	Issued	Trexkertown Retail Center LLC 5917 W Tilghman Street Allentown, PA 18104	Upper Macungie Township Lehigh County	NERO
PAD640048	Chapter 102 Individual NPDES Permit	Issued	NEPA Storage Solutions 17 Scottsdale Court Cranbury, NJ 08512-2714	Lake Township Wayne County	NERO
0713803	Joint DEP/PFBC Pesticides Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Tyrone Township Blair County	SCRO
1413804	Joint DEP/PFBC Pesticides Permit	Issued	Campbell Richard L 1615 Brush Valley Road Centre Hall, PA 16828-8016	College Township Centre County	NCRO
1524811	Joint DEP/PFBC Pesticides Permit	Issued	UMH Properties Inc. 150 Clay Street Suite 410 Alan Patterson Assist VP of Eng Morgantown, WV 26501	Honey Brook Borough Chester County	SERO
2217804	Joint DEP/PFBC Pesticides Permit	Issued	PA Turnpike Comm 700 S Eisenhower Boulevard Middletown, PA 17057-5529	Londonderry Township Dauphin County	SCRO
2224807	Joint DEP/PFBC Pesticides Permit	Issued	Thomas and Michelle Flowers 6045 Lyters Lane Harrisburg, PA 17111-4620	Lower Paxton Township Dauphin County	SCRO
PA0026026	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	New Brighton Borough Sanitary Authority Beaver County 610 3rd Avenue New Brighton, PA 15066-1851	New Brighton Borough Beaver County	SWRO
WQM0811201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Issued	Vanblarcom James A 934 Besley Road Columbia Cross Roads, PA 16914-7789	Columbia Township Bradford County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0083143	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Saxton Borough Municipal Authority Bedford County 707 9th Street Saxton, PA 16678-1109	Saxton Borough Bedford County	SCRO
PA0295337	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Mercatoris Oil Co. Inc. 11604 Dawn Drive Meadville, PA 16335-6394	Sadsbury Township Crawford County	NWRO
PA0053074	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	The Piper Group P.O. Box 320 103 Randts Mill Road Pipersville, PA 18947-0320	Whitemarsh Township Montgomery County	SERO
PA0085278	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Deerwood Community HOA 11375 Lafayette Road Mercersburg, PA 17236-9772	Montgomery Township Franklin County	SCRO
PA0093131	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Prebula Family Ventures LLC 160 Ralston Road Slippery Rock, PA 16057-3528	Slippery Rock Township Butler County	NWRO
PA0100315	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Cozy Oaks RV Resort LLC 87 Hughey Road Greenville, PA 16125-9617	Perry Township Mercer County	SWRO
PA0217565	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	John and Lynae Williams 2212 Anthony Run Road Indiana, PA 15701-4413	Armstrong Township Indiana County	NWRO
PA0222216	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Edinboro Conference Grounds 12940 Fry Road Edinboro, PA 16412-1825	Washington Township Erie County	NWRO
PA0023892	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Masontown Municipal Authority 1 E Church Street Masontown, PA 15461-1841	German Township Fayette County	SWRO
PA0028657	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Nanty Glo Borough Sanitary Sewer Authority 879 Wood Street Nanty Glo, PA 15943-1371	Nanty Glo Borough Cambria County	SWRO
PA0087190	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Saint Thomas Township Municipal Authority Franklin County 175 Saint Thomas Edenville Road Saint Thomas, PA 17252-9743	Saint Thomas Township Franklin County	SCRO



## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0294250	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	MRPI Amity Hall LLC 509 S Exeter Street Suite 216 Baltimore, MD 21202-4365	Watts Township Perry County	SCRO
4301424	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Cozy Oaks RV Resort LLC 87 Hughey Road Greenville, PA 16125-9617	Perry Township Mercer County	NWRO
5024401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	MRPI Amity Hall LLC 509 S Exeter Street Suite 216 Baltimore, MD 21202-4365	Watts Township Perry County	SCRO
NOEXNW085	No Exposure Certification	Issued	Bayer Healthcare LLC 150 Victory Road Saxonburg, PA 16056-9772	Clinton Township Butler County	NWRO
PAG030317	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Geon Performance Solutions LLC 2925 State Road Croydon, PA 19021-6960	Bristol Township Bucks County	SERO
PAG032433	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Millwood Inc. 3708 International Boulevard Vienna, OH 44473-9796	Tunkhannock Borough Wyoming County	NERO
PAG033795	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Precision Custom Components LLC P.O. Box 15101 500 Lincoln Street York, PA 17405-7101	York City York County	SCRO
PAG033804	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Master Woodcraft Cabinetry LLC 12393 William Penn Highway Thompsontown, PA 17094-8649	Delaware Township Juniata County	SCRO
PAG034825	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Keister Miller Investments LLC 204 Miller Road Mahaffey, PA 15757-7231	Bell Township Clearfield County	NCRO
PAG035020	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	Williamsport City Lycoming County	NCRO
PAG036468	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Union RR Co. 708 Duquesne Boulevard Duquesne, PA 15110-1522	Duquesne City Allegheny County	SWRO
PAG036568	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Westmoreland County Airport Authority 148 Aviation Lane Suite 103 Latrobe, PA 15650-5399	Rostraver Township Westmoreland County	SWRO
PAG038318	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Winland Foods Inc. 11160 Parkway Drive North East, PA 16428-6512	North East Borough Erie County	NWRO
PAG038340	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cactus Wellhead LLC 194 Aviation Way Reynoldsville, PA 15851-8188	Reynoldsville Borough Jefferson County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038356	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Buffalo & Pittsburgh RR Inc. 47849 Papermill Road Coshocton, OH 43812-9724	Johnsonburg Borough Elk County	NWRO
PAG038385	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Haysite Reinforced Plastics LLC 5599 Perry Highway Erie, PA 16509-3562	Millcreek Township Erie County	NWRO
PAG041166	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Anthony Lore and Catisha Christy Lore 2751 Scranton Hollow Road Warren, PA 16365-8824	Farmington Township Warren County	NWRO
PAG041278	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Wyszomierski Beth 3819 Chewton Wurtemberg Road Ellwood City, PA 16117	Wayne Township Lawrence County	NWRO
PAG041336	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Camplese Mark 909 E Fairfield Avenue New Castle, PA 16105-2317	Neshannock Township Lawrence County	NWRO
PAG041348	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Jeffrey and Mary Cusick 1049 Hartford Road Sharpsville, PA 16150-9648	South Pymatuning Township Mercer County	NWRO
PAG041387	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Launer Kay 2480 Keller Road Warren, PA 16365-8717	Conewango Township Warren County	NWRO
PAG041390	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Lippert Regis 245 Lindsay Road Zelienople, PA 16063-8917	Jackson Township Butler County	NWRO
PAG045302	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Morgan Beacker and Mark Gower 50 Shaw Road Williamsport, PA 17701-9707	Loyalsock Township Lycoming County	NCRO
PAG045304	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Horton Jacob 306 Homan Hill Road Towanda, PA 18848-9406	Sheshequin Township Bradford County	NCRO
PAG058401	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	Vennards Crossroads Convenience Inc. 5190 White Oak Drive Indiana, PA 15701-9479	White Township Indiana County	NWRO
PAG123545	PAG-12 NPDES General Permit for CAFOs	Issued	Wenger Farms Pork Products Network LLC P.O. Box 26 138 Airport Road Marietta, PA 17547-0026	South Londonderry Township Lebanon County	SCRO
PAG123787	PAG-12 NPDES General Permit for CAFOs	Issued	Kready Jevin M 1113 N Colebrook Road Manheim, PA 17545-8122	Rapho Township Lancaster County	SCRO
PAG123827	PAG-12 NPDES General Permit for CAFOs	Issued	Doutrich Brian 750 Whitman Road Lebanon, PA 17042-8816	South Lebanon Township Lebanon County	SCRO
PAG123848	PAG-12 NPDES General Permit for CAFOs	Issued	Johnson Drew 20522 Hammond Road Spring Run, PA 17262-9718	Fannett Township Franklin County	SCRO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG123852	PAG-12 NPDES General Permit for CAFOs	Issued	JSR Management LLC 275 Naftzingertown Road Mohrsville, PA 19541-9700	Upper Bern Township Berks County	SCRO
PAG123884	PAG-12 NPDES General Permit for CAFOs	Issued	Troutman Connie and Troutman Scott 638 Railroad Road Mohrsville, PA 19541-8868	Centre Township Berks County	SCRO
PAG123934	PAG-12 NPDES General Permit for CAFOs	Issued	Barry Christopher L 221 Michters Road Newmanstown, PA 17073-8978	Heidelberg Township Lebanon County	SCRO
PAG124877	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Arlyn R 26234 Route 522 McClure, PA 17841-8173	McClure Borough Snyder County	SCRO
PAG130102	PAG-13 NPDES General Permit for MS4s	Issued	Radnor Township Delaware County 301 Iven Avenue Wayne, PA 19087-5204	Radnor Township Delaware County	SERO
PAG136287	PAG-13 NPDES General Permit for MS4s	Waived	Clairton City Allegheny County 551 Ravensburg Boulevard Clairton, PA 15025-1243	Clairton City Allegheny County	SWRO
6620401	Sewage Treatment Facilities Individual WQM Permit	Issued	Lake Winola Municipal Authority Wyoming County P.O. Box 59 Lake Winola, PA 18625-0059	Overfield Township Wyoming County	NERO
PA0082007	Single Residence STP Individual NPDES Permit	Issued	Browell Kimberly A Jr 6827 Bedford Valley Road Bedford, PA 15522	Cumberland Valley Township Bedford County	SCRO
PA0263869	Single Residence STP Individual NPDES Permit	Issued	Dickerson Keith 276 McCrea Brk Eldred, PA 16731-5216	Ceres Township McKean County	NWRO
PA0271462	Single Residence STP Individual NPDES Permit	Issued	Zacherl Kolin 12502 Route 208 Shippenville, PA 16254-2022	Elk Township Clarion County	NWRO
PA0291277	Single Residence STP Individual NPDES Permit	Issued	Dean and Jodi Hushon 4430 Route 59 Lewis Run, PA 16738-3216	Lafayette Township McKean County	NWRO
PA0294365	Single Residence STP Individual NPDES Permit	Issued	St Johns Evang Lutheran Church P.O. Box 222 Tyrone, PA 16686-0222	Tyrone Township Blair County	SCRO
PA0294381	Single Residence STP Individual NPDES Permit	Issued	Eardley Noemie M 736 Nicholson Avenue Douglassville, PA 19518-1569	Logan Township Blair County	SCRO
PA0295639	Single Residence STP Individual NPDES Permit	Issued	McNeal Pamela 108 Ball Hill Road Pleasantville, PA 16341-4202	Harmony Township Forest County	NWRO
PA0295787	Single Residence STP Individual NPDES Permit	Issued	Obrien James 2781 Second Street Eden, NY 14057	Corydon Township McKean County	NWRO
0724402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	St Johns Evang Lutheran Church P.O. Box 222 Tyrone, PA 16686-0222	Tyrone Township Blair County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0724404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Eardley Noemie M 736 Nicholson Avenue Douglassville, PA 19518-1569	Logan Township Blair County	SCRO
1024406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Lippert Regis 245 Lindsay Road Zelienople, PA 16063-8917	Jackson Township Butler County	NWRO
1618403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Zacherl Kolin 12502 Route 208 Shippenville, PA 16254-2022	Elk Township Clarion County	NWRO
2724401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	McNeal Pamela 108 Ball Hill Road Pleasantville, PA 16341-4202	Harmony Township Forest County	NWRO
4211401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Dickerson Keith 276 McCrea Brk Eldred, PA 16731-5216	Ceres Township McKean County	NWRO
4222405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Dean and Jodi Hushon 4430 Route 59 Lewis Run, PA 16738-3216	Lafayette Township McKean County	NWRO
4224401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Obrien James 2781 Second Street Eden, NY 14057	Corydon Township McKean County	NWRO
6224402	Small Flow Treatment Facility Individual WQM Permit	Issued	Launer Kay 2480 Keller Road Warren, PA 16365-8717	Conewango Township Warren County	NWRO
WQG01212404	WQG-01 Single Residence Sewage Treatment Plant WQM General Permit	Issued	William Steele 590 N. Middleton Rd Carlisle PA 17013	North Middleton Township Cumberland County	SCRO
WQG02092402	WQG-02 Sewer Extension WQM General Permit	Issued	Sellersville Borough 140 E. Church Street Sellersville, Pa 18960	West Rockhill Township Bucks County	SERO
WQG02672401	WQG-02 WQM General Permit	Issued	Stewartstown Borough Authority York County 6 North Main Street Stewartstown, PA 17363-4132	Stewartstown Borough York County	SCRO

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**II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.**


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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>
PAC650409	PAG-02 General Permit	Issued	Mekis Construction 1595 US 422 East Fenelton, PA 16034	Bell Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO

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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>
PAC650401	PAG-02 General Permit	Issued	Pennsylvania Turnpike Commission 2200 North Center Avenue New Stanton, PA 15672	North Huntingdon Township Hempfield Township Arona Borough New Stanton Borough Penn Township Murrysville Municipality Manor Borough Hampton Township Harmar Township Indiana Township Marshall Township Monroeville Borough Oakmont Borough Pine Township Plum Borough Richland Township West Deer Township Westmoreland County Allegheny County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC650400	PAG-02 General Permit	Issued	Derry Township Supervisors 5321 Route 982 Derry, PA 15627	Derry Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC650288A-1	PAG-02 General Permit	Issued	Penn Township 2001 Municipal Court Harrison City, PA 15636	Penn Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC630333	PAG-02 General Permit	Issued	Authority of the Borough of Charleroi 3 McKean Avenue Charleroi, PA 15022	Donegal Borough Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC560093	PAG-02 General Permit	Issued	Solitude Solar, LLC 8 British Boulevard Latham, NY 12210	Quemahoning Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652 SWRO
PAC540151	PAG-02 General Permit	Issued	Gary R. Bender 401 North 2nd Street Pottsville, PA 17901	Ryan Township West Mahanoy Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC400305	PAG-02 General Permit	Issued	Young Wha Yoo 10 Park Place Hazleton, PA 18202	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 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>
PAC350177	PAG-02 General Permit	Issued	Jeffery Kovaleski Dickson City Borough 901 Enterprise Street Dickson City, PA 18519	Dickson City Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC220438	PAG-02 General Permit	Issued	Creekview Management LLC P.O. Box 273 Hershey, PA 17033	Derry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220435	PAG-02 General Permit	Issued	Borough of Steelton 123 N. Front St Steelton, PA 17113	Steelton Borough Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220437	PAG-02 General Permit	Issued	Harrisburg Mall LP 2560 Lord Baltimore Dr Baltimore, MD 21244	Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220200	PAG-02 General Permit	Issued	Custer Development Co 2704 Old Post Rd Ste 200 Harrisburg, PA 17110	Susquehanna Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220444	PAG-02 General Permit	Issued	Susquehanna Township Authority 1900 Linglestown Road Harrisburg, PA 17110	Susquehanna Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC390218	PAG-02 General Permit	Issued	Nana Kofi Amankwah 1 Glenwood Ave. Apt. 17K Yonkers, NY 10701	Upper Saucon Township Lehigh County	Lehigh County Conservation District Lehigh County AG Center Suite 105 4184 Dorney Park Road Allentown, PA 18104-5728 610-391-9583 RA-EPWW-NERO@ pa.gov
PAC390085	PAG-02 General Permit	Issued	Grist Mill Development Company, LLC Jerry Fasnacht 1013 Brookside Road Suite 202 Wescosville, PA 18106	Whitehall Township Lehigh County	Lehigh County Conservation District Lehigh County AG Center Suite 105 4184 Dorney Park Road Allentown, PA 18104-5728 610-391-9583 RA-EPWW-NERO@ pa.gov

## NOTICES

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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>
PAC350176	PAG-02 General Permit	Issued	Tim Moran 1310 Clay Avenue Reality, LLC 1142 Sanderson Ave. Scranton, PA 18519-2623	Dunmore Borough Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC670320	PAG-02 General Permit	Issued	Kinsley Equities II LP 6259 Reynolds Mill Road Seven Valleys, PA 17360	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670274	PAG-02 General Permit	Issued	Kinsley Equities II LP 6259 Reynolds Mill Road Seven Valleys, PA 17360	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670709	PAG-02 General Permit	Issued	Wellspan Health 2500 South George St York, PA 17403	Newberry Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670586A-1	PAG-02 General Permit	Issued	Ferber Construction Management North LLC 194 Mount Airy Rd Basking Ridge, NJ 08920-2021	West Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670706	PAG-02 General Permit	Issued	Molimo LLC 1410 Eden Road York, PA 17402	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670718	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Mt Wolf Borough Township East Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC360952	PAG-02 General Permit	Issued	Jay Horst 175 Center Square Road Leola, PA 17540	West Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

<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>
PAC210255A-1	PAG-02 General Permit	Issued	Bob Keefer 108 Duncan Road Shippensburg, PA 17257	Southampton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210364	PAG-02 General Permit	Issued	JLM Real Estate Investments LLC P.O. Box 472 Schuylkill Haven, PA 17972	Upper Frankford Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210367	PAG-01 General Permit	Issued	James Skiles 71 Smith Road Newville, PA 17241	Penn Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC100138	PAG-02 General Permit	Issued	B3V Partners LP 800 South Washington Street Evans City, PA 16033	Adams Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC320016C	PAG-02 General Permit	Issued	Stream Restoration Inc 434 Spring Street Ext Mars, PA 16046	Center Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751
PAC100331	PAG-02 General Permit	Issued	Penn Township 157 East Airport Road Butler, PA 16002	Penn Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100344	PAG-02 General Permit	Issued	Four Seasons Farm LLC 120 Royal Oak Drive Butler, PA 16001	Penn Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC050074	PAG-02 General Permit	Issued	FRA Real Estate, LLC 7640 Standish Place Rockville, MD 20855	West Providence Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 3 Bedford, PA 15522 814-623-7900
PAC230300	PAG-02 General Permit	Issued	Overbrook Golf Club c/o Brandon Collins 799 Godfrey Road Villanova, PA 19085-0000	Radnor Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov



<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>
PAC230211 A-1	PAG-02 General Permit	Issued	400 Smithbridge, LLC P.O. Box 251 Chester Heights, PA 19017	Concord Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC350061	PAG-02 General Permit	Issued	HK Kolmar Laboratories, Inc. 102 Life Science Drive Olyphant, PA 18447	Scott Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC040144	PAG-02 General Permit	Issued	ALDI, Inc 6000 North Noah Drive Saxonburg, PA 16056	Franklin Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC630323	PAG-02 General Permit	Issued	Level Up Pickleball Camps, LLC 19 Mayview Road Canonsburg, PA 15317	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC650410	PAG-02 General Permit	Issued	Municipal Authority of the City of New Kensington P.O. Box 577 920 Barnes Street New Kensington, PA 15068	City of New Kensington Westmoreland County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO

**STATE CONSERVATION COMMISSION**  
**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR**  
**NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at 717-787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN  
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Benner's Swine Barn LLC 56 Platt Hollow Road Thompsontown, PA 17094	Juniata County	574	611.45	Swine	NA	Approved
Hidden Hollow Poultry LLC 160 Oakville Road Shippensburg, PA 17257	Cumberland County	13.4	502.40	Poultry	NA	Approved
Joe Jurgielewicz and Sons—Hegins Farm 883 East Mountain Road Hegins, PA 17938	Schuylkill County	38.63	45.31	Ducks	NA	Approved
Country View Family Farms, LLC River Valley Farm 504 Doan Road Knoxville, PA 16928	Tioga County	445	3,271.5	Swine	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

**SAFE DRINKING WATER**

**Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

*Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.*

**Construction Permit No. 4124506**, Major Amendment, Public Water Supply.

Applicant	<b>Jersey Shore Area Joint Water Authority</b>
Address	1111 Bardo Avenue Jersey Shore, PA 17740
Municipality	Anthony Township
County	<b>Lycoming County</b>
Consulting Engineer	Christopher M Eckenrode 3121 Fairway Drive Altoona, PA 16602
Application Received	May 8, 2024
Permit Issued	July 25, 2024
Description	This permit authorizes construction of a new 2.0 MGD Membrane Filter Plant to replace the existing 1.5 MGD Larry's Creek Conventional Filter Plant.

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

*Contact: Ryan Fox, Env. Engineering Specialist, 570-826-2533.*

**Transfer Permit No. 3540021**, Public Water Supply.

Applicant	<b>Schuylkill County Municipal Authority (SCMA)</b>
Address	221 South Centre St. Pottsville, PA 17901
Municipality	City of Pottsville
County	<b>Schuylkill County</b>

Application Received April 29, 2024  
 Permit Issued July 24, 2024  
 Description Morea Citizens Water System transfer of ownership to Schuylkill County Municipal Authority (SCMA).

*Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.*

**Construction/Operation Permit 1424513MA.** PWSID No. **4140107.** **Gregg Township Water Authority**, P.O. Box 165, Spring Mills, PA 16875, Gregg Township, **Centre County**. Application received: July 24, 2024. Permit Issued: July 26, 2024. This permit grants permission to replace the existing MIOX mixed oxidant generation system with a sodium hypochlorite disinfection system.

**Operation Permit 1406503-A1.** PWSID No. **4140107.** **Gregg Township Water Authority**, P.O. Box 165, Spring Mills, PA 16875, Gregg Township, **Centre County**. Application received: July 24, 2024. Permit Issued: July 26, 2024. This permit grants permission to replace the existing MIOX mixed oxidant generation system with a sodium hypochlorite disinfection system.

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

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.*

**NCWSA Operation Permit 7210822.** PWSID No. **7210822.** **Penn Township Fire Company**, 1750 Pine Rd, Newville, PA 17241, Penn Township, **Cumberland County**. Application received: July 17, 2024. Permit Issued: July 23, 2024. This action authorizes operation of a new ultraviolet (UV) light disinfection unit and cartridge filtration unit.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and

cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

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

*Contact: Randy Farmerie, Environmental Program Manager, 570-327-3431.*

**Denali Oilfield Services Diesel Fuel & Production Fuel Release, Primary Facility ID # 870440**, East of Intersection of SR 298 and Broughton Hollow Road, Wellsboro, PA 16901, Delmar Township, **Tioga County**. Penn Environmental & Remediation Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Denali Oilfield Services, Inc., 1101 Callaway Drive, Apt 4207, Carlsbad, NM 88220, submitted a Final Report concerning remediation of soil contaminated with diesel fuel and MTBE. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Former Williamsport Landfill**, Primary Facility ID # **846735**, 2 Rose Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. BAI Group, LLC, 366 Walker Drive, Suite 300, State College, PA 16801, on behalf of Williamsport Ballpark, Inc., 102 N Fourth St, Williamsport, PA 17701, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with metals, volatile organic compounds, semi-volatile organic compounds, PCBs and pesticides. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Bellefonte Waterfront Development Project**, Primary Facility ID # **773766**, 129 Dunlop St, 130 Dunlop St. and 315 W High Street, Bellefonte, PA 16823, Bellefonte Borough, **Centre County**. BAI Group, LLC, 366 Walker Drive, Suite 300, State College, PA 16801, on behalf of Bellefonte Waterfront Associates, 366 Walker Drive, Suite 201, State College, PA 16801, submitted a Risk Assessment/Final Report concerning remediation of soil and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds and metals. The Risk Assessment/Final Report is intended to document remediation of the site to meet the site-specific standards.

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

**Young Compressor Station**, Primary Facility ID # **875280**, 1740 Keir Hill Road, Columbia Cross Roads, PA 16914, Springfield Township, **Bradford County**. Moody and Associates, Inc., 101 N. Main Street, Suite 3, Athens, PA 18810, on behalf of Blackhill Energy LLC,

4600 J Barry Court, Suite 320, Canonsburg, PA 18831, submitted a Final Report concerning remediation of soil contaminated with production water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Former Union Trade Center (Hope Tower)**, Primary Facility ID # **661362**, 325 South Claude A. Lord Boulevard, Pottsville, PA 17901, City of Pottsville, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of AAA Northampton County, 3914 Hecktown Road, Easton, PA 18045, submitted a Final Report concerning remediation of soil and groundwater contaminated with metals, volatile organic compounds, and semi-volatile organic compounds. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

*Contact: Barry, 814-332-6195.*

**Community Guidance Center**, Primary Facility ID # **846768**, 304 East Pike Road, Indiana, PA 15701, White Township, **Indiana County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Community Guidance Center, 793 Old Route 119 Highway North, Indiana, PA 15701, submitted a Final Report concerning remediation of soil and groundwater contaminated with Soil: arsenic, iron, and manganese. Groundwater: Manganese. The Final Report is intended to document remediation of the site to meet the Site-Specific, Statewide Health and Background.

*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.*

**D&D Distribution Services**, Primary Facility ID # **805916**, 789 Kings Mill Road, York, PA 17403, Spring Garden Township, **York County**. Arcadis U.S., Inc., 1 Harvard Way, Suite 5, Hillsborough, NJ 08844, on behalf of SK Kings Mill LLC, 254 West 31st Street, New York, NY 10001, submitted a Remediation Investigation Report/Final Report concerning remediation of soil and groundwater contaminated with VOCs, SVOCs and Metals. The Remediation Investigation Report/Final Report is intended to document remediation of the site to meet the site-specific standards.

**D&D Distribution Services**, Primary Facility ID # **805916**, 789 Kings Mill Road, York, PA 17403, Spring Garden Township, **York County**. Arcadis U.S., Inc., 1 Harvard Way, Suite 5, Hillsborough, NJ 08844, on behalf of 789 Kings Mill, LP, 40 Morris Avenue, Suite 230, Bryn Mawr, PA 19010, submitted a Remediation Investigation Report/Final Report concerning remediation of soil and groundwater contaminated with VOCs, SVOCs and Metals. The Remediation Investigation Report/Final Report is intended to document remediation of the site to meet the site-specific standards.

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

*Contact: C. David Brown, Professional Geologist Manager, 484-250-5792.*

**The Estate of Paul Fusco**, Primary Facility ID # **875436**, 131 West Ridge Pike, Limerick, PA 19468, Limerick Township, **Montgomery County**. Jeffery K. Walsh, P.G., Penn Environmental Remediation, Inc., 400 Old Dublin Pike, Doylestown, PA 18901, on behalf of Paula McLaughlin and Maria Sica, The Estate of Paul Fusco, 809 School Street and 24 S. Midland Avenue, Collegeville and Trooper, PA 19426 and 19403, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with Site soil and groundwater is contaminated with chlorinated solvents, inorganics, and other organics. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**No. 4 Separator Release**, Primary Facility ID # **874442**, 3144 West Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Kevin Long, Terraphase Engineering, Inc., 100 Canal Pointe Blvd, Suite 110, Princeton, NJ 08540, on behalf of Anne R. Garr, Philadelphia Energy Solutions Refining and Marketing LLC, 3144 West Passyunk Avenue, Philadelphia, PA 19153, submitted a Final Report concerning remediation of soil contaminated with Site soil is contaminated with PAHs and other organics. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**2944 Samuel Dr.**, Primary Facility ID # **840740**, 2499 Samuel Dr., Bensalem, PA 19020, Bensalem Township, **Bucks County**. Natalie Griffith, REPSG, Inc., 60901 Kingsessing Avenue, Philadelphia, PA 19142, on behalf of Howard Weiss, 2944 Samuel Drive, Inc., 4250 Wisahickon Avenue, Philadelphia, PA 19129, submitted a Final Report concerning remediation of soil and groundwater contaminated with Site soil and groundwater is contaminated with inorganics and PAHs. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in

addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

The DEP has received the following plans and reports.

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

*Contact: Randy Farmerie, Environmental Program Manager, 570-327-3431.*

**Seneca Resources Company, LLC—Violet Bieser Unit 833**, Primary Facility ID # **876501**, 691 Shortsville Road, Covington, PA 16917, Chatham Township, **Tioga County**. ARM Group LLC, 2548 Park Center Boulevard, State College, PA 16801, on behalf of Seneca Resources Company LLC, 2000 Westinghouse Drive, Suite 400, Cranberry Township, PA 16066, submitted a Final Report concerning remediation of soil contaminated with production fluid. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 16, 2024.

**Clean Energy Whispering Pines 12-27-23 Production Fluid Release**, Primary Facility ID # **873019**, 245 Sullivan Road, Wellsboro, PA 16901, Delmar Township, **Tioga County**. Penn Environmental & Remediation Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Clean Energy Exploration & Production, LLC, 2620 Egypt Road, Norristown, PA 19403, submitted a Final Report concerning remediation of soil contaminated with production fluid. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 24, 2024.

**Seneca Watkins 820 Pad**, Primary Facility ID # **874437**, 404 Merrick Hill Road, Winfield, PA 16950, Chatham Township, **Tioga County**. Weaver Consultants Group, LLC, 2225 Sycamore Street, Harrisburg, PA 17110, on behalf of Seneca Resources Company LLC, 2000 Westinghouse Drive, Suite 400, Cranberry Township, PA 16066, submitted a Remediation Investigation Report/Final Report concerning remediation of soil contaminated with production fluid and oil-based mud. The Final Report did not demonstrate attainment of the Statewide health and background standards. Issued a technical deficiency letter: July 25, 2024.

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

*Contact: Eric Supey, Environmental Program Manager.*

**210 Washington Street**, Primary Facility ID # **865632**, 210 Washington Street, Freeland, PA 18224, Freeland Borough, **Luzerne County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Fegley Oil, Inc., 551 West Penn Pike, Tamaqua, PA 18252, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 30, 2024.

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

*Contact: Barry, 814-332-6195.*

**Holben 5 OG Well**, Primary Facility ID # **875938**, Off Route 1830, Washington, PA 15851, Washington Township, **Jefferson County**. Moody & Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Diversified Production, LLC, 126 Industry Road # 201, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: July 29, 2024.

#### 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.*

**Bogg Express LLC**, 2300 Seymour Ave, Cincinnati, OH 45212. **License No. PA-AH 0954**. Application received: June 12, 2024. Effective July 16, 2024.

##### *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.*

**Eldredge, Inc.**, 898 Fern Hill Road, West Chester, PA 19380. **License No. PA-AH 0056**. Application received: July 16, 2024. Effective July 24, 2024.

**Maumee Express, Inc.**, P.O. Box 278, Somerville, NJ 08876. **License No. PA-AH 0420**. Application received: July 9, 2024. Effective July 23, 2024.

**McVac Environmental Services, Inc.**, 481 Grand Ave., New Haven, CT 06513. **License No. PA-AH 0801**. Application received: July 9, 2024. Effective July 23, 2024.

**Sioux Services LLC**, 6 Hall Road, Pottsville, PA 17901. **License No. PA-AH 0816**. Application received: July 11, 2024. Effective July 17, 2024.

**Innovative Recycling Technologies, Inc.**, 690 North Queens Ave., Lindenhurst, NY 11757. **License No. PA-AH 0849**. Application received: July 2, 2024. Effective July 24, 2024.

**Apollos Waters LLC**, 108 W 1250 S, Battle Ground, IN 47920. **License No. PA-AH 0922**. Application received: July 8, 2024. Effective July 24, 2024.

**ARM NE LLC**, 1675 Old Trail Road, Etters, PA 17319. **License No. PA-AH 0927**. Application received: July 16, 2024. Effective July 24, 2024.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Action(s) Taken on Regulated and Chemotherapeutic 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); Act 93 of June 28, 1988 (P.L. 525, No. 93); and Regulated Medical and Chemotherapeutic Regulations to Transport Regulated Medical and Chemotherapeutic Waste.**

*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*

**Sioux Services LLC**, 6 Hall Road, Pottsville, PA 17901. **License No. PA-HC 0258**. Received on July 11, 2024. Effective July 17, 2024.

**Triumvirate Environmental Services, Inc.**, 3701 SW 47th Ave., Davie, FL 33314. **License No. PA-HC 0272**. Received on July 16, 2024. Effective July 24, 2024.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

*Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Carrie A. Fleming, Program Manager.*

**WMGR081SC003. GigaBiter, LLC**, 822 N. Reading Avenue, Boyertown, PA 19512, Colebrookdale Township, **Berks County**. This is for the renewal of WMGR081SC003 which authorizes the processing by disassembling, mechanical processing (by sizing, shaping, separating and volume reduction only), and associated storage prior to reuse or recycling at the processing or transfer facility, of uncontaminated and source-separated electronic devices. Application received: December 11, 2023. Issued: July 29, 2024.

Persons interested in reviewing the permit may contact Carrie A. Fleming, Program Manager, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200,

717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

*Contact: Carrie A. Fleming, Program Manager*

**WMGR081SC005. EZPC Recycling, LLC**, 35 Queen Street, Sinking Spring, PA 19608, Sinking Spring Borough, **Berks County**. This is for the renewal of WMGR081SC005 (formerly WMGR081D17B) which authorizes the processing by disassembling, mechanical processing (by sizing, shaping, separating and volume reduction only), and associated storage prior to reuse or recycling at the processing or transfer facility, of uncontaminated and source-separated electronic devices. Application received: October 26, 2023. Issued: July 29, 2024.

Persons interested in reviewing the permit may contact Carrie A. Fleming, Program Manager, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

*Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMITS@pa.gov.*

**WMGM024SE001. Riverside Materials, Inc.**, 2870 East Allegheny Avenue, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. This application is for the renewal of Determination of Applicability approval to continue the coverage under the conditions defined within General Permit No. WMGM024 for the processing and beneficial use of concrete and asphalt waste at the Riverside Materials, Inc., Facility, an existing waste processing facility, located at 2870 East Allegheny Avenue, in the City of Philadelphia, Philadelphia County. Application received: February 8, 2024. Issued: July 10, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, 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.

#### 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.**

*Northwest Region: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.*

**101187. County Landfill, Inc.**, 344 Walley Run Drive, Leeper, PA 16233, Farmington Township, **Clarion County**. This major permit modification proposes to reduce sampling frequency to semiannual and to remove some wells from the groundwater monitoring system. Application received: January 30, 2024. Issued: July 23, 2024.

Persons interested in reviewing the permit may contact Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD

users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

**Unpermitted Facility. Homer City Redevelopment LLC—Temporary Ash Disposal Site**, 1750 Power Plant Road, Homer City, PA 15748, Center Township, **Indiana County**. On behalf of Homer City Redevelopment LLC, Civil & Environmental Consultants, Inc. (CEC) has prepared this Closure Plan for the temporary Ash Disposal Site (Disposal Site) located at the Homer City Generating Station in Indiana County, PA. The Disposal Site will be closed by removal and the ash will be placed in the on-site Coal Refuse Disposal Area (CRDA) in accordance with existing operations approved by the Pennsylvania Department of Environmental Protection (PA DEP) Bureau of Mining Programs. Application received: June 28, 2024. Approved: July 30, 2024.

Persons interested in reviewing the permit may contact Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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

*Contact: Waste Management Program Manager.*

**100277. Westmoreland Sanitary Landfill, LLC**, 111 Conner Lane, Belle Vernon, PA 15012, Rostraver Township, **Westmoreland County**. This permit was renewed to continue authorization for disposal of municipal and residual waste for another ten years. Application received: August 1, 2023. Renewal issued: July 26, 2024.

Persons interested in reviewing the permit may contact Regional Files (412-442-4100), Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. 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.

*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.*

**GP7-67-03082E: The YGS Group**, 3650 West Market Street, York, PA 17404, West Manchester Township, **York County**. For two existing lithographic printing presses, under GP7, at the printing facility. The general permit authorization was renewed. Application received: July 5, 2024. Issued: July 25, 2024.

### 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.

*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.*

**09-0242: Adelpia Pipeline Quakertown**, Rich Hill Rd, Quakertown, PA 18951, West Rockhill Township, **Bucks County**. This plan approval extension is for the temporary operation of a new natural gas compressor station and metering station at their location. Application received: June 24, 2024. Issued: July 24, 2024.

### Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

**36-05158A: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the construction and temporary operation of a grain elevator and a soybean oil extraction facility. The plan approval was extended. Application received: July 16, 2024. Issued: July 26, 2024.

**36-05158E: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the modification to the 40 CFR Part 64, Continuous Assurance Monitoring (CAM) pressure differential ranges for various particulate matter control devices, and the modification of the mineral oil absorber temperature and flow rate requirements and the mineral oil condenser coolant temperature and flow rate requirements, at the soybean processing facility. The plan approval was extended. Application received: July 16, 2024. Issued: July 26, 2024.

**36-05158F: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the modification of the soybean day tanks' (Source ID 211) exhausts and for the installation of a dust reclaim system and a clay addition system at the soybean processing facility. The plan approval was extended. Application received: July 16, 2024. Issued: July 26, 2024.

**36-05158D: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the modification of the vertical seed conditioner (VSC) fan discharge and the ability to combust propane in Grain Dryer No. 2 (Source ID 104) at the soybean processing facility. The plan approval was extended. Application received: July 18, 2024. Issued: July 26, 2024.

### 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.

*Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.*

*Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.*

**OP22-000013: Constellation Energy Generation, LLC—Southwark Generating Station**, 2501 S. Delaware Avenue, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal of the Title V Operating Permit (TVOP) for the operation of an

electric generating facility. The facility's air emission sources include four (4) 233 million British thermal unit per hour combustion turbines firing No. 2 fuel oil or kerosene. Application received: July 29, 2024. Issued: July 12, 2024.

*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.*

**05-05006: Columbia Gas Transmission LLC**, 455 Racetrack Road, Washington, PA 15301-8910, Mann Township, **Bedford County**. For the Artemas natural gas compressor station. The Title V permit was renewed. Application received: July 25, 2023. Issued: July 16, 2024.

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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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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Norman Frederick, Facility Permitting Chief, 570-826-2409.*

**35-00010: Mactac Inc.**, 802 E Corey St, Scranton, PA 18505-3515, Moosic Borough, **Lackawanna County**. The Department has issued a renewal State-Only (Synthetic Minor) Operating Permit for the Moosic Borough facility. Sources at this facility include their boilers, coaters, part washers, hot melt extruder, hot melt compounder, and an emergency generator. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: June 4, 2024. Accepted: June 4, 2024. Issued: July 25, 2024.

*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.*

**01-05020: Knouse Foods Cooperative, Inc.**, P.O. Box 807, Biglerville, PA 17307-0807, Biglerville Borough, **Adams County**. For the fruit processing facility. The State-Only permit was renewed. Application received: February 28, 2024. Issued: July 23, 2024.

**28-03039: Warrior Roofing Manufacturing of PA LLC**, 3050 Warrior Road, Tuscaloosa, AL 35404-1205, Greene Township, **Franklin County**. For the asphalt felt/granulated asphalt roll goods manufacturing facility. The State-Only permit was renewed. Application received: September 25, 2023. Issued: July 23, 2024.

**01-05004: Hamilton Power, LLC**, 1890 Granite Station, Gettysburg, PA 17325, Hamilton Township, **Adams County**. For the Hamilton electric generating station. The State-Only permit was renewed. Application received: April 29, 2024. Issued: July 26, 2024.

**21-05056: Fry Communications, Inc.**, 101 Fry Drive, Mechanicsburg, PA 17050-2654, Silver Spring Township, **Cumberland County**. For the Building 4 printing facility. The State-Only permit was renewed. Application received: March 14, 2024. Issued: July 29, 2024.

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

**36-05007: Johnson & Johnson Consumer, Inc.**, 400 West Lincoln Avenue, Lititz, PA 17543-8701, Lititz Borough, **Lancaster County**. For the pharmaceuticals manufacturing facility. The State-Only permit was renewed. Application received: February 28, 2024. Issued: July 15, 2024.

**36-03024: Astro Machine Works, Inc.**, 470 Wenger Drive, Ephrata, PA 17522-9269, Ephrata Borough, **Lancaster County**. For the custom machine manufacturing facility. The State-Only permit was renewed. Application received: April 18, 2024. Issued: July 22, 2024.

*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.*

**09-00178: KVK Technology**, Route 332, 100 Campus Dr, Newtown, PA 18940-0992, Newtown Township, **Berks County**. This action is for the renewal of Synthetic Minor Operating Permit for boilers and emergency generator operating at this office space. Application received: September 19, 2023. Issued: July 23, 2024.

**09-00106: Univar Solutions USA/Morrisville Branch**, 6100 Carillon Pt, Kirkland, WA 98033-7451, Falls Township, **Bucks County**. This action is for the renewal of the State Only Operating Permit for a chemical distribution facility for repackaging bulk liquid chemicals in smaller containers. Application received: December 1, 2023. Issued: July 23, 2024.

**15-00151: Pacer Industries**, 200 Red Rd, Coatesville, PA 19320-2765, Valley Township, **Chester County**. This action is for a renewal of State Only (Natural Minor) Operating Permit for a grinding wheel manufacturing facility, which consists of a depolymerized natural rubber (DPR) production process and resin and cork grinding wheel finishing machines. Application received: August 11, 2023. Issued: July 23, 2024.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: David Balog, New Source Review Section Chief, 814-332-6328.*

De minimis Increases:

**43-00196: Wabtec US Rail Inc.**—Grove City Engine Plant (1503 W Main Street Ext. Grove City, PA 16127-2513) for its facility located in Pine Township, **Mercer County**. The de minimis emission increase is for construction of a new ventilated conveyor washer. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on May 24, 2022.



Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
6/5/23	Proposed Ventilated Wash Booth	-	-	-	0.065	-
5/9/24	Ventilated Conveyor Washer	-	-	-	0.057	-
Total Reported Increases		-	-	-	0.122	-
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

**RFD-65-01037: Alcoa Technical Center LLC**, 859 White Cloud Road, Upper Burrell, PA 15068, Upper Burrell Township, Westmoreland County.

On April 11, 2024, Alcoa Technical Center LLC (859 White Cloud Road, New Kensington, PA 15068), submitted a request for determination which would result in an emission increase at its Alcoa Technical Center. This Notice is published per 25 Pa. Code § 127.449(i). The Alcoa Technical Center is a research facility. This facility is regulated by natural minor, State Only Operating Permit, SOOP-65-01037, last renewed on October 14, 2021. The project is the replacement of two (2) electrically heated kilns (Kiln A and Kiln C) with two new electrically heated kilns (E2024KI-Batch Kiln I (or II)). The Alcoa Technical Center will comply with requirements in eRFD # 10615. Installation of these kilns will not change potential air emissions from any other source at the facility.

After review, the Department has determined that this project is exempt from Plan Approval as a de minimis emission increase per Section 127.14(a)(8) listed as No. 36 in the Department's Plan Approval and Operating Permit Exemption List (275-2101-003/July 1, 2021) established under 25 Pa. Code § 127.14(d). Also, this project is not exempt from Operating Permit. The constructed equipment and these requirements will be incorporated into the State Only Operating Permit at a later time.

The following list displays the change in potential emissions from the facility:

Action	Date	Source	NO <sub>x</sub>	CO	VOC	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	Combined HAPs	CO <sub>2e</sub>
			(tpy)							
<i>Previous Emission Changes</i>										
9993	4/10/23	Addition of Batch Kiln	0.00	0.00	0.20	0.00	0.00	0.00	0.20	0.00
10026	6/30/23	Addition of Furnace w/Thermal Oxidizer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<i>Current Change</i>										
10615	7/10/24	Addition of two Kilns	0.00	0.00	0.28	0.00	0.00	0.00	0.00	0.00
Sum of Changes TPY			0.00	0.00	0.48	0.00	0.00	0.00	0.20	0.00

If you have any questions or require further assistance, please contact Sheri Guerrieri at 412-442-4174 or via email at shguerrier@pa.gov.

**DEM-63-01068A: Range Resources Corporation**, 3000 Town Center Boulevard, Canonsburg, PA 15317, Buffalo Township, Washington County.

On July 9, 2024, Range Resources Corporation (3000 Town Center Boulevard, Canonsburg, Pennsylvania 15317), submitted a request for a de minimis emission increase at its Smith Larry Well Pad 11312 located in Buffalo Township, Washington County. This Notice is published per 25 Pa. Code § 127.449(i). The well pad contains eleven (11) completed, active, horizontal wells, producing natural gas from the Marcellus Shale and ancillary equipment. The project is to construct an emergency electrical generator powered by a 10.1-bhp diesel engine, to be utilized if utility electrical power becomes unavailable to the site. Annual operation of the generator engine will be limited to a maximum of 500-hours per year. Range Resources Corporation will comply with requirements in DEM-63-01068A. Currently operation of the well pad is authorized by GP-5A-63-01068A.

The following table shows emission changes at the well pad since its operation was authorized by GP-5A-63-01068A: Table 1—Change in Potential Emissions since Authorization for Use of GP5A-63-01068A on June 9, 2018. Range Resources Corporation—Smith Larry Well Pad 11312

Action	Date	Source	NO <sub>x</sub>	CO	VOC	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	Combined HAPs	CO <sub>2e</sub>
			(tpy)							
<i>Current Emissions Change</i>										
DEM-63-01068A	7/17/2024	Addition of 10.1-bhp Diesel, Emergency Engine	+0.078	+0.0172	+0.0062	+0.0056	+0.0056	+0.0052	+0.0024	+0.0445
Sum of Changes			0.08	0.02	0.10	0.01	0.01	0.01	0.00	0.05

Under item Number “36 Source(s) qualifying under § 127.449 as de minimis emission increases.” of “Section 127.14(a)(8) Exemptions that do not require the submission of an RFD form” in the Department’s Plan Approval and Operating Permit Exemption List (275-2101-003/July 1, 2021) on Page 8, the change is exempt from requiring Department authorization. However, the upgrade and operation of the equipment are subject to certain requirements for this exemption to be effective. The constructed equipment and these requirements will be incorporated into the general Operating Permit at a later time.

### ACTIONS ON COAL AND NONCOAL APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).**

*Coal Permits*

*California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 30841320. Dana Mining Company of PA, LLC, 966 Crafts Run Road, Maidsville, WV 26541, Dunkard Township, Greene County.** To renew the permit. Application received: August 6, 2019. Accepted: August 14, 2019. Issued: June 6, 2024.

**Mining Permit No. 32803712. Consol Mining Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Young and Blacklick Townships, Indiana**

**County.** To renew the permit. Application received: July 15, 2020. Accepted: September 17, 2020. Issued: July 18, 2024.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17980117. NPDES No. PA0238104. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, Clearfield County.** Permit renewal for a bituminous surface coal mine and associated NPDES permit affecting 2.5 acres. Remaining mining activities consist only of operation and maintenance of a post-mining mine drainage water treatment system. Receiving stream(s): Laurel Run and Little Laurel Run classified for the following use(s): CWF. Application received: February 27, 2024. Accepted: February 27, 2024. Issued: July 11, 2024.

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 49931601. Black Creek Breaker Co., 1150 West Fern Street, Apt. 10, Coal Township, PA 17866, West Cameron Township, Northumberland County.** Renew an anthracite coal preparation plant operation affecting 4.5 acres. Receiving stream: Mahanoy Creek. Application received: March 10, 2023. Renewal issued: July 26, 2024.

*Noncoal Permits*

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

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-343-3324.*

**Mining Permit No. 37860305. NPDES No. PA0212032. Three Rivers Aggregates, LLC, 321 Currie Road, Slippery Rock, PA 16057, Plain Grove Township, Lawrence County.** Renewal of an NPDES permit associated with a large noncoal (industrial minerals) mine, affecting 103.0 acres. Receiving stream(s): Taylor Run, classified for the following use(s): CWF. Application received: March 18, 2024. Issued: July 25, 2024.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 14900301. NPDES No. PA0206229. Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803, Spring Township, Centre County.** A major revision to the permit boundary to add 27.4 acres to the existing large industrial minerals sur-

face mining permit and modification of the associated NPDES permit of the large noncoal mining site affecting 288.0 acres. The additional area uses include topsoil removal and storage, overburden removal, drilling, blasting, mining, and reclamation. Berms and internal access roads may also be constructed in the expansion area. Receiving stream(s): Logan Branch classified for the following use(s): HQ, CWF, MF. Application received: July 6, 2023. Accepted: July 24, 2023. Issued: July 16, 2024.

**Mining Permit No. 08232501. GP-104 NPDES No. PAM223001. Stevensville Stone Supply, LLC**, 120 Johnson Hill Lane, Wyalusing, PA 18853, Stevens Township, **Bradford County**. Coverage under GP-105 issued for a bluestone surface mining operation affecting 10 acres. Receiving stream(s): UNT to Wyalusing Creek classified for the following use(s): WWF. Application received: January 13, 2023. Application received: January 13, 2023. Accepted: July 18, 2023. Issued: July 26, 2024.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.**

##### *Blasting Permits*

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

*Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.*

**Permit No. 30244101. Wampum Hardware Company**, 636 Paden Road, Cuddy, PA 16141, Gilmore Township, **Greene County**. Blasting activity permit for the development of the Secretariat Well Pad, with an expiration date of December 31, 2024. Application received: July 26, 2024. Issued: July 26, 2024.

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Permit No. 35244110. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, Archbald Borough, **Lackawanna County**. Construction blasting for Archbald Business Park. Application received: July 22, 2024. Permit issued: July 24, 2024. Expiration date: July 31, 2025.

**Permit No. 23244101. Ed Wean Drilling & Blasting, Inc.**, 112 Ravine Road, Stewartsville, NJ 08886, Radnor Township, **Delaware County**. Construction blasting for Villanova New Library. Application received: July 11, 2024. Permit issued: July 29, 2024. Expiration date: December 30, 2024.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA

(33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Stephen Kardohely, Project Manager, 814-342-8216, RA-EPWW-NCRO@pa.gov.*

**E5304224-003. UGI Utilities, Inc.**, 1 UGI Drive, Denver, PA 17517, Hebron Township, **Potter County**. U.S. Army Corps of Engineers Pittsburgh District.

The Department of Environmental Protection has issued a Chapter 105 Water Obstruction and Encroachment Permit to UGI Utilities for a utility line replacement of approximately 18,650 feet of steel gas main that runs through a private easement located within PA Game Commission owned property. UGI proposes to install the new main within Whitney Creek Road right of way which will require the crossing of Whitney Creek three times via horizontal directional drilling. The project is located within the floodplain of Whitney Creek which is listed in the Pa. Code Chapter 93 designation use of Exceptional Value (EV) with natural trout reproduction. Latitude: 41°, 51', 2.96", Longitude: -78°, 2', 38.79". Application received: March 4, 2024. Issued: July 12, 2024.

*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.

**E4002224-004. Wyoming Valley Sanitary Authority**, 1000 Wilkes-Barre Street, Hanover Township, PA 18704, Pittston Township, Wilkes-Barre City, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a stream restoration project along a 359-LF reach of Mill Creek (CWF, MF) with work consisting of re-grading to create a constructed stream channel having a 20- to 30-foot wide bed bottom lined with natural streambed material and 2.5:1 embankment side slopes. Other improvements will include three (3) J hook enhancement structures, three (3) scour pools, live stake embankment and floodplain plantings, and R-6 riprap bank protection along the existing exposed sanitary sewer line/manhole. This project will result in 294 yd<sup>3</sup> of total fill within the floodway and 815 yd<sup>3</sup> of total fill within the floodplain. The project access is located at the end of Dewey Lane after the intersection with E. Main Street (Miners' Mills, PA) (Pittston, PA Quadrangle Latitude: 41°, 16', 14.66", Longitude: -75°, 50', 3.70") in Plains Township and Wilkes-Barre City, Luzerne County. Application received: January 23, 2024/July 24, 2024.

**E4002224-006. Jennifer Hilla-Josefowicz**, 50 Autumn Drive, Mountain Top, PA 18707-1256, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to construct and maintain a 1,663 ft<sup>2</sup>, pile-supported dock and boathouse at Pole # 115 within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The new structure will result in 636 ft<sup>2</sup> of new shading within the normal pool elevation of Harveys Lake. The project is located 0.1 mile southwest of the intersection of Roosevelt Street and Lakeside Drive (Noxen, PA Quadrangle, Latitude: 41°, 22', 44.15"; Longitude: -76°, 2', 46.6") in Harveys Lake Borough, Luzerne County. Application received: February 2, 2024. Issued: July 25, 2024.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

Contact: 717-705-4802.

**E0103223-003. The Brethren Home Community**, 2990 Carlisle Pike, P.O. Box 128, New Oxford, PA 17350, Oxford Township, **Adams County**. U.S. Army Corps of Engineers Baltimore District.

Giving its consent to permanently impact 6,600.00-square feet of emergent/forested wetlands in order to extend a development road and to construct a wooden boardwalk structure. The applicant also proposes to permanently impact 84,554.84-square feet of an existing open water quarry pond in order to create a more useable water feature and to enhance the aquatic environment of the open water area. All impacts are in conjunction with proposed improvements associated with a senior living community. 0.36 acre of wetland mitigation credits will be purchased from RES to compensate for the proposed permanent wetland impacts. The project is located at Bridgewater Drive, Oxford Township, PA 17350 in Oxford Township, Adams County (Latitude: (39.8608), Longitude: (-77.0400)). Application received: October 20, 2023. Issued: July 29, 2024.

**E5003124-002. PennDOT Engineering District 8-0**, 2140 Herr St., Harrisburg, PA 17103, Southwest Madison Township, **Perry County**. U.S. Army Corps of Engineers Baltimore District.

To install and maintain a 24-inch diameter outfall with rock lined channel and rock basin within the floodway of UNT Laurel Run (designated use HQ-CWF, MF: existing use EV, MF). The project proposes to permanently impact 919 sq. feet of floodway with 897 sq. feet of temporary floodway impacts. This is for the purpose of improving roadway safety. The project is located within Southwest Madison Township, Perry County (40.3234, -77.3736). Application received: March 13, 2024. Issued: July 12, 2024.

**E0603223-015. Mt. Penn Borough Municipal Authority**, 200 N. 25th Street, Reading, PA 19606, Lower Alsace Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District.

Giving its consent to 1) Demolish an existing 1.0 million gallon concrete water storage tank, construct and maintain a new 1.0 million gallon concrete water storage tank, and grade and maintain the floodway of an Unnamed tributary (UNT) to Antietam Creek (CWF, MF), resulting 12,618 square feet permanent floodway impact; 2) Install and maintain a 16-foot long, 27-inch wide, 6-inch depressed RCP culvert within a UNT to Antietam Creek (CWF, MF) resulting in 16 linear feet (37 square feet) of permanent impact; 3) Install and maintain a 24-foot long, 48-inch wide, 6-inch depressed, HDPE culvert, with rubber baffles and a headwall and endwall, within a UNT to Antietam Creek (CWF, MF) resulting in 24 linear feet (96 square feet) of permanent impact; 4) Install and maintain a 12-inch water main under a UNT to Antietam Creek (CWF, MF) resulting in 2 linear feet (2 square feet) of permanent impact; 5) Install and maintain a 12-inch water main under a UNT to Antietam Creek (CWF, MF) resulting in 4 linear feet (4 square feet) of permanent impact; 6) Install and maintain an electric utility line under a UNT to Antietam Creek (CWF, MF) resulting in 2.25 linear feet of permanent impact; 7) Remove an existing pipe enclosure, resulting in 129 linear foot (517 square feet) of permanent impact to a UNT to Antietam Creek (CWF, MF); 8) Relocate, grade, and maintain 150 linear feet of a UNT to Antietam Creek (CWF, MF), resulting in 150 linear feet of permanent impact. All for the purpose of ensuring continued water quality serviced to the local community and continued site access. The project is located along Spook Lane in Lower Alsace Township, Berks County (Latitude: 40.340722, Longitude: -75.887584). No wetlands will be impacted by this project. Application received: July 14, 2023. Issued: July 29, 2024.

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

Contact: ra-ep-ww-sero-105@pa.gov.

**E0901224-002. Doylestown Borough**, 10 Doyle Street, Doylestown, PA 18901, Doylestown Borough, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District.

Doylestown Borough is proposing an installation of Post Construction Stormwater Management measures, as part of MS4 efforts, for stormwater discharge at the Fonthill Castle and Moravian Tile works property. Work will include sediment forebay and two retentive berms for water quality improvements. The proposed impacts include permanently impacting 0.527 acre of man-made wetlands and 0.06 acre of stream impacts. The site is located near the intersection of SR 313 and Court Street (Buckingham, PA USGS Map) in Doylestown Borough, Bucks County. Latitude: 40.32106°, Longitude: -75.12109°. Application received: January 22, 2024. Permit issued: July 24, 2024.

**E2301224-006. Upper Chichester Township**, 8500 Furey Road, Aston, PA 19014, Upper Chichester Township, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District.

Upper Chichester Township is proposing to perform Chapter 106 floodplain restoration activities at 2409 West Colonial Drive which includes 0.09 acre of disturbance within the 100-year floodplain of Spring Run. This activity includes demolition of existing structures, removal of debris, and site restoration and stabilization of all disturbed areas (USGS PA Marcus Hook Quadrangle). Latitude: 39.843396°, Longitude: -75.462584°. Application received: May 29, 2024. Permit issued: July 23, 2024.

**E4601224-013. Borough of Bridgeport**, 63 West 4th Street, Bridgeport, PA 19405, Bridgeport Borough, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

Bridgeport Borough is proposing to perform Chapter 106 floodplain restoration activities associated with 11 properties within the 100-year floodplain of Schuylkill River (WWF-MF). This includes demolition of existing structures and restoration through stabilization of disturbed areas at the following locations: 1) 1 and 1-1/2 West Front Street include 0.025 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107215 N, Longitude 75.341599 W). 2) 3 West Front Street includes 0.017 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107292 N, Longitude: 75.341643 W). 3) 5 West Front Street includes 0.017 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107319 N, Longitude: 75.341678 W). 4) 7 West Front Street includes 0.019 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107379 N, Longitude: 75.341718 W). 5) 9 West Front Street includes 0.027 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107293 N, Longitude: 75.341856 W). 6) 135 and 137 West Second Street includes 0.044 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107659 N, Longitude: 75.344778 W). 7) 130 and 134 West Second Street includes 0.080 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107428 N, Longitude: 75.344777 W). 8) 136 West Second Street includes 0.034 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107449 N, Longitude: 75.344855 W). Application received: May 23, 2024. Permit issued: July 30, 2024.

**E4601224-014. Borough of Bridgeport**, 63 West 4th Street, Bridgeport, PA 19405, Bridgeport Borough, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

Bridgeport Borough is proposing to perform Chapter 106 floodplain restoration activities associated with four (4) properties within the 100-year floodplain of the Schuylkill River (WWF-MF). This includes demolition of existing structures and restoration through stabilization of disturbed areas at the following locations: 1) 101 West

Second Street includes 0.103 acre of disturbance (USGS PA Norristown Quadrangle—Latitude: 40.107442 N, Longitude: 75.34356 W). 2) 108 West Front Street includes 0.071 acre of disturbance (USGS PA Norristown Quadrangle—Latitude 40.107560 N, Longitude 75.34364 W). 3) 110 West Front Street includes 0.089 acre of disturbance (USGS PA Norristown Quadrangle—Latitude 40.107599 N, Longitude 75.34377 W). 4) 112 West Front Street includes 0.017 acre of disturbance (USGS PA Norristown Quadrangle—Latitude 40.107670 N, Longitude 75.34386 W). Application received: May 23, 2024. Permit issued: July 30, 2024.

**ENVIRONMENTAL ASSESSMENTS**

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

*Contact: D. J. Stevenson, 412-442-4281, RA-EPSW-OGSUBMISSION@pa.gov.*

**E6507223-003. Hyperion Midstream, LLC**, 501 Technology Drive, Canonsburg, PA 15317, Washington Township, Upper Burrell Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District.

Latitude: 40.505160°, Longitude: -79.607375°. Application received: February 28, 2023. Issued: July 19, 2024.

The project proposes to install approximately 8.5 miles of one (1) 30-inch steel natural gas between the existing Rogers Compression Station and the existing Athena Well Pad.

A portion of the project will drain into a section of Beaver Run designated as a naturally reproducing trout stream which is, therefore, a wild trout stream. Wetlands located on the floodplain of a wild trout stream are of Exceptional Value (EV). A portion of the project drains into the Beaver Run; wetlands located along a public drinking water supply that maintain the quality or quantity of the drinking water supply are also of Exceptional Value (EV). Portions of the project drain into High-Quality (HQ) watersheds. Impacts to EV Wetland and HQ streams are proposed for the project. Temporary and/or permanent impacts to 20 wetlands and 23 streams are proposed for the project due to one or more of the following work activities: excavation, construction access, geohazard mitigation, timber mats, streambank stabilization utilizing MSE walls, bench drains, riprap aprons, PROW, and erosion and sedimentation controls. Impacts to EV Wetland and HQ streams are proposed for the project.

Approximately 0.083 acre of permanent impacts and 0.083 acre of temporary impacts to EV wetlands are proposed for authorization under this Joint Permit Application. All other wetland, stream, and floodway impacts are proposed to be registered under General Permit numbers GP036507223-002, GP056507223-013, and GP086507223-020. Proposed EV wetland impacts are as follows:

<i>Resource Name**</i>	<i>Aquatic Resource Type</i>	<i>Activity*</i>	<i>Chapter 93 Designation</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
Wetland 13F ULC-13	PEM	Excavation and PROW	EV	-	-	-	0.007
Wetland 13F TRC-18	PEM	Timber Mat	EV	-	-	0.002	-

<i>Resource Name**</i>	<i>Aquatic Resource Type</i>	<i>Activity*</i>	<i>Chapter 93 Designation</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
Wetland 13C ULC-14	PEM	Excavation and PROW	EV	-	-	-	0.019
Wetland 13C TRC-19	PEM	Timber Mat	EV	-	-	0.017	-
Wetland 15D TRC-22	PEM	Timber Mat	EV	-	-	0.001	-
Wetland 15B TRC-23	PEM	Timber Mat	EV	-	-	0.006	-
Wetland 12A ULC-18	PEM	Excavation and PROW	EV	-	-	-	0.037
Wetland 12A TRC-27	PEM	Timber Mat	EV	-	-	0.034	-
Wetland 11A ULC-19	PEM	Excavation and PROW	EV	-	-	-	0.020
Wetland 11A TRC-30	PEM	Timber Mat	EV	-	-	0.016	-
Wetland 11B TRC-30	PEM	Timber Mat	EV	-	-	0.002	-
Wetland 1 TRC-39	PEM	Timber Mat	EV	-	-	0.005	-
Wetland Totals	PEM(EV)					0.083 Ac	0.083 Ac

\* PROW = Permanent Right-of-Way

\*\* ULC = Utility Line Crossing; TRC = Temporary Road Crossing; SS = Streambank Stabilization

### 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.

### 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 re-

sults 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.*

**Former Shell Service Station (Top Star 127)**, Storage Tank Facility ID # **39-21080**, 318 South Third Street, Coopersburg, PA 18036, Coopersburg Borough, **Lehigh County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Shell Oil Products US, 20945 South Wilmington Avenue, Carson, CA 90810, 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 Statewide health standards.

**Jamesville Express**, Storage Tank Facility ID # **48-25085**, 6007 West Main Boulevard, Bath, PA 18014, East Allen Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Kearns Real Estate, LLC, 2858 Derhammer Road, Bath, PA 18014, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health and site-specific standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**White Haven 940 Plaza**, Storage Tank Facility ID # **40-24918**, 601 Church Street, White Haven, PA 18661, White Haven Borough, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of White Haven 940 Plaza, LLC, 24 Cotswold Street, Danville, PA 17821, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with petroleum. The plan was acceptable to meet the Statewide health standards and was approved by DEP on July 25, 2024.

**RV Beverage/Vamco Fuel Route 6 and 11 Property**, Storage Tank Facility ID # **35-27640**, 801 Northern Boulevard, Clarks Summit, PA 18411, South Abington Township, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Vamco Fuel Route 6 and 11, 107 Squirrel Run, Clarks Summit, PA 18411, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on July 29, 2024.

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

*Contact: Ben, 814-350-5132.*

**Laurel Run Food & Fuel**, Storage Tank Facility ID # **24-00717**, 1117 Million Dollar Highway, Kersey, PA 15846, Fox Township, **Elk County**. DMS Environmental Services LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Sultan 7, LLC, 65 East 99th Street, Apt 9G, New York, NY 10029, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Diesel Fuel. The plan was acceptable to meet the nonresidential Statewide health and site-specific standards and was approved by DEP on July 25, 2024.

## SPECIAL NOTICES

### WATER PROGRAMS

**Application for National Pollutant Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities.**

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: James Cassidy, 570-855-9764.*

The Department of Environmental Protection (DEP) has received an application for an Individual NPDES

Permit from the applicant named as follows to authorize discharges of stormwater associated with construction activities from the project site named below to surface waters of the Commonwealth.

Applicant: **Jersey Shore Borough**

Applicant Address: 232 Smith Street, Jersey Shore, PA 17740

Application Number: PAD410027

Project Site Name: Municipal Garages

Project Site Address: 1568 Allegheny Street

Municipality/County: Jersey Shore Borough, **Lycoming County**

Total Earth Disturbance Area: 1.48 acres

Surface Waters Receiving Stormwater Discharges: Nichole's Run (HQ-CWF)

Project Description: A new building is proposed for the Borough Public Works Department for storage of their municipal vehicles and winter road treatment materials.

DEP has made a tentative decision to deny the application for the Individual NPDES Permit. A 30-day public comment period applies to this application and tentative decision. Interested persons may submit written comments to DEP at the previously listed address for DEP's consideration in taking a final action on the permit application. You may also review the permit application file by contacting DEP's File Review Coordinator at 570-327-3574.

[Pa.B. Doc. No. 24-1116. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OSM 10(2900)101.1, Abandoned Mine Reclamation Project, West Liberty No. 1, Brady Township, Butler County.** The principal items of work and approximate quantities include the following: implementation of the erosion and sediment pollution control plan—rock construction entrance, 1 each; implementation of the erosion and sediment pollution control plan—compost filter sock, 1,728 linear feet; grading—grading, 175,894 cubic yards; seeding—seed bed preparation, 21.0 acres; and fence—permanent fence, 1,500 linear feet.

This bid issues on August 9, 2024, and bids will be opened on September 12, 2024, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to [www.BidExpress.com](http://www.BidExpress.com). This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or [RA-ConstructionContr@pa.gov](mailto:RA-ConstructionContr@pa.gov) for more information on this bid.

JESSICA SHIRLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 24-1117. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Issuance of Revised General Plan Approval and/or General Operating Permit for Human or Animal Crematory Incinerators (BAQ-GPA/GP-14)

In accordance with section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1(f)) and 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and operating permits), the Department of Environmental Protection (Department) has issued the revised General Plan Approval and/or General Operating Permit for Human or Animal Crematory Incinerators (BAQ-GPA/GP-14) with an effective date of August 10, 2024.

The Department published a notice regarding the availability of the proposed revised GP-14 for public review and comment at 54 Pa.B. 2427 (May 4, 2024), in 11 newspapers of general circulation and sent to nearby states and the United States Environmental Protection Agency. The public comment period ended on June 17, 2024. The Department prepared a comment and response document that summarizes the comments received.

In accordance with the Crematory Regulation Act (act) (P.L. 403, No. 26), effective on August 16, 2024, the Department will enforce a temperature requirement of 1600°F rather than 1800°F as noted in condition 13 of the GP-14 issued on July 27, 2006, for any owner or operator currently authorized to operate under the 2006 GP-14 until the authorization for operation expires. The Department will also enforce a temperature requirement of 1600°F rather than 1800°F for crematory incinerators operating under an operating permit.

Also in accordance with the act, owners and operators authorized to operate under the 2006 GP-14 may open the charge door during the cremation cycle for short periods of time to inspect or reposition the remains. The Department will not enforce the provision in condition 13b of the 2006 GP-14 that precludes opening of the charge door. The Department will also allow owners and operators of a crematory incinerator operating under an operating permit to open the charge door during the cremation cycle for short periods of time to inspect or reposition the remains. The Department recommends that in the event that the owner or operator opens the charge door, the owner or operator should follow the manufacturer's recommended written specifications for operating the unit during inspection or repositioning of the remains and keep records of the activity including the time, date and duration of when the charge door is opened during the cremation cycle.

Lastly, to comport with the act, the Department removed all conditions in the revised GP-14 related to charging of the primary chamber before the secondary or last chamber exit temperature is established and holding at 1600°F.

Applicants may seek authorization to use GP-14 by submitting the General Permit application to the appropriate Department regional office. The Department strongly encourages electronic submissions. Applicants must receive the Department's written approval prior to constructing, modifying or operating human or animal crematory incinerators authorized under this General Permit. The Department will publish notice of each authorization to use GP-14 in the *Pennsylvania Bulletin*.

A copy of the revised General Permit with related documents, including the comment and response docu-



ment and technical support document, can be obtained by contacting Viren Trivedi, P.O. Box 8468, Harrisburg, PA 17105, (717) 783-9476, vtrivedi@pa.gov. The documents are available on the Department's web site at <https://greenport.pa.gov/elibrary/GetFolder?FolderID=3645>.

JESSICA SHIRLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 24-1118. Filed for public inspection August 9, 2024, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Storage Tank Advisory Committee Meeting Cancellation**

The September 4, 2024, meeting of the Storage Tank Advisory Committee (Committee) is cancelled. The next meeting is scheduled for Wednesday, December 4, 2024, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Randy D. Martin at ramartin@pa.gov or (717) 772-5828.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields," then "Storage Tank Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the December 4,

2024, meeting can be directed to Randy D. Martin at ramartin@pa.gov or (717) 772-5828.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5828 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.

JESSICA SHIRLEY,  
*Acting Secretary*

[Pa.B. Doc. No. 24-1119. Filed for public inspection August 9, 2024, 9:00 a.m.]

**DEPARTMENT OF GENERAL SERVICES**

**Exemption from Requirements**

A study to determine if the Danville State Hospital (Human Services) located in Mahoning Township, Montour County, should be exempted from the requirements of section 2420 of The Administrative Code of 1929 (71 P.S. § 650) will be performed within the next 90 days. The results of this study may result in the conversion of the Danville State Hospital's coal fired heating system to a fuel other than coal.

For additional information, contact Mark Guida, Director, Capital Project Design Management, Bureau of Preconstruction, Department of General Services, 2nd Floor, Arsenal Building, 1800 Herr Street, Harrisburg, PA 17103, (717) 787-1867, maguida@pa.gov.

REGGIE McNEIL,  
*Secretary*

[Pa.B. Doc. No. 24-1120. Filed for public inspection August 9, 2024, 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>
Children's Dental Surgery of Philadelphia	28 Pa. Code § 555.32(a) (relating to administration of anesthesia)
Ophthalmic Associates Surgery and Laser Center	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)
UPMC Altoona Surgery Center	28 Pa. Code § 553.4(d) (relating to other functions)
UPMC Surgery Center	28 Pa. Code § 553.31(a)

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 contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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,  
Secretary

[Pa.B. Doc. No. 24-1121. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from July 1, 2024, through July 31, 2024. Future publications of decisions on exception requests will appear on a monthly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding home care agencies, home care registries and home health care agencies shall be addressed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

#### Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>Regulation and relating to</i>	<i>Dec. Date</i>	<i>Decision</i>
Azura Surgery Center South Philadelphia	§ 567.53(1) (relating to sterilization control)	07/23/2024	Granted w/Conditions

#### Hospitals

<i>Facility Name</i>	<i>Regulation and relating to</i>	<i>Dec. Date</i>	<i>Decision</i>
Crozer-Chester Medical Center	§ 153.1(a) (relating to minimum standards) 2.1-3.5.2.2(1)(c)(i) and (ii) space requirements	7/9/2024	Granted
	§ 153.1(a) 2.1-7.2.3.1(7) flooring and wall bases	7/9/2024	Granted
	§ 153.1(a) 2.1-8.4.4 medical gas and vacuum systems	7/9/2024	Granted
	§ 153.1(a) 2.1-2.2.5.1(1) and (2) location	7/6/2024	Granted
Independence Health System Latrobe Hospital	§ 153.1(a) 2.1-2.2.5.3 renovation	7/6/2024	Granted
	§ 153.1(a) 2.1-2.2.7.2(3)(a)—(c) patient bathing facilities	7/6/2024	Granted
	§ 153.1(a) 2.1-2.9 support areas for staff	7/6/2024	Granted
	§ 153.1(a) 2.5-2.2.10.4(1) patient storage facilities	7/6/2024	Granted
Independence Health System Westmoreland Hospital	§ 153.1(a) 2.5-2.2.2.7 patient bathing facilities	7/6/2024	Granted
	§ 153.1(a) 2.2-3.5.2.5(1)(b) system component room	7/18/2024	Granted
	§ 153.1(a) 2.1-3.5.6.2 patient toilet room	7/6/2024	Granted
Penn Highlands Connellsville	§ 153.1(a) 2.1-2.9.1 staff lounge facilities	7/6/2024	Granted
	§ 153.1(a) 2.5-2.2.8.5 multipurpose room	7/6/2024	Granted
	§ 153.1(a) 2.5-2.2.8.17 conference room	7/6/2024	Granted
	§ 153.1(a) 2.5-2.2.8.18 space for group therapy	7/6/2024	Granted
Penn Highlands Huntingdon	§ 153.1(a) 2.12-3.2.2.1(3) individual therapy room	7/6/2024	Granted
Penn Highlands Mon Valley	§ 153.1(a) 2.12-3.2.2.1(3) individual therapy room	7/6/2024	Granted

<i>Facility Name</i>	<i>Regulation and relating to</i>	<i>Dec. Date</i>	<i>Decision</i>
Saint Christopher's Hospital for Children	§ 136.20(b)(1) and (2) (relating to pediatric heart surgery—supplementary criteria)	7/18/2024	Granted Temporary
Thomas Jefferson University Hospitals, Inc.	§ 153.1(a) 2.1-7.2.2.1 corridor width	7/23/2024	Granted
	§ 153.1(a) 2.2-2.2.2.2(2)(a) space requirements	7/23/2024	Granted
UPMC Jameson	§ 153.1(a) 2.2-3.4.3.2 space requirements	7/18/2024	Granted w/Conditions

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Acute and Ambulatory Care, the Division of Nursing Care Facilities or the Division of Home Health at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
Secretary

[Pa.B. Doc. No. 24-1122. Filed for public inspection August 9, 2024, 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>
Fulton County Medical Center	28 Pa. Code § 109.2(b) (relating to director of nursing services)
Mount Nittany Medical Center	28 Pa. Code § 51.23 (relating to positron emission tomography)
Nazareth Hospital	28 Pa. Code § 138.18(b) (relating to EPS studies)
UPMC Altoona	28 Pa. Code § 107.5(a) (relating to membership appointment and reappointment)
UPMC Hamot	28 Pa. Code § 103.31 (relating to the chief executive officer)
UPMC Northwest	28 Pa. Code § 103.31

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>
Geisinger-Lewistown Hospital	2.1-7.2.2.1(1) and (2) corridor width	22-O
Thomas Jefferson University Hospitals, Inc.	2.1-7.2.2.3(2)(a)(i) doors and door hardware	18
UPMC Kane	2.1-2.8.7.1(1) location	22
UPMC Presbyterian Shadyside	2.2-3.5.2.2(1)(b)(i) space requirements	22
Wellspan York Hospital	2.1-3.8.7.1 location	18-O

<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 contact information. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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,  
*Secretary*

[Pa.B. Doc. No. 24-1123. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(d.1)(1) (relating to management):

Dallastown Nursing Center  
623 East Main Street  
Dallastown, PA 17313  
FAC ID # 190802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(f.1)(4) and (5) (relating to nursing services):

Dallastown Nursing Center  
623 East Main Street  
Dallastown, PA 17313  
FAC ID # 190802

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
*Secretary*

[Pa.B. Doc. No. 24-1124. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Spinal Cord Research Advisory Committee Meeting

The Department of Health's Spinal Cord Research Advisory Committee (Committee), established by section 903.1(b) of the Tobacco Settlement Act (35 P.S. § 5701.903A(b)), will hold a public meeting on Wednes-

day, September 18, 2024, from 9:30 a.m. to 11 a.m. The meeting will be held in person at Saint John's Evangelical Lutheran Church, 910 Allentown Road, Sellersville, PA 18960 and virtually by means of Microsoft Teams at (267) 332-8737. The conference ID number is 155 453 154#.

The purpose of the meeting is to review the work of the Committee and to discuss the process used to review the spinal cord research applications as well as to prepare the next Request for Applications.

For additional information or for persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact Will Cramer, Director, Health Research Office or Pamela Brown, Management Technician, Health Research Office at (717) 231-2825, ra-healthresearch@pa.gov. 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).

Check the Department of Health, Health Research Office CURE Spinal Cord Research Advisory Committee web site at <https://bit.ly/3Yqww31> for any changes to this public meeting.

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,  
*Secretary*

[Pa.B. Doc. No. 24-1125. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Disposing of Excess Land

Under 67 Pa. Code § 495.4(d) (relating to application procedure), the Department of Transportation is disposing of excess land located at 12013 Sewell Road, Philadelphia, PA 19116, Philadelphia County, approximately 7,229 ± square feet/hectares, adjacent to SR 1029 Section A04.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Din Abazi, Acting District Executive, Engineering District 6.0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

Questions regarding this application or the proposed use may be directed to Barbara DiCianno, Right-of-Way Administrator, 7000 Geerdes Boulevard, King of Prussia, PA 19406, (610) 205-6504.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-1126. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Highly Automated Vehicle Guidelines Public Comment

In accordance with 75 Pa.C.S. § 8510.2 (relating to regulations and guidelines), the Department of Transportation (Department) will post highly automated vehicle guidelines at <https://penndot.gov/av> for a 10-day public comment period. The guidelines and instructions for providing comments will be listed on the web site with comments due no later than 10 days after posting. Following review of all comments, the Department will publish the final guidelines at <https://penndot.gov/av>.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-1127. Filed for public inspection August 9, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### State Transportation Commission Meeting

The State Transportation Commission (Commission) will hold a meeting on Wednesday, August 14, 2024, from 10 a.m. to 12 p.m. This meeting will be held at the Courtyard by Marriott Scranton Montage Mountain, 16 Glenmaura Boulevard, Scranton, PA and by means of Microsoft Teams. The meeting information, including the agenda, is available at <https://bit.ly/STCAug2024>.

Individuals may join the meeting remotely at [https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F\\_%23%2F%2Fmeetup-join%2F19%3Ameeting\\_MzUwNThlMjMtYmExMi00NDBjLWlyNGItZmUwYWJhMDc1ODkw%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522418e2841-0128-4dd5-9b6c-47fc5a9a1bde%2522%252c%25220id%2522%253a%25225254d3e7-0194-4a47-999f-79cb74a9b0ae%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=b0a7bbc5-f896-4c32-94a3-a2f14087c162&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F%2Fmeetup-join%2F19%3Ameeting_MzUwNThlMjMtYmExMi00NDBjLWlyNGItZmUwYWJhMDc1ODkw%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522418e2841-0128-4dd5-9b6c-47fc5a9a1bde%2522%252c%25220id%2522%253a%25225254d3e7-0194-4a47-999f-79cb74a9b0ae%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=b0a7bbc5-f896-4c32-94a3-a2f14087c162&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true). The meeting ID is 256 157 833 955. The passcode is uBkVEX.

To download Microsoft Teams, go to <https://www.microsoft.com/en-us/microsoft-teams/download-app>. To join on the web, go to <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>.

To call into the meeting, dial (267) 332-8737 and enter 594028936# as the conference ID. To find a local number, go to <https://dialin.teams.microsoft.com/783683fb-6d69-4e8b-aa52-814e50ad7b8?id=594028936>. To reset the PIN number, go to <https://dialin.teams.microsoft.com/usp/voicemail>.

For more information, contact the Commission, (717) 787-2913, RA-PennDOTSTC@pa.gov.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-1128. Filed for public inspection August 9, 2024, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Upper Merion Sanitary and Stormwater Authority v. Department of Environmental Protection; EHB Doc. No. 2024-115-BP

Upper Merion Sanitary and Stormwater Authority has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0026131 authorizing discharge in Upper Merion Township, Montgomery County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board's web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available online and upon request from the Board.

STEVEN C. BECKMAN,  
*Chairperson*

[Pa.B. Doc. No. 24-1129. Filed for public inspection August 9, 2024, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Upper Merion Sanitary and Stormwater Authority v. Department of Environmental Protection; EHB Doc. No. 2024-116-BP

Upper Merion Sanitary and Stormwater Authority has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0026085 authorizing discharge in Upper Merion Township, Montgomery County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board's web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available online and upon request from the Board.

STEVEN C. BECKMAN,  
*Chairperson*

[Pa.B. Doc. No. 24-1130. Filed for public inspection August 9, 2024, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The August 13, 2024, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is tentatively scheduled for Tuesday, September 10, 2024. The meeting will begin 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.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board," then "2024 Meetings").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the September 10, 2024, meeting can be directed to Laura Griffin at [laurgriffi@pa.gov](mailto:laurgriffi@pa.gov) or (717) 783-8727.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 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.

JESSICA SHIRLEY,  
Acting Chairperson

[Pa.B. Doc. No. 24-1131. Filed for public inspection August 9, 2024, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Classification of Wild Trout Streams; Proposed Additions and Revisions; October 2024

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 October 21, 2024, 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>
Centre	Eagleville Gap Run	Headwaters to Mouth	Bald Eagle Creek	41.059734 77.594254
Centre	Unnamed Tributary (UNT) (RM 0.06) to UNT to Bear Run (RM 0.90)	Headwaters to Mouth	UNT to Bear Run (RM 0.90)	40.805946 78.300734
Centre	UNT to Laurel Creek (RM 9.41)	Headwaters to Mouth	Laurel Creek	40.762501 77.594170
Centre	UNT to Mountain Branch (RM 2.32)	Headwaters to Mouth	Mountain Branch	40.783260 78.318820
Centre	UNT to Trout Run (RM 3.51)	Headwaters to Mouth	Trout Run	40.806811 78.261429
Indiana	Pine Run	Headwaters to Mouth	Crooked Creek	40.722300 79.102200
Monroe	Dotters Run	Headwaters to Mouth	Stillwater Lake	41.127222 75.418333
Pike	Rattlesnake Creek	Headwaters to Mouth	Shohola Marsh Reservoir	41.374916 74.971678
Pike	UNT (RM 1.69) to UNT to Shohola Creek (RM 7.88)	Headwaters to Mouth	UNT to Shohola Creek (RM 7.88)	41.401707 74.999832
Pike	UNT to Masthope Creek (RM 1.59)	Headwaters to Mouth	Masthope Creek	41.544721 75.046437
Pike	UNT to Masthope Creek (RM 3.13)	Headwaters to Mouth	Masthope Creek	41.555677 75.062677
Pike	UNT to Rattlesnake Creek (RM 4.73)	Headwaters to Mouth	Rattlesnake Creek	41.323037 74.964465
Pike	UNT to Shohola Creek (RM 7.88)	Headwaters to Mouth	Shohola Creek	41.411121 74.975585
Potter	UNT to Gravel Lick Run (RM 0.61)	Headwaters to Mouth	Gravel Lick Run	41.562643 77.916463

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Tioga	Gaffers Creek	Headwaters to Mouth	Elk Run	41.793889 76.913889
Tioga	UNT to Mine Hole Run (RM 2.19)	Headwaters to Mouth	Mine Hole Run	41.577060 77.434632
Venango	UNT to East Branch Sugar Creek (RM 2.63)	Headwaters to UNT at RM 1.60	East Branch Sugar Creek	41.517320 79.832540
Venango	UNT to Hemlock Creek (RM 3.38)	Headwaters to Mouth	Hemlock Creek	41.431470 79.512210
Wayne	UNT to Carley Brook (RM 7.42)	Headwaters to Mouth	Carley Brook	41.649586 75.226159
Wayne	UNT to Indian Orchard Brook (RM 1.98)	Headwaters to Mouth	Indian Orchard Brook	41.565895 75.207948
Wayne	UNT to Middle Creek (RM 15.27)	Headwaters to UNT (RM 1.19) to UNT to Middle Creek (RM 15.27)	Middle Creek	41.500717 75.374218
Wayne	UNT to South Branch Calkins Creek (RM 1.37)	Headwaters to Mouth	South Branch Calkins Creek	41.651910 75.106787
Wayne	UNT to South Branch Calkins Creek (RM 5.33)	Headwaters to Mouth	South Branch Calkins Creek	41.634447 75.154272
Wayne	UNT to West Branch Dyberry Creek (RM 8.39)	Headwaters to Mouth	West Branch Dyberry Creek	41.746278 75.344906

The Commission also will consider the following revisions to the section limits of streams on the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Current Limits</i>	<i>Revised Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Centre	Bullit Run	Headwaters to UNT at RM 0.38	Headwaters to Mouth	Foster Joseph Sayers Lake	40.988541 77.704133
Centre	UNT to Pine Creek (RM 5.12)	Headwaters to Sink at RM 2.39	Headwaters to Mouth	Pine Creek	40.887357 77.392825
Clearfield	Mosquito Creek	Headwaters to Grimes Run	Headwaters to Mouth	West Branch Susquehanna River	41.116944 78.108333
Lackawanna	Leggetts Creek	Summit Lake Creek to Mouth	Griffin Reservoir to Mouth	Lackawanna River	41.444722 75.642778
Lackawanna	Rush Brook	Rush Brook Reservoir to Mouth	Headwaters (Heart Lake) to Mouth	Lackawanna River	41.531389 75.541944
Montour	West Branch Chillisquaque Creek	Headwaters to SR 44 bridge in Exchange	Headwaters to 0.5 miles downstream of Arrowhead Road	Chillisquaque Creek	41.065834 76.680557

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. 24-1132. Filed for public inspection August 9, 2024, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Changes to List of Class A Wild Trout Waters; October 2024

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 an-

gling 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.

(1) Criteria developed for Class A Wild Trout fisheries are species specific.

(2) 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 shall 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 shall comprise less than 75% of the total trout biomass.

(E) Brown trout biomass shall 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 October 21, 2024.



County	Stream	Section	Limits	Tributary to	Mouth Lat/Lon	Brook Trout (kg/ha)	Brown Trout (kg/ha)	Rainbow Trout (kg/ha)	Length (miles)	Survey year
Centre	Bullit Run	1	Headwaters to Mouth	Foster Joseph Sayers Lake	40.988976 77.705627	—	57.00	—	4.83	2023
Centre	Trout Run	1	Headwaters to 3.96 kilometers upstream of Mouth	Moshannon Creek	40.847500 78.267778	22.90	21.96	—	3.98	2022
Centre	Unnamed Tributary (UNT) to Pine Creek (RM 5.12)	3	Spring seep to UNT (RM 0.71) to UNT to Pine Creek (RM 5.12)	Pine Creek	40.887357 77.392825	—	227.11	—	0.87	2022
Centre	UNT to Trout Run (RM 3.51)	1	Headwaters to Mouth	Trout Run	40.806811 78.261429	19.16	44.23	—	2.65	2022
Clearfield	Big Run (Fairview)	1	Headwaters to Mouth	West Branch Susquehanna River	41.061111 78.200278	56.77	—	—	3.23	2022
Clinton	Grass Flats Run	1	Headwaters to Mouth	Wistar Run	41.268055 77.950279	40.50	—	—	1.93	2023
Clinton	Moccasin Run	1	Headwaters to Mouth	Sinnemahoning Creek	41.261111 77.931111	31.51	—	—	5.53	2023
Clinton	Wistar Run	1	Headwaters to Mouth	Sinnemahoning Creek	41.270832 77.943336	50.22	—	—	2.73	2023
Lackawanna	Rush Brook	1	Headwaters to Mouth	Lackawanna River	41.531389 75.541944	0.49	68.89	—	2.18	2023
Lycoming	Grays Run	1	Headwaters to Grays Run Club Reservoir	Lycoming Creek	41.420556 77.025556	24.68	47.38	—	4.23	2023
Lycoming	Grays Run	2	Grays Run Club Reservoir to Tiadaghton State Forest boundary	Lycoming Creek	41.420556 77.025556	3.87	46.04	—	0.36	2024
Lycoming	UNT to Grays Run (RM 5.12)	1	Headwaters to Mouth	Grays Run	41.484552 77.028036	33.17	1.32	—	0.96	2023
Potter	Ainsworth Brook	1	PANY state line to Mouth	Mundy Brook	41.995410 77.816670	98.77	—	—	0.21	2021
Potter	Borie Branch	1	Headwaters to Mouth	First Fork Sinnemahoning Creek	41.651436 77.958672	19.10	30.99	—	4.59	2023
Potter	Mundy Brook	1	Headwaters to Mouth	Genesee River	41.983626 77.862426	5.69	87.43	—	5.82	2021
Potter	Prouty Run	1	Headwaters to confluence of UNT to Prouty Run (RM 3.08)	First Fork Sinnemahoning Creek	41.651112 77.958611	41.50	19.67	—	3.90	2023
Potter	UNT to Prouty Run (RM 2.72)	1	Headwaters to Mouth	Prouty Run	41.659350 77.912460	65.12	6.24	—	0.97	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>
Potter	UNT to Prouty Run (RM 3.08)	1	Headwaters to Mouth	Prouty Run	41.662926 77.908905	26.64	18.85	—	2.62	2023
Potter	UNT to Prouty Run (RM 5.57)	1	Headwaters to Mouth	Prouty Run	41.694560 77.916950	57.08	2.37	—	1.20	2023
Tioga	UNT to Mine Hole Run (RM 2.19)	1	Headwaters to Mouth	Mine Hole Run	41.577060 77.434632	57.11	—	—	0.38	2022

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. 24-1133. Filed for public inspection August 9, 2024, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
14-548	Department of Human Services Psychiatric Rehabilitation Services	07/25/24	09/19/24
16A-4958	State Board of Medicine Licensure by Endorsement	07/25/24	09/19/24

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-1134. Filed for public inspection August 9, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized under section 8 of the Unfair Insurance Practices Act (act) (40 P.S. §§ 1171.8), in connection with the termination of the insured’s homeowners policy. The proceedings will be governed in accordance with the requirements of the act; 2 Pa.C.S. §§ 501–508 and 701–704 (relating to Administrative Agency Law); §§ 561–588 (relating to administrative proceeding interpreters for persons with limited English proficiency; and administrative proceeding interpreters for persons who are deaf); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1–56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

A prehearing telephone conference initiated by this office is scheduled for August 22, 2024, at 11 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before August 20, 2024.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Mildred Shipkovitz, c/o Samuel Shipkovitz; The Cincinnati Insurance Company; File No. 24-121-296890; Doc. No. P24-06-025; September 11, 2024, 1 p.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues

presented at the hearing and stating what remedial action, if any, is required. The Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, [jkorman@pa.gov](mailto:jkorman@pa.gov).

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-1135. Filed for public inspection August 9, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized under section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8), in connection with the termination of the insured’s homeowners policy. The proceedings will be governed in accordance with the requirements of the act, 2 Pa.C.S. §§ 501–508 and 701–704 (relating to Administrative Agency Law); §§ 561–588 (relating to administrative proceeding interpreters for persons with limited English proficiency; and administrative proceeding interpreters for persons who are deaf); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1–56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will

be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

A prehearing telephone conference initiated by this office is scheduled for August 21, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before August 19, 2024.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Rosemarie A. Wenzelberger; Nationwide Mutual Insurance Company; File No. 23-130-290828; Doc. No. P24-02-002; September 4, 2024, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
Insurance Commissioner

[Pa.B. Doc. No. 24-1136. Filed for public inspection August 9, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Adoption of Federal Communications Commission Regulations Pursuant to 52 Pa. Code § 77.4; Doc. No. L-2018-3002672

On December 15, 2023, the Federal Communications Commission (FCC) released its Fourth Report & Order (Order) in WC Docket No. 17-84, In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment. The FCC's Order includes two distinct components (Federal Rule Changes):

1. Information from cyclical pole inspection reports (new subsection (c)(4) to existing 47 C.F.R. § 1.1411 (relating to information from cyclical pole inspection reports)). The FCC amended its pole attachment make-ready rules to require utilities to provide to potential attachers, upon request, the information contained in their most recent cyclical pole inspection reports, or any intervening, periodic reports created before the next cyclical inspection, for the poles covered by a submitted attachment application, including whether any of the affected poles have been "red tagged" by the utility for replacement, and the scheduled replacement date or timeframe (if any). Per notice published in the *Federal Register* on July 25, 2024, the effective date of this new rule is July 25, 2024.

2. Dispute Resolution Procedures for Pole Attachment Disputes that Impede or Delay Broadband Deployment; Functions of the Rapid Broadband Assessment Team (new section § 1.1415). The FCC established an agency-wide rapid response team to provide coordinated review and assessment of pole attachment disputes that impede or delay broadband deployment and recommend effective dispute resolution procedures, and adopted specific criteria to guide that team when considering whether a complaint (or portion thereof) should be included on the Enforcement Bureau's Accelerated Docket. Per notice published in the *Federal Register* on July 25, 2024, the effective date of this new rule is July 25, 2024.

The Pennsylvania Public Utility Commission (PUC or Commission) maintains regulations applicable to pole attachments at 52 Pa. Code Chapter 77 (relating to pole attachments). Chapter 77 "adopts the rates, terms and conditions of access to and use of utility poles, ducts, conduits and rights-of-way to the full extent provided for in 47 U.S.C. § 224 and 47 CFR Chapter I, Subchapter A, Part 1, Subpart J (relating to pole attachment complaint procedures), inclusive of future changes as those regulations may be amended." 52 Pa. Code § 77.4(a). The Federal Rule Changes included in the FCC's Order constitute amendments to the FCC regulations referenced in Chapter 77.

Therefore, the Federal Rule Changes shall take effect 60 days after the effective date of the Federal change, or September 23, 2024, unless the Commission publishes a notice in the *Pennsylvania Bulletin* stating that the amendment or modification may not take effect. 52 Pa. Code § 77.4(c). Such a notice will provide an opportunity for public comment on the Federal change. Comments may be filed with the Commission no later than 15 days following publication of the Commission notice in the *Pennsylvania Bulletin*. 52 Pa. Code § 77.4(d). A Federal Rule Change that is the subject of a Commission notice stating that the change may not take effect and providing for public comment shall become effective 60 days after publication of the notice in the *Pennsylvania Bulletin* unless the Commission determines otherwise for good cause shown. 52 Pa. Code § 77.4(e).

Pursuant to 52 Pa. Code § 77.4(c)–(e), the Commission hereby provides notice to the public that the Federal Rule Changes may not take effect in Pennsylvania, and hereby solicits public comment on the Federal Rule Changes. Specifically, the Commission asks interested parties to comment on the following two (2) numbered topics:

1. Pursuant to 52 Pa. Code § 77.4(e), should the Commission allow the FCC's addition of new subsection (c)(4) to existing regulation 47 C.F.R. § 1.1411 to become effective in Pennsylvania by operation of law on the date that is sixty (60) days from publication of this notice in the *Pennsylvania Bulletin*, or should the Commission determine otherwise for good cause shown?
2. Pursuant to 52 Pa. Code § 77.4(e), should the Commission allow the FCC's new section 1.1415 to become effective in Pennsylvania by operation of law on the date that is sixty (60) days from publication of this notice in the *Pennsylvania Bulletin*, or should the Commission determine otherwise for good cause shown?

Commenters are reminded that "the Commission's decision to establish a process for input prior to changes to the Federal rules taking effect should not be construed as an invitation for Pennsylvania utilities and other inter-

ested parties to regularly rehash or reargue determinations of the FCC. Rather, this process should be utilized to focus on the Pennsylvania-specific impacts of such changes. If the Commission does find it necessary to amend Chapter 77 to accommodate state-specific changes, the Commission will initiate an appropriate rulemaking, and the public will be notified and provided with appropriate opportunity to comment.” 2019 PA. PUC LEXIS 267, \*34.

Interested parties are invited to submit written comments for inclusion in the record with the Secretary of the Commission within fifteen (15) days of the date of the publication of this notice in the *Pennsylvania Bulletin*. Pursuant to this Secretarial Letter, all filings are to be made by e-filing or by electronic mail. This information can be found on the Commission’s web site at [www.puc.state.pa.us/efiling/default.aspx](http://www.puc.state.pa.us/efiling/default.aspx).

The contact persons for this matter are Assistant Counsel Colin W. Scott, (717) 783-5949, [colin.scott@pa.gov](mailto:colin.scott@pa.gov) and Tiffany L. Tran, (717) 783-5413, [tiftran@pa.gov](mailto:tiftran@pa.gov).

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-1137. Filed for public inspection August 9, 2024, 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 August 26, 2024. 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 August 26, 2024. 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 docket number as follows or by searching the applicant’s web site.

**Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2024-3048018 (Revised). Sirawan Transportation, Inc., t/a Super-Trans Philly Shuttle** (2362 State Road, Bensalem, Bucks County, PA 19020) persons in airport transfer service, between points in Bucks and Montgomery Counties, limited to the portions of Bucks County south of State Route 202 and east of State Route 611, and limited to the portions of Montgomery County

south of State Route 276 and east of State Route 476; and from said points, to the Philadelphia International Airport, and vice versa.

**A-2024-3049981. City Rides Transportation, LLC** (P.O. Box 45533, Philadelphia, Philadelphia County, PA 19149) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2024-3050367. Homeaides, Inc., t/a Homeaides** (4934 Peach Street, Suite B1, Erie, Erie County, PA 16509) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Bradford, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntington, Indiana, Jefferson, Lackawanna, Lawrence, Luzerne, Lycoming, McKean, Mercer, Potter, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Washington, Wayne, Westmoreland and Wyoming.

**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-2024-30499835. Better Choice Moving, LLC** (309 Broad Street, Harleysville, Montgomery County, PA 19438) household goods in use, between points in Pennsylvania.

**Application of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.***

**A-2024-3050402. Alpha Elite Services, LLC** (783 McClellandtown Road, # 2, Uniontown, Fayette County, PA 15401) discontinuance of service and cancellation of its certificate to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-1138. Filed for public inspection August 9, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due August 26, 2024, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Richard A. Silfies; Docket No. C-2024-3046340**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Richard A. Silfies, Respondent, maintains a mailing address 1300 North Cottonwood Road, Danielsville, PA 18038.

2. That on February 1, 2024, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8926839 at A-2024-3045819.

3. That PUC Enforcement Officer Douglas Wells attempted to contact the Respondent by email on February 16, 2024, through March 25, 2024. On April 22, 2024, a certified letter was sent to the Respondent which was delivered to an individual on April 25, 2024. A second and third letter was sent to the Respondent, with no response from the Respondent.

4. That Respondent, by failing to respond to and achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa. § 501(c) & § 504. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8926839.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to Richard A. Silfies, at PUC utility code number 8926839.

Respectfully submitted,  
 Brian B. Mehus, Acting Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 100 Lackawanna Avenue Room 320  
 Scranton, PA 18503

VERIFICATION

I, Brian B. Mehus, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 24 June 2024

Brian B. Mehus, Acting Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service

is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 400 North Street, 2nd Floor  
 Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement  
 Pennsylvania Public Utility Commission  
 400 North Street, 3rd Floor  
 Harrisburg, PA 17120

Or, e-mailed to: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
 Secretary

[Pa.B. Doc. No. 24-1139. Filed for public inspection August 9, 2024, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
 UTILITY COMMISSION**

**Telecommunications Services**

**A-2024-3046959. Ezee Fiber Texas, LLC.** Application of Ezee Fiber Texas, 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 Frontier Communications—Commonwealth Telephone Company, LLC; Brightspeed of Pennsylvania, LLC, f/k/a United Telephone Company of PA, d/b/a CenturyLink; Verizon Pennsylvania, LLC; and Windstream Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utili-

ties) on or before August 20, 2024. 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:* Ezee Fiber Texas, LLC

*Through and By Counsel:* Jason Danowsky, Foster-Danowsky, LLP, 904 West Avenue, Suite 107, Austin, TX 78701

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-1140. Filed for public inspection August 9, 2024, 9:00 a.m.]

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**END OF ISSUE**

















