

# PENNSYLVANIA BULLETIN

Volume 54  
Saturday, January 27, 2024 • Harrisburg, PA  
Number 4  
Pages 349—488

## Agencies in this issue

The Courts  
Capitol Preservation Committee  
Delaware River Basin Commission  
Department of Banking and Securities  
Department of Community and Economic  
Development  
Department of Environmental Protection  
Department of Health  
Department of Human Services  
Department of Revenue  
Insurance Department  
Pennsylvania Public Utility Commission  
State Board of Examiners in Speech-Language  
Pathology and Audiology  
State Board of Optometry  
State Board of Pharmacy  
State Board of Physical Therapy  
**Detailed list of contents appears inside.**



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

**No. 590, January 2024**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

If information on mailing label is incorrect, please email changes to [info@pbulletin.com](mailto:info@pbulletin.com) or mail to:

**FRY COMMUNICATIONS, INC.**  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 45 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$87.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 2340  
(800) 334-1429 ext. 2340 (toll free, out-of-State)  
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2024 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE COURTS

**DISCIPLINARY BOARD OF THE SUPREME COURT**  
 Notice of disbarment . . . . . 367  
 Notice of suspension . . . . . 367

**LOCAL COURT RULES**

**Carbon County**  
 Adoption of local rule of civil procedure CARB.R.Civ.P. 1901A for the enforcement of protection from abuse and protection of victims of sexual violence or intimidation orders by indirect criminal contempt arrest and indirect criminal complaint form; case No. 24-CV-0115 . . . . . 355  
 Adoption of local rule of civil procedure CARB.R.Civ.P. 1901B for the enforcement of protection from abuse and protection of victims of sexual violence or intimidation orders by indirect criminal contempt private criminal complaint and indirect criminal contempt private complaint form; case No. 24-CV-0114 . . . . . 361

**Clinton County**  
 Adult probation and parole services administrative fee; No. AD-3-2014 . . . . . 366

**Delaware County**  
 Board of view continuance requests; No.: 22-3777 . . . . . 366

## EXECUTIVE AND INDEPENDENT AGENCIES

**CAPITOL PRESERVATION COMMITTEE**  
**Notices**  
 Request for proposals . . . . . 389

**DELAWARE RIVER BASIN COMMISSION**  
**Notices**  
 Public hearing and business meeting . . . . . 389

**DEPARTMENT OF BANKING AND SECURITIES**  
**Notices**  
 Actions on applications . . . . . 390

**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**  
**Notices**  
 Manufactured Home Community Rights Act; maximum relocation fees payable in the event of community closure . . . . . 391

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Notices**  
 Applications, Actions and Special Notices . . . . . 391  
 Suspension of enforcement of initial annual reports . . 473  
 Withdrawal of technical guidance . . . . . 473

## DEPARTMENT OF HEALTH

**Notices**  
 Long-term care nursing facilities; requests for exception . . . . . 475  
 Spinal Cord Research Advisory Committee meeting . . 475  
 Title V maternal and child health five-year needs and capacity assessment regional prioritization public meetings schedule . . . . . 476  
 Vehicle, equipment and supply requirements for emergency medical services; corrected notice . . . . . 476

## DEPARTMENT OF HUMAN SERVICES

**Notices**  
 Nursing Facility Assessment Program for fiscal year 2023-2024 . . . . . 485

## DEPARTMENT OF REVENUE

**Notices**  
 Annual inflation adjustment for distributions to counties and municipalities; Pennsylvania gaming cash flow management . . . . . 486

## INSURANCE DEPARTMENT

**Notices**  
 Alleged violation of insurance laws; Gerald Fils; doc. No. SC24-01-014 . . . . . 486

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Notices**  
 Act 13 of 2012; producer fees for calendar year 2023 . . 487  
 Service of notice of motor carrier applications . . . . . 487

## STATE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

**Rules and Regulations**  
 Child abuse reporting requirements . . . . . 375

## STATE BOARD OF OPTOMETRY

**Rules and Regulations**  
 Child abuse reporting requirements . . . . . 368

## STATE BOARD OF PHARMACY

**Notices**  
 Current income levels for participation in the Cancer Drug Repository Program . . . . . 488

## STATE BOARD OF PHYSICAL THERAPY

**Proposed Rulemaking**  
 Early exam and continuing education credit hours for clinical instruction . . . . . 383

---

Available Online at <http://www.pacodeandbulletin.gov>

---

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

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

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

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

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

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

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

**Subscription Information: (717) 766-0211**  
**General Information and Finding Aids: (717) 783-1530**

### Printing Format

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

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

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

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

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

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

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

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

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

### Fiscal Notes

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

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

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

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish information except as provided by 1 Pa. Code § 3.44:

#### § 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the [Legislative Reference] Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

## 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.

<b>4 Pa. Code (Administration)</b>		<b>Proposed Rules</b>	
<b>Adopted Rules</b>		40 .....	383
6 .....	7		
<b>Statements of Policy</b>		<b>Statements of Policy</b>	
9 .....	16	21 .....	148
<b>12 Pa. Code (Commerce, Trade and Local Government)</b>		<b>55 Pa. Code (Human Services)</b>	
<b>Adopted Rules</b>		<b>Statements of Policy</b>	
145 .....	145	1 .....	148
<b>28 Pa. Code (Health and Safety)</b>		<b>204 Pa. Code (Judicial System General Provisions)</b>	
<b>Statements of Policy</b>		<b>Adopted Rules</b>	
51 .....	148	71 .....	138
<b>40 Pa. Code (Liquor)</b>		<b>231 Pa. Code (Rules of Civil Procedure)</b>	
<b>Adopted Rules</b>		<b>Adopted Rules</b>	
5 .....	145	200 .....	138
<b>49 Pa. Code (Professional and Vocational Standards)</b>		<b>255 Pa. Code (Local Court Rules)</b>	
<b>Adopted Rules</b>		Unclassified .....	11, 12, 13, 14, 139, 140, 355, 361, 366
23 .....	368		
45 .....	375		



# THE COURTS

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Adoption of Local Rule of Civil Procedure CARB.R.Civ.P. 1901A for the Enforcement of Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation Orders by Indirect Criminal Contempt Arrest and Indirect Criminal Complaint Form; Case No. 24-CV-0115

##### Administrative Order No. 8-2024

*And Now*, this 12th day of January, 2024, in order to establish Carbon County Local Rule of Civil Procedure 1901A pertaining to the Enforcement of Protection From Abuse (PFA), Protection of Victims of Sexual Violence or Intimidation (PVSVI) & Orders by Indirect Criminal Contempt (ICC)—Arrest and utilize the Indirect Criminal Complaint form, it is hereby

*Ordered and Decreed* that Carbon County Court of Common Pleas Local Rule of Civil Procedure CARB.R.Civ.P. 1901A is *Adopted*<sup>1</sup>, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*. A copy of the rule and form are as follows for easy reference.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following with the Administrative Order and Rule:

1. E-mail one (1) copy with the Administrative Office of Pennsylvania Courts to adminrules@pacourts.us.
2. Mail one (1) copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* to PA Code and Bulletin, Legislative Reference Bureau, 647 Main Capitol Building, Harrisburg, PA 17120 and e-mail one (1) copy in Microsoft Word format to bulletin@palrb.us.
3. Publish this local rule on the www.carboncourts.com website within 30 days after the publication in the *Pennsylvania Bulletin*.
4. File one (1) copy in the Carbon County Prothonotary's Office.
5. E-mail one (1) copy for publication in the *Carbon County Law Journal*.
6. Forward one (1) copy to the Carbon County Law Library.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

#### **Rule 1901A. Enforcement of Protection from Abuse (23 Pa.C.S.A. § 6101, et seq.) and Protection of Victims of Sexual Violence or Intimidation (42 Pa.C.S.A. § 62A01, et seq.). Orders by Indirect Criminal Contempt—Arrest.**

(a) Upon an arrest without warrant of a defendant for violating an emergency order issued by a magisterial

district judge, a temporary or final order issued by a judge of the court of common pleas of this Commonwealth, or a duly registered foreign protection order, it shall be presumed that the Court of Common Pleas is unavailable and the arresting police officer or Sheriff shall take the defendant before either the magisterial district judge of the district where the contempt is alleged to have occurred or the magisterial district judge on-call, as applicable.

(b) The arresting officer shall promptly complete and file with the magisterial district court a complaint for indirect criminal contempt in accordance with 23 Pa.C.S.A. §§ 6113, 6114 or 42 Pa.C.S.A. §§ 62A12, 62A14, as applicable. The form of this complaint shall be that attached to this Rule.

(c) The defendant shall be afforded a preliminary arraignment without unnecessary delay.

(d) At the preliminary arraignment, the magisterial district judge shall inform the defendant of the following:

(1) that the defendant is charged with criminal contempt for violation of a protective order;

(2) that a hearing will be held in the Court of Common Pleas within the next ten business days and advise the defendant of the date, time and location of the hearing. Written notice of the time and place of this hearing shall be hand-delivered to the defendant, with defendant to sign a receipt for same;

(3) that the defendant is entitled to be represented by counsel, and if defendant is unable to afford private counsel and desires to have counsel, defendant should immediately complete and submit an application for a public defender to the Carbon County Public Defender's office. Defendant shall be provided the address and telephone number of the Carbon County Public Defender's Office; and

(4) that if the defendant fails to appear at the hearing, a bench warrant will be issued for defendant's arrest.

At the preliminary arraignment before the magisterial district judge, the defendant shall be provided a true and correct copy of the completed indirect criminal complaint.

(e) Bail shall be set by the magisterial district judge to ensure defendant's presence at the contempt hearing in accordance with Pa.R.Crim.P. No. 523 including, without limitation, the condition that the defendant not contact the alleged victim or members of the alleged victim's household, directly or indirectly, pending further hearing. If the defendant is unable to post bail as set by the magisterial district judge, the defendant shall be taken to the Carbon County Correctional Facility.

(f) 42 Pa.C.S. Ch. 63 (relating to juvenile matters) shall apply to a child as defined in the Juvenile Act who has been charged with indirect criminal contempt of a protection from abuse order shall be transferred to the Juvenile Court for disposition thereunder.

<sup>1</sup> Rescinds Carbon County Local Rule 1901.5—Enforcement.

County of: \_\_\_\_\_

**INDIRECT CRIMINAL CONTEMPT  
COMPLAINT**

Magisterial District: \_\_\_\_\_

Magisterial District Judge Name: \_\_\_\_\_

Docket No. \_\_\_\_\_

Address: \_\_\_\_\_

Reference Number: \_\_\_\_\_

Commonwealth of Pennsylvania

Phone Number: \_\_\_\_\_

VS.

Docket No. \_\_\_\_\_

Defendant: \_\_\_\_\_  
Name

Date Filed: \_\_\_\_\_

\_\_\_\_\_  
Address

OTN: \_\_\_\_\_

Defendant's Race:	Defendant's Sex:	Defendant's Social Security No:	Defendant's State Identification No:
Defendant's A.K.A.	Defendant's Vehicle Information: Plate Number: State: Registration Sticker (MM/YY)		Defendant's Driver's License No: State: License Number:
Complaint/Incident No:	Complaint/Incident Number if other Participants:		UCR/NIBRS Code:

**1. Defendant Information:**

\_\_\_\_\_  
First Middle Last Suffix (Jr., Sr., etc.)

Address

\_\_\_\_\_  
City State Zip Code

Sex: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Race: \_\_\_\_\_

Defendant's Social Security Number (if known) \_\_\_\_\_

Defendant's State Identification Number: \_\_\_\_\_

Defendant's Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_



Defendant's Vehicle Information: Plate Number: \_\_\_\_\_

State: \_\_\_\_\_

Registration Sticker (mm/yy): \_\_\_\_\_

Complaint/Incident Number: \_\_\_\_\_

Complaint/Incident Number if other participants: \_\_\_\_\_

UCR/NIBRS Code: \_\_\_\_\_

Defendant's Alias: \_\_\_\_\_

**2. District Attorney's Office**

\_\_\_\_\_ Approved

\_\_\_\_\_ Disapproved because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attorney Signature: \_\_\_\_\_

Date signed: \_\_\_\_\_ Attorney Name: \_\_\_\_\_

Affiant has the right to initiate a review by the Court of Common Pleas upon disapproval.  
(Pa.R.Crim.P. 506)

**3. Affiant's Information**

I, \_\_\_\_\_, \_\_\_\_\_ of \_\_\_\_\_

Name of Affiant

Officer Badge # ID Dept. or Agency Represented & Political Subdivision

\_\_\_\_\_  
Agency ORI

\_\_\_\_\_  
Originating Agency Case Number

Do hereby state:

1. \_\_\_\_\_ I accuse the above defendant, who lives at the address set forth above  
OR

\_\_\_\_\_ with (insert own text) violating the penal laws of the Commonwealth of Pennsylvania at

\_\_\_\_\_ in \_\_\_\_\_ County  
Place-Political Subdivision

\_\_\_\_\_ On or about \_\_\_\_\_ at or about \_\_\_\_\_ AM/PM  
M D YYYY time

OR

\_\_\_\_\_ At or about \_\_\_\_\_  
(any other date/time description)

2. \_\_\_\_\_ The acts committed by the accused which constitutes indirect criminal contempt were: (set forth a summary of the facts to advise the defendant of the nature of the offense charged.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All of which is in violation of

\_\_\_\_\_ Title of the Order

\_\_\_\_\_ Docket Number

\_\_\_\_\_ County \_\_\_\_\_ State

Entered \_\_\_\_\_ by \_\_\_\_\_  
Date Judge's Name

Plaintiff: \_\_\_\_\_  
First Name Middle Name Last Name Suffix (Jr., Sr., etc.)

Enter the subsequent history of the Order.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

\_\_\_\_\_ 23 Pa.C.S. § 6101 et seq.

\_\_\_\_\_  
(Section Subsection of the PA Statute)

Number of Count(s) \_\_\_\_\_

\_\_\_\_\_ Companion criminal charges related to this matter have been filed, namely

- 
- 3. \_\_\_\_\_ I ask that an arrest warrant be issued and that the defendant be required to answer the charges I have made.
  - 4. \_\_\_\_\_ I verify that the facts set forth in the complaint are true and correct to the best of my knowledge or information and belief.

\_\_\_\_\_  
Name of Affiant

\_\_\_\_\_  
Date

And now, on this date \_\_\_\_\_

I certify that the complaint has been properly completed and verified. An Affidavit of Probable Cause must be completed in order for a warrant to issue.

\_\_\_\_\_  
Magisterial District

\_\_\_\_\_  
Issuing Authority

SEAL

**\_\_\_\_\_ Arraignment Information**

Arrest	DATE: _____	TIME: _____
Arraignment	DATE: _____	TIME: _____
Incarceration	DATE: _____	TIME: _____
Hearing	DATE: _____	TIME: _____

Special Conditions \_\_\_\_\_ The Defendant shall not abuse, threaten, harass or stalk the victim.  
 \_\_\_\_\_ The Defendant shall have no contact with the victim.  
 \_\_\_\_\_ The Defendant shall comply with all terms and conditions of the  
 Protection From Abuse Order.  
 \_\_\_\_\_ The Defendant shall refrain from entering the residence or household  
 of the victim.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Other: \_\_\_\_\_  
\_\_\_\_\_

_____	_____
Committing Authority	Name

Distribution to:

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Adoption of Local Rule of Civil Procedure CARB.R.Civ.P. 1901B for the Enforcement of Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation Orders by Indirect Criminal Contempt Private Criminal Complaint and Indirect Criminal Contempt Private Complaint Form; Case No. 24-CV-0114

##### Administrative Order No. 9-2024

And Now, this 12th day of January, 2024, in order to establish Carbon County Local Rule of Civil Procedure 1901B pertaining to the Enforcement of Protection From Abuse (PFA), Protection of Victims of Sexual Violence or Intimidation (PVSVI) & Orders by Indirect Criminal Contempt (ICC)—Private Criminal Complaint and utilize the Indirect Criminal Complaint/Private Complaint form, it is hereby

*Ordered and Decreed* that Carbon County Court of Common Pleas Local Rule of Civil Procedure CARB.R.Civ.P. 1901B is *Adopted*<sup>1</sup>, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*. A copy of the rule and form is as follows for easy reference.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following with the Administrative Order and Rule:

1. E-mail one (1) copy with the Administrative Office of Pennsylvania Courts to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).
2. Mail one (1) copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* to PA Code and Bulletin, Legislative Reference Bureau, 647 Main Capitol Building, Harrisburg, PA 17120 and e-mail one (1) copy in Microsoft Word format to [bulletin@palrb.us](mailto:bulletin@palrb.us).
3. Publish this local rule on the [www.carboncourts.com](http://www.carboncourts.com) website within 30 days after the publication in the *Pennsylvania Bulletin*.
4. File one (1) copy in the Carbon County Prothonotary's Office.
5. E-mail one (1) copy for publication in the *Carbon County Law Journal*.
6. Forward one (1) copy to the Carbon County Law Library.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

#### **Rule 1901B. Enforcement of Protection from Abuse (23 Pa.C.S.A. § 6101, et seq.) and Protection of Victims of Sexual Violence or Intimidation (42 Pa.C.S.A. § 62A01, et seq.) Orders by Indirect Criminal Contempt—Private Criminal Complaint.**

(a) A complaint for indirect criminal contempt may be completed and signed by a complainant pursuant to 23 Pa.C.S.A. § 6113.1 or 42 Pa.C.S.A. § 62A13, as applicable, when a person accused of violating an emergency

order issued by a magisterial district judge, a temporary or final order issued by a judge of the court of common pleas of this Commonwealth, or a duly registered foreign protective order, has not been arrested by a police officer or the sheriff pursuant to 23 Pa.C.S.A. § 6113(a) or 42 Pa.C.S.A. § 62A12, as applicable. The form of the private criminal complaint shall be that attached to this Rule.

(b) After completing and signing the complaint, complainant shall appear in the office of the District Attorney with the complaint at which time, or as soon thereafter as practical, the District Attorney shall either approve or disapprove the complaint as provided for in Pa.R.Crim.P. 506 without unreasonable delay. If the complaint is approved, the District Attorney's Office shall indicate this decision on the complaint form and transmit it to the magisterial district judge within whose district the contempt is alleged to have occurred, who shall act as the issuing authority. If the complaint is disapproved by the District Attorney's Office, the District Attorney's Office shall state the reasons for disapproval on the complaint form and return it to the complainant, who may thereafter petition the Court of Common Pleas for review of the District Attorney's decision in accordance with Pa.R.Crim.P. 506(B)(2).

(c) Upon receipt of a private complaint for indirect criminal contempt, the magisterial district judge shall issue a warrant or summons.

(1) If the magisterial district judge issues a summons, the summons shall advise the defendant of the time, date and place of the hearing to be held before the Court of Common Pleas on the indirect criminal contempt allegations, which hearing shall be scheduled within ten business days of the filing of the complaint for indirect criminal contempt with the magisterial district court, and that if the defendant fails to appear for this hearing, a warrant will be issued for his/her arrest. The summons shall advise the defendant of his/her right to counsel and of his/her right to appointed counsel by application to the Carbon County Public Defender's Office—with the address and telephone number of the Carbon County Public Defender's Office included—in the event the defendant cannot afford private counsel, and shall be accompanied by a true and correct copy of the completed private criminal complaint and a fingerprint order.

(2) If the magisterial district judge issues a warrant, the magisterial district judge shall cause the warrant to be forwarded to the appropriate police agency for service. Upon arrest, the defendant shall be taken to the magisterial district judge without unnecessary delay and shall be afforded a preliminary arraignment pursuant to 23 Pa.C.S.A. § 6113(d), or 42 Pa.C.S.A. § 62A12(c), as applicable, at which time defendant shall be advised of those matters set forth in Local Rule 1901A, and bail shall be set. At this arraignment, the defendant shall be provided a true and correct copy of the completed private criminal complaint and a fingerprint order.

(d) 42 Pa.C.S. Ch. 63 (relating to juvenile matters) shall apply to a child as defined in the Juvenile Act who has been charged with indirect criminal contempt of a protection from abuse order shall be transferred to the Juvenile Court for disposition thereunder.

<sup>1</sup> Rescinds Carbon County Local Rule 1901.5—Enforcement.

County of: \_\_\_\_\_

**INDIRECT CRIMINAL CONTEMPT**

\_\_\_\_ Commonwealth of Pennsylvania

**PRIVATE COMPLAINT**

OR

\_\_\_\_\_  
Plaintiff

Docket No. \_\_\_\_\_

VS.

Reference Number: \_\_\_\_\_

Defendant

\_\_\_\_\_  
First Middle Last Suffix (Jr., Sr., etc.)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

Magisterial District Judge Information  
Enter the Magisterial District Judge information:

\_\_\_\_\_  
First Middle Last Suffix (Jr., Sr., etc.)

\_\_\_\_\_  
Address City State Zip Code

Magisterial District Judge Information:

Docket Number: \_\_\_\_\_ OTN: \_\_\_\_\_ Date Filed On: \_\_\_\_\_

**1. Defendant Information:**

\_\_\_\_\_  
First Middle Last Suffix (Jr., Sr., etc.)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code



Defendant:

Sex: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Race: \_\_\_\_\_

Defendant's Social Security Number (if known) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Defendant's State Identification Number: \_\_\_\_\_

Defendant's Driver's License Number: \_\_\_\_\_ State: \_\_\_\_\_

Defendant's Vehicle Information: Plate Number: \_\_\_\_\_

State: \_\_\_\_\_

Registration Sticker (mm/yy): \_\_\_\_\_

Complaint/Incident Number: \_\_\_\_\_

Complaint/Incident Number if other participants: \_\_\_\_\_

UCR/NIBRS Code: \_\_\_\_\_

Defendant's Alias: \_\_\_\_\_

**2. District Attorney's Office**

\_\_\_\_\_ Approved

\_\_\_\_\_ Disapproved because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attorney Signature: \_\_\_\_\_

Date signed: \_\_\_\_\_ Attorney Name: \_\_\_\_\_

Affiant has the right to initiate a review by the Court of Common Pleas upon disapproval.  
(Pa.R.Crim.P. 506)

3. Affiant's Information

I, \_\_\_\_\_, plaintiff in the above captioned matter do hereby state:

AND NOW, to wit, this \_\_\_\_\_ it is ORDERED and DECREED that:

1. \_\_\_\_\_ I accuse the above defendant, who lives at the address set forth above  
OR

\_\_\_\_\_ with violating the penal laws of the Commonwealth of Pennsylvania at

\_\_\_\_\_ in \_\_\_\_\_ County  
Place-Political Subdivision

\_\_\_\_\_ On or about \_\_\_\_\_ at or about \_\_\_\_\_ AM/PM  
date time

OR

\_\_\_\_\_ At or about \_\_\_\_\_  
(any other date/time description)

2. \_\_\_\_\_ The acts committed by the accused which constitutes indirect criminal contempt were: (set forth a summary of the facts to advise the defendant of the nature of the offenses charged.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional pages if necessary)  
All of which is in violation of

\_\_\_\_\_ Title of the Order

\_\_\_\_\_ Docket Number

\_\_\_\_\_ County State

Entered \_\_\_\_\_ by \_\_\_\_\_  
Date Judge's Name

Plaintiff: \_\_\_\_\_  
First Name Middle Name Last Name Suffix (Jr., Sr., etc.)

Has the Order been modified or extended, or withdrawn?

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

All of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

\_\_\_\_\_ 23 Pa.C.S. § 6101 et seq.

\_\_\_\_\_ (Section Subsection of the PA Statute)

Number of Count(s) \_\_\_\_\_

\_\_\_\_\_ Companion criminal charges related to this matter have been filed, namely

- 3. \_\_\_\_\_ I ask that an arrest warrant be issued and that the defendant be required to answer the charges I have made.
4. \_\_\_\_\_ I verify that the facts set forth in the complaint are true and correct to the best of my knowledge or information and belief. The verification is made subject to the penalties of 18 P.A.C.S. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_
Name of Affiant

\_\_\_\_\_
Date

And now, on this date \_\_\_\_\_

I certify that the complaint has been properly completed and verified. An Affidavit of Probable Cause must be completed in order for a warrant to issue.

\_\_\_\_\_
Magisterial District

\_\_\_\_\_
Issuing Authority

SEAL

[Pa.B. Doc. No. 24-98. Filed for public inspection January 26, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CLINTON COUNTY

#### Adult Probation and Parole Services Administrative Fee; No. AD-3-2014

##### Order of Court

*And Now*, this 9th day of January, 2024, pursuant to 42 Pa.C.S.A. § 9728(g), the Court hereby orders the imposition of a monthly probation administrative fee of Twenty and 00/100 (\$20.00) Dollars per month assessed against all offenders placed on probation, parole, Accelerated Rehabilitative Disposition (ARD), Probation Without Verdict (PWV), or Probation With Restrictive Conditions (PWRC). Said increase is to be effective thirty (30) days after publication in the *Pennsylvania Bulletin* and applied only to offenders sentenced or placed on ARD on or after the publication requirement has been satisfied. In support of this Order establishing a monthly probation administrative fee, the Court finds as follows:

1. That pursuant to 42 Pa.C.S.A. § 9728(g), any costs of the Adult Probation Department, including but not limited to, any reasonable administrative costs associated with the collection of restitution, reparation fees, costs, and fines, shall be borne by the offender.

2. That, heretofore, this Court assessed a monthly probation administrative fee of Ten and 00/100 (\$10.00) Dollars against offenders sentenced to probation, parole, PWV, or PWRC, or placed on ARD.

3. That the Adult Probation Department expends significant time and resources administering and collecting restitution, reparation fees, costs, and fines from offenders placed on probation, parole, ARD, PWV, and PWRC.

4. That this Court, through the Adult Probation Department, has incurred significant expense in collecting restitution reparation fees, costs, and fines from offenders placed on probation, parole, ARD, PWV, and PWRC, and that it is fair and reasonable to assess a monthly probation administrative fee against offenders and to increase said fee to Twenty and 00/100 (\$20.00) Dollars per month to compensate for the cost of collecting said fees.

The following guidelines shall be implemented in the assessment and collection of the monthly probation administrative fee:

1. All offenders placed on probation, parole, ARD, PWV, and PWRC shall be assessed a monthly probation administrative fee of Twenty and 00/100 (\$20.00) Dollars for every month or fraction thereof that an offender is under supervision, including offenders who may be serving any incarceration sentence, whether incarcerated in a federal, state, or county facility.

2. Said monthly probation administrative fee shall be considered a condition of probation, parole, ARD, PWV, and PWRC. Failure to pay monthly probation administrative fees shall be considered by this Court to be a technical violation of an offender's conditions of supervision and may result in a revocation of a sentence of probation, parole, ARD, PWV, or PWRC.

3. The monthly probation administrative fee may be paid by the offender at one time or on a monthly basis.

4. When an offender's probation, parole, ARD, PWV, or PWRC is transferred to Adult Probation from another jurisdiction for supervision purposes, the monthly probation administrative fee shall be established from the date the case is accepted for supervision.

5. In those instances where an offender has multiple active cases, the monthly probation administrative fee shall be assessed on an offender only once, and the Adult Probation Department shall apportion the monthly probation administrative fee accordingly.

6. The funds collected pursuant to this administrative order shall be deposited in a fund for the exclusive use by the Twenty-Fifth Judicial District of Pennsylvania. This fund shall be used to support the operation of this Court's Adult Probation Department, the Department's time and expense to collect these monies paid by the offender for restitution, reparation fees, costs, and fines, technology enhancement for the Department, and education and training for Adult Probation officers and staff. Expenditures from this account can be authorized only by the President Judge. An accounting of this administrative fee account shall be made quarterly by the Chief Probation Officer in writing to the President Judge.

*By the Court*

CRAIG P. MILLER,  
*President Judge*

[Pa.B. Doc. No. 24-99. Filed for public inspection January 26, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DELAWARE COUNTY

#### Board of View Continuance Requests; No.: 22-3777

##### Civil Administrative Order

Now this 1st day of December, 2023, it is hereby *Ordered* and *Decreed* that the current Local Rule 622(k) is hereby *Rescinded* and *Substituted* with the following provision:

**Rule 622(k).** Any request for continuance or substitution shall be made to the Court Administrator and the Chairman of the Board of View in writing. If the Chairman of the Board of View elects to grant the continuance, the Court Administrator shall provide a new date for a view or hearing. Any proposed substitution of viewer shall require an Order of Court on cause shown.

The above substituted rule shall go into effect thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court*

LINDA A. CARTISANO,  
*President Judge*

[Pa.B. Doc. No. 24-100. Filed for public inspection January 26, 2024, 9:00 a.m.]

**DISCIPLINARY BOARD  
OF THE SUPREME COURT**

**Notice of Disbarment**

Notice is hereby given that Kevin Robert Gallagher, (# 48749), having been excluded on consent from the practice of law by the United States Patent and Trademark Office, the Supreme Court of Pennsylvania issued an Order January 12, 2024, disbaring Kevin Robert Gallagher, from the Bar of this Commonwealth, effective February 11, 2024.

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

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 24-101. Filed for public inspection January 26, 2024, 9:00 a.m.]

---

**DISCIPLINARY BOARD  
OF THE SUPREME COURT**

**Notice of Suspension**

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated January 12, 2024, Jesse M. Cohen (# 93020), is Suspended from the Bar of this Commonwealth for a period of four years, retroactive to September 8, 2022. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 24-102. Filed for public inspection January 26, 2024, 9:00 a.m.]

---

# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF OPTOMETRY

#### [ 49 PA. CODE CH. 23 ]

#### Child Abuse Reporting Requirements

The State Board of Optometry (Board) amends §§ 23.1, 23.11, 23.21, 23.26, 23.81—23.83, 23.111—23.116 and adds §§ 23.117 and 23.118 (relating to child abuse recognition and reporting—mandatory training requirement; and child abuse recognition and reporting course approval process) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

Section 3(b)(14) of the Optometric Practice and Licensure Act (act) (63 P.S. § 244.3(b)(14)) sets forth the Board's general rulemaking authority. Under 23 Pa.C.S. Chapter 63 (relating to Child Protective Services Law) (CPSL), specifically section 6383(b)(2) of the CPSL (relating to education and training), the Board is required to promulgate regulations to implement the mandatory reporting requirements for licensees of the Board.

#### *Background and Need for this Final-Form Rulemaking*

Since 2014, the General Assembly has made numerous amendments to the CPSL, including the requirement imposed by the act of April 15, 2014 (P.L. 411, No. 31) (Act 31) on all health-related boards to require training in child abuse recognition and reporting for licensees who are considered “mandated reporters” under the CPSL. Section 2 of Act 31 provided that these training requirements would apply to all persons applying for a license, or applying for renewal of a license, on or after January 1, 2015, and were implemented as of that date. This final-form rulemaking is required to update the Board's existing regulations on the subject of child abuse reporting to comport to the numerous amendments made to the CPSL, and to incorporate the mandatory training requirements required by Act 31.

Specifically, the Board is amending § 23.1 (relating to definitions) to update the definitions of terms used in the CPSL. Additionally, the Board is amending, where necessary throughout this final-form rulemaking, the name of the Department of Public Welfare, as the name of that agency has changed to the Department of Human Services. In addition, the Board is amending §§ 23.11 and 23.21 (relating to qualifications for license by examination; and reciprocal application) to incorporate the requirement that applicants for licensure complete at least 3 hours of approved training in child abuse recognition and reporting as required under section 6383(b)(3)(i) of the CPSL as a condition of licensure. The Board is also amending § 23.26 (relating to volunteer license) to incorporate the mandatory training requirements for applicants for a volunteer license in subsection (c) and for biennial renewal of a volunteer license in subsection (e). Further, the Board is amending the continuing education regulations in §§ 23.81—23.83 (relating to coverage; continuing education hour requirements; continuing education reporting; audit and enforcement; and continuing

education subject matter) to incorporate the 2 hours of mandatory continuing education in child abuse recognition and reporting required under section 6383(b)(3)(ii) of the CPSL.

In addition, the Board is making comprehensive amendments to the Board's existing child abuse reporting requirements in §§ 23.111—23.116 (relating to child abuse reporting requirements) to comport to the numerous amendments made to the CPSL since 2014. Finally, the Board is adding two new sections to incorporate the mandatory training requirements set forth in section 6383(b)(3)(i) and (ii) of the CPSL. Section 23.117 sets forth the requirement that all individuals applying to the Board for an initial license are required to complete at least 3 hours of approved training in child abuse recognition and reporting; and that all licensees seeking renewal of a license are required to complete at least 2 hours of approved continuing education in child abuse recognition and reporting as a requirement of renewal. This section also includes the process for applying for an exemption from the mandatory training requirements as set forth in section 6383(b)(4) and (6) of the CPSL, for individuals who have already completed similar training or who otherwise should be exempt from the training requirements.

Finally, the Board is adding § 21.118 to set forth the administrative process developed by the Bureau of Professional and Occupational Affairs (Bureau), in conjunction with the Department of Human Services, for individuals, entities and organizations to apply for approval to deliver the training required under Act 31. To be approved to provide the mandatory training in child abuse recognition and reporting, an individual, entity or organization must be able to report attendance and participation electronically to the Bureau. In this manner, the completion of the training is automatically imported into the individual's record with the Board at the time the course is completed.

#### *Summary and Response to Comments*

Notice of the proposed rulemaking was published at 53 Pa.B. 2306 (April 29, 2023). Publication was followed by a 30-day public comment period during which the Board received no public comments. Additionally, there were no comments received from the Independent Regulatory Review Commission (IRRC) other than to say that they have no objections, comments or recommendations to offer. IRRC further advised that if the final-form rulemaking is delivered without revisions, and the committees do not take any action, it will be deemed approved. The Consumer Protection and Professional Licensure Committee of the Senate (SCP/PLC) and the Professional Licensure Committee of the House of Representatives (HPLC) did not submit comments. For these reasons, the Board made no changes to this final-form rulemaking.

#### *Fiscal Impact and Paperwork Requirements*

The Board does not anticipate any significant fiscal impact or paperwork requirements relating to these amendments. Because licensees are already required to complete mandatory continuing education, and these 2 hours in child abuse recognition and reporting are incorporated into the existing requirement, there would be no increased burden. Only applicants for licensure would incur an additional requirement, and as there are many low-cost and free options available to complete the training, the Board anticipates this impact to also be



minimal. Because all approved training providers of the mandatory training in child abuse recognition and reporting are required to report attendance or participation electronically, there are no additional paperwork requirements imposed on licensees. In addition, the implementation of an electronic reporting system for mandated reporters of child abuse under the CPSL by the Department of Human Services has decreased the paperwork requirements related to the mandatory reporting requirements.

*Sunset Date*

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 6, 2023, the Board submitted a copy of this final-form rulemaking and a copy of a regulatory analysis form to IRRC and to the chairpersons of the SCP/PLC and the HPLC. A copy of this material is available to the public upon request.

Under section 5(c) of the Regulatory Review Act, IRRC, the SCP/PLC and the HPLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has made no revisions based on a lack of comments received from the public, IRRC, the SCP/PLC and the HPLC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on December 6, 2023, the final-form rulemaking was deemed approved by the SCP/PLC and the HPLC. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective December 6, 2023.

*Additional Information*

Additional information may be obtained by writing to Shakeena Chapelle, Board Administrator, State Board of Optometry, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-OPTOMETRY@PA.GOV.

*Findings*

The State Board of Optometry 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 under those sections at 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 no comments were received.
- (3) Amendments were not made to this final-form rulemaking and therefore this final-form rulemaking does not enlarge the original purpose of the proposed rulemaking published at 53 Pa.B. 2306.
- (4) This final-form rulemaking is necessary and appropriate for the administration of the relevant provisions of the CPSL.

*Order*

The Board, acting under its authorizing statute, orders that:

- (a) The regulations of the Board, 49 Pa. Code Chapter 23, are amended by amending §§ 23.1, 23.11, 23.21, 23.26, 23.81—23.83, 23.111—23.116 and adding §§ 23.117

and 23.118, to read as set forth in Annex A, with ellipses referring to existing text of the regulations.

(b) The Board shall submit a copy of 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 shall deposit it with the Legislative Reference Bureau as required by law.

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

LUANNE K. CHUBB, OD, FAAO,  
Chairperson

(*Editor's Note:* See 53 Pa.B. 8038 (December 23, 2023) for IRRC's approval.)

**Fiscal Note:** Fiscal Note 16A-5215 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 23. STATE BOARD OF OPTOMETRY  
GENERAL PROVISIONS**

**§ 23.1 Definitions.**

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

*Act*—The Optometric Practice and Licensure Act (63 P.S. §§ 244.1—244.12).

*Board*—The State Board of Optometry of the Commonwealth.

*Bodily injury*—Impairment of physical condition or substantial pain.

*Bureau*—The Bureau of Professional and Occupational Affairs within the Department of State of the Commonwealth.

*Child*—An individual under 18 years of age.

*Child abuse*—Intentionally, knowingly or recklessly doing any of the following:

- (i) Causing bodily injury to a child through any recent act or failure to act.
- (ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
- (iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of these acts or failures to act.
- (iv) Causing sexual abuse or exploitation of a child through any act or failure to act.
- (v) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
- (vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
- (vii) Causing serious physical neglect of a child.

(viii) Engaging in any of the following recent acts:

(A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(B) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.

(C) Forcefully shaking a child under 1 year of age.

(D) Forcefully slapping or otherwise striking a child under 1 year of age.

(E) Interfering with the breathing of a child.

(F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), when the victim of the sexual offense was under 18 years of age when the crime was committed.

(II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).

(ix) Causing the death of the child through any act or failure to act.

(x) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

*ChildLine*—An organizational unit of the Department of Human Services, which operates a 24-hour a day Statewide toll-free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file.

*Clinical skills assessment examination*—A clinical skills competency examination developed, prepared, administered and scored by the NBEO, which the Board adopts as the State clinical examination for licensure.

\* \* \* \* \*

*Inactive status*—The status of not having one's license currently registered.

*Mandated reporter*—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For the purposes of this chapter, the term includes all licensed optometrists.

*NBEO*—The National Board of Examiners in Optometry.

*National Board Examination*—A written academic examination developed, prepared, administered and scored by the NBEO, which the Board adopts as the National uniform written examination for licensure.

*Parent*—A biological parent, adoptive parent or legal guardian.

*Perpetrator*—A person who has committed child abuse as defined in this section. The following apply:

(i) This term includes only the following:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) An individual 14 years of age or older who is a person responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program, activity or service.

(E) An individual 14 years of age or older who resides in the same home as the child.

(F) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child.

(G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

(ii) Only the following may be considered a perpetrator for failing to act, as provided in this section:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person responsible for the child's welfare who is 18 years of age or older.

(E) A person 18 years of age or older who resides in the same home as the child.

*Person responsible for the child's welfare*—A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.

*Program, activity or service*—Any of the following in which children participate and which is sponsored by a school or a public or private organization:

(i) A youth camp or program.

(ii) A recreational camp or program.

(iii) A sports or athletic program.

(iv) A community or social outreach program.

(v) An enrichment or educational program.

(vi) A troop, club or similar organization.

*Recent act or failure to act*—An act or failure to act committed within 2 years of the date of the report to the Department of Human Services or county agency.

*Retired practitioner*—One who is no longer engaged in the practice of optometry as defined in section 2 of the act (63 P.S. § 244.2; see definition of "practice of optometry").

*Serious mental injury*—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following:

(i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.

(ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

*Serious physical neglect*—Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

(i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.

(ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

*Sexual abuse or exploitation*—Any of the following:

(i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes the following:

(A) Looking at sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.

(B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

(C) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

(D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

(ii) Any of the following offenses committed against a child:

(A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).

(B) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).

(C) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).

(D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).

(E) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).

(F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

(G) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).

(H) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).

(I) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).

(J) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).

(K) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).

(L) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

(M) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(iii) For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child's age.

*TMOD—Treatment and Management of Ocular Disease Examination*—An examination developed, prepared, administered and scored by NBEO, which the Board adopts as the examination for certification in pharmaceutical agents for therapeutic purposes.

\* \* \* \* \*

**LICENSE BY EXAMINATION**

**§ 23.11. Qualifications for license by examination.**

To obtain a license by examination, a candidate shall meet the following requirements:

(1) A Doctor of Optometry degree from an accredited optometric educational institution in the United States or Canada. A graduate of an unaccredited school of optometry shall also meet the requirements of § 23.14 (relating to graduates of unaccredited schools).

(2) Passing scores on Parts I, II Stage a and II Stage b of the National Board Examination, which the Board adopts as the written examination for licensure.

(3) Satisfaction of the general qualifications of section 4 of the act (63 P.S. § 244.4) and of this chapter.

(4) Passing scores of the Clinical Skills Assessment Examination. A candidate for license by examination will not be eligible to sit for the Clinical Skills Assessment Examination unless the candidate has met the requirements of paragraphs (1)—(3).

(5) Completion of at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 23.117(a) (relating to child abuse recognition and reporting—mandatory training requirement).

**LICENSE BY RECIPROcity AND INTERSTATE CERTIFICATION**

**§ 23.21. Reciprocal application.**

(a) An applicant for licensure by reciprocity to practice optometry in this Commonwealth shall submit or cause to be submitted the following to the Board:

(1) A completed application which has been filed with the Board together with the fee required by § 23.91 (relating to fees).

(2) A certificate of preprofessional education issued by the Department, showing that the preliminary education requirements are satisfied.

(3) A transcript of subjects and grades from the college or school of optometry from which the applicant has graduated.

(4) Proof of having completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 23.117(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(b) A school or college of optometry from which the applicant for reciprocity has graduated shall be one approved by the Board at the time the applicant graduated.



(c) An applicant for licensure by reciprocity who is a graduate of an unaccredited school shall comply with the requirements of § 23.14 (relating to graduates of unaccredited schools).

### VOLUNTEER LICENSE

#### § 23.26. Volunteer license.

\* \* \* \* \*

(c) *Applications.* An applicant for a volunteer license shall complete an application obtained from the Board. In addition to providing information requested by the Board, the applicant shall provide, or cause to be provided:

(1) An executed verification on forms provided by the Board certifying that the applicant intends to practice optometry exclusively:

(i) Without personal remuneration for professional services.

(ii) In an approved clinic.

(2) A letter signed by the director or chief operating officer of an approved clinic that the applicant has been authorized to provide volunteer services in the named clinic by the governing body or responsible officer of the clinic.

(3) Evidence of completion of at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 23.117(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(d) *Validity of license.* A volunteer license shall be valid for the biennial period for which it is issued, subject to biennial renewal. During each biennial renewal period, the licensee shall notify the Board of any change in clinic or volunteer status within 30 days of the date of a change, or at the time of renewal, whichever occurs first.

(e) *Biennial renewal.* A volunteer license shall be renewed biennially on forms provided by the Board.

(1) As a condition of biennial renewal, the applicant shall satisfy the same continuing education requirements as the holder of an active, unrestricted license, including at least 2 hours of approved courses in child abuse recognition and reporting in accordance with § 23.117(b).

(2) The applicant shall be exempt from payment of the biennial renewal fee of § 23.91 (relating to fees).

\* \* \* \* \*

### CONTINUING EDUCATION

#### § 23.81. Coverage.

(a) This section and §§ 23.82—23.89 apply to all optometrists who are required to be licensed under the act; however, an applicant, upon successful completion of the optometric examination for licensure, shall be exempt from the requirements of continuing education for only the biennial period during which the applicant successfully completed the examination if the applicant takes the examination within 2 years from the applicant's graduation from an accredited college or school of optometry.

(b) An individual who is in an inactive status or is a retired practitioner is not required to meet the continuing education requirements as outlined in this section and §§ 23.82—23.89 except to the extent that, upon application for reactivation, the individual shall be required to show proof of continuing education for the biennial period immediately preceding the request for reactivation, including at least 2 hours of approved courses in child abuse recognition and reporting as required under

§ 23.117(b) (relating to child abuse recognition and reporting—mandatory training requirement).

#### § 23.82. Continuing education hour requirements; continuing education reporting; audit and enforcement.

(a) An applicant for biennial license renewal or reactivation of license is required to complete, during the 2 years immediately preceding renewal or reactivation, a minimum of 30 hours of continuing education, including at least 2 hours of approved courses in child abuse recognition and reporting in accordance with § 23.117(b) (relating to child abuse recognition and reporting—mandatory training requirement). A licensee whose license is not renewed by the expiration of the biennial renewal period may not engage in the practice of optometry until the continuing education requirements are satisfied and the license has been renewed or reactivated.

(1) For licensees certified in accordance with 4.1 of the act (63 P.S. § 244.4a), regarding certification to prescribe and administer pharmaceutical agents for therapeutic purposes, at least 6 of the required 30 hours shall concern the prescription and administration of pharmaceutical agents for therapeutic purposes.

(2) For licensees certified in accordance with section 4.2 of the act (63 P.S. § 244.4b), regarding additional requirements to prescribe and administer pharmaceutical agents for the treatment of certain types of glaucoma, at least 4 of the 30 hours shall concern the prescription and administration of pharmaceutical agents for the treatment of glaucoma. No more than 4 hours taken in the treatment of glaucoma may be applied toward the 6 hours required to maintain therapeutic certification; however, all licensees shall complete at least 30 total hours.

(3) Completion of a Board-approved course described in section 4.1(a)(2) of the act or continuing education described in section 4.2 of the act shall satisfy the continuing education requirement for the biennial renewal period in which it is completed including the 6-hour requirement in therapeutics and the 4-hour requirement in glaucoma.

(b) Licensees shall certify completion of the required continuing education on the biennial renewal application as a condition of renewal. False certifications will be ground for disciplinary action under section 7(a)(3) of the act (64 P.S. § 244.7(a)(3)).

\* \* \* \* \*

#### § 23.83. Continuing education subject matter.

(a) Except as provided in subsection (d), acceptable courses of study are limited to those pertaining to the use or means or methods for examination, diagnosis and treatment of conditions of the human visual system and may include examination for and adapting and fitting of all types of lenses. The Board will not accept courses of study which do not relate to the actual practice of optometry such as studies in office management and financial procedures.

(b) Courses that will meet the requirements for certification in the prescription and administration of pharmaceutical agents for therapeutic purposes in accordance with section 4.1 of the act (63 P.S. § 244.4a) shall concern the treatment and management of ocular or oculo-systemic disease.

(c) Courses that will meet the requirements for certification to treat glaucoma in accordance with section 4.2 of the act (63 P.S. § 244.4b) shall concern the treatment and management of primary open angle glaucoma, exfoliation glaucoma and pigmentary glaucoma.

(d) At least 2 hours of continuing education shall be completed in child abuse recognition and reporting as required under 23 Pa.C.S. § 6383(b)(3)(ii) (relating to education and training) in accordance with § 23.117(b) (relating to child abuse recognition and reporting—mandatory training requirement). Notwithstanding the requirements for Board approval of optometric continuing education programs in §§ 23.84—23.86 (relating to provider and program registration; standards for providers; and sources of continuing education hours), courses in child abuse recognition and reporting must be approved in accordance with § 23.118 (relating to child abuse recognition and reporting course approval process).

**CHILD ABUSE REPORTING REQUIREMENTS**

**§ 23.111. Suspected child abuse—mandated reporting requirements.**

(a) *General rule.*

(1) Under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse), optometrists are considered mandated reporters. A mandated reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the profession or through a regularly scheduled program, activity or service.

(ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this subsection shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this subsection shall require the mandated reporter to take steps to identify the person responsible for the child abuse, if unknown, in order for the mandated reporter to make a report of suspected child abuse.

(b) *Staff members of public or private agencies, institutions and facilities.* Whenever an optometrist is required to make a report under subsection (a) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that optometrist shall report immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

(c) *Reporting procedure.* A mandated reporter shall immediately make a report of suspected child abuse to the Department of Human Services by either:

(1) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the

case in a manner and format prescribed by the Department of Human Services. The written report submitted under this paragraph may be submitted electronically.

(2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (relating to electronic reporting) through the Department of Human Service’s Child Welfare Information Solution self-service portal at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis). A confirmation by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional oral or written report.

(d) *Written or electronic reports.* A written or electronic report of suspected child abuse, shall include the following information, if known:

(1) The names and addresses of the child, the child’s parents and any other person responsible for the child’s welfare.

(2) Where the suspected child abuse occurred.

(3) The age and sex of each subject of the report.

(4) The nature and extent of the suspected child abuse including any evidence of prior abuse to the child or any sibling of the child.

(5) The name and relationship of each individual responsible for causing the suspected abuse and any evidence of prior abuse by each individual.

(6) Family composition.

(7) The source of the report.

(8) The name, telephone number and e-mail address of the person making the report.

(9) The actions taken by the person making the report, including actions taken under 23 Pa.C.S. §§ 6314—6317.

(10) Other information which the Department of Human Services may require by regulation.

(11) Other information required by Federal law or regulation.

**§ 23.112. Photographs, medical tests and X-rays of child subject to report.**

An optometrist required to report suspected child abuse may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent, or within 48 hours after an electronic report is made under § 23.111(c)(2) (relating to suspected child abuse—mandated reporting requirements), or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request. Medical summaries or reports of the photographs, X-rays and relevant medical tests shall be made available to law enforcement officials in the course of investigating cases under 23 Pa.C.S. § 6340(a)(9) or (10) (relating to release of information in confidential reports).

**§ 23.113. Suspected death as a result of child abuse—mandated reporting requirement.**

An optometrist who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the coroner or medical examiner of the

county where death occurred or, in the case where the child is transported to another county for medical treatment, to the coroner or medical examiner of the county where the injuries were sustained.

**§ 23.114. Immunity from liability.**

(a) Under 23 Pa.C.S. § 6318 (relating to immunity from liability) an optometrist who participates in good faith in the making of a report of suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team, testifying in a proceeding arising out of an instance of suspected child abuse or general protective services or engaging in any action authorized under 23 Pa.C.S. §§ 6314—6317, shall have immunity from civil and criminal liability that might otherwise result by reason of the optometrist's actions. For the purpose of any civil or criminal proceeding, the good faith of the optometrist shall be presumed.

(b) The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of an optometrist's actions under §§ 23.211—23.113 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement).

**§ 23.115. Confidentiality—waived.**

To protect children from abuse, the reporting requirements of this chapter take precedence over provisions of the act as defined in § 23.1 (relating to definitions) and other ethical principles or professional standards that might otherwise apply to optometrists. In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient do not apply to a situation involving child abuse and do not relieve the mandated reporter of the duty to make a report of suspected child abuse.

**§ 23.116. Noncompliance.**

(a) *Disciplinary action.* An optometrist who willfully fails to comply with the reporting requirements in §§ 23.111—23.113 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) will be subject to disciplinary action under section 7(8), (10) and (11) of the act (63 P.S. § 244.7(8), (10) and (11)).

(b) *Criminal penalties.* Under 23 Pa.C.S. § 6319 (relating to penalties), a mandated reporter who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities, and who willfully fails to do so commits a criminal offense, as follows:

(1) An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree.

(2) An offense is a felony of the third degree if all of the following apply:

- (i) The mandated reporter willfully fails to report.
- (ii) The child abuse constitutes a felony of the first degree or higher.
- (iii) The mandated reporter has direct knowledge of the nature of the abuse.

(3) If the willful failure to report continues while the mandated reporter knows or has reasonable cause to

suspect a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program activity or service, the mandated reporter commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the mandated reporter commits a felony of the second degree.

(4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319, has been convicted of a prior offense under 23 Pa.C.S. § 6319, commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree.

**§ 23.117. Child abuse recognition and reporting—mandatory training requirement.**

(a) Except as provided in subsection (c), individuals applying to the Board for an initial license shall have completed at least 3 hours of training in child abuse recognition and reporting requirements which has been approved by the Department of Human Services and the Bureau, as set forth in § 23.118 (relating to child abuse recognition and reporter course approval process). The applicant shall certify on the application that the applicant has either completed the required training or has been granted an exemption under subsection (c). The Board will not issue a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance or participation by the applicant or the applicant has obtained an exemption under subsection (c).

(b) Except as provided in subsection (c), licensees seeking renewal of a license issued by the Board shall complete, as a condition of biennial renewal of the license, at least 2 hours of approved continuing education in child abuse recognition and reporting, as a portion of the total continuing education required for biennial license renewal or reactivation set forth in § 23.82 (relating to continuing education hour requirements; continuing education reporting; audit and enforcement). For credit to be granted, the continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services, as set forth in § 23.118. The Board will not renew a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance or participation by the licensee in an approved course within the applicable biennial renewal period or the licensee has obtained an exemption under subsection (c). If a licensee also holds a license issued by another licensing board within the Bureau that requires mandatory training in child abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

(c) An applicant or licensee may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the applicant or licensee meets one of the following:

(1) The applicant or licensee submits documentation demonstrating that:

(i) The applicant or licensee has already completed child abuse recognition training as required by section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-1205.6).



(ii) The training was approved by the Department of Education in consultation with the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or subsection (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(2) The applicant or licensee submits documentation demonstrating that:

(i) The applicant or licensee has already completed child abuse recognition training required by 23 Pa.C.S. § 6383(c) (relating to education and training).

(ii) The training was approved by the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or subsection (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(3) The applicant or licensee submits documentation acceptable to the Board demonstrating why the applicant or licensee should not be subject to the training or continuing education requirement. The Board will not grant an exemption based solely upon proof that children are not a part of the applicant's or licensee's practice. Each request for an exemption under this paragraph will be considered on a case-by-case basis. The Board may grant an exemption if it finds that completion of the training or continuing education requirement is duplicative or unnecessary under the circumstances.

(d) Exemptions granted under subsection (c) are applicable only for the biennial renewal period for which the exemption is requested. If an exemption is granted, the Board will issue or renew the license, as applicable. If an exemption is denied, the Board will e-mail the applicant or licensee a discrepancy notice notifying them of the need to either complete an approved course or, if warranted, to submit additional documentation in support of their request for exemption.

**§ 23.118. Child abuse recognition and reporting course approval process.**

(a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services, Office of Children, Youth and Families, and to the Bureau at the following addresses:

(1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120; or electronically at RA-PWOCYFCPSL@pa.gov.

(2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; or electronically at RA-stcpsl\_course\_app@pa.gov.

(b) Submissions shall include the following:

(1) Contact information, including mailing address, e-mail address and telephone number, for the agency/course administrator.

(2) General description of the training and course delivery method.

(3) Title of the course.

(4) Timed agenda and estimated hours of training.

(5) Learning objectives.

(6) Intended audience.

(7) Course-related materials, including as applicable:

(i) Handouts.

(ii) Narrated script or talking points.

(iii) Interactive activities or exercises.

(iv) Videos and audio/visual content.

(v) Knowledge checks, quizzes or other means of assessing participant's understanding of the material.

(vi) For online courses, a transcript or recording of audio training.

(8) Citation of sources, including written permission to use copyrighted material, if applicable.

(9) Anticipated credentials or experience of the presenter, or biography of presenter, if known.

(10) Printed materials used to market the training.

(11) Evaluation used to assess participants' satisfaction with the training.

(12) Sample certificate of attendance/participation, which shall include all of the following:

(i) Name of participant.

(ii) Title of training.

(iii) Date of training.

(iv) Length of training (2 hours or 3 hours).

(v) Name and signature of the authorized representative of the provider. The signature may be an electronic signature.

(vi) Statement affirming the participant attended the entire course.

(13) Verification of ability to report participation/attendance electronically to the Bureau in a format prescribed by the Bureau.

(c) The Bureau will notify the individual, entity or organization in writing upon approval of the course and will post a list of approved courses on the Bureau's web site and the Board's web site.

[Pa.B. Doc. No. 24-103. Filed for public inspection January 26, 2024, 9:00 a.m.]

**Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS**

**STATE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY**

**[ 49 PA. CODE CH. 45 ]**

**Child Abuse Reporting Requirements**

The State Board of Examiners in Speech-Language Pathology and Audiology (Board) amends §§ 45.12, 45.13, 45.401—45.407 and 45.501—45.503 and adds §§ 45.408 and 45.409 (relating to child abuse recognition and reporting—mandatory training requirement; and child

abuse recognition and reporting course approval process) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

Section 5(2) of the Speech-Language Pathologists and Audiologists Licensure Act (act) (63 P.S. § 1705(2)) sets forth the Board's general rulemaking authority. Under 23 Pa.C.S. Chapter 63 (relating to Child Protective Services Law) (CPSL), specifically section 6383(b)(2) of the CPSL (relating to education and training), the Board is required to promulgate regulations to implement the mandatory reporting requirements for licensees of the Board.

#### *Background and Purpose*

Since 2014, the General Assembly has made numerous amendments to the CPSL, including the requirement imposed by the act of April 15, 2014 (P.L. 411, No. 31) (Act 31) on all health-related boards requiring training in child abuse recognition and reporting for licensees who are considered "mandated reporters" under the CPSL. Section 2 of Act 31 provided that these training requirements would apply to all persons applying for a license, or applying for renewal of a license, on or after January 1, 2015, and were implemented as of that date. This final-form rulemaking is required to update the Board's existing regulations on the subject of child abuse reporting to comport to the numerous amendments made to the CPSL.

Specifically, the Board is amending § 45.12 (relating to licensure application procedures) to incorporate the requirement for all applicants to complete, as a condition of licensure, at least 3 hours of training in child abuse recognition and reporting as required by section 6383(b)(3)(i) of the CPSL. Similarly, the Board is amending § 45.13 (relating to renewal of license; inactive status of license; required continuing education) to set forth the requirement that licensees applying for biennial renewal complete at least 2 hours of continuing education in approved courses in child abuse recognition and reporting as a condition of renewal as required by section 6383(b)(3)(ii) of the CPSL.

The Board is making comprehensive amendments to the Board's existing child abuse reporting requirements in §§ 45.401—45.407 (relating to child abuse reporting requirements) to comport to the numerous amendments made to the CPSL since 2014. Additionally, the Board is adding two sections to incorporate the mandatory training requirements set forth in section 6383(b)(3)(i) and (ii) of the CPSL. Section 45.408 would set forth the requirements that all individuals applying for an initial license are required to complete at least 3 hours of approved training in child abuse recognition and reporting in subsection (a) and that all licensees seeking renewal are required to complete at least 2 hours of approved continuing education courses in child abuse recognition and reporting as a requirement of biennial renewal in subsection (b). This section also includes the process for applying for an exemption from the mandatory training requirements as set forth in section 6383(b)(4) and (6) of the CPSL, for individuals who have already completed similar training or who otherwise should be exempt from the training requirements.

Additionally, the Board is adding § 45.409 to set forth the administrative process developed by the Bureau of

Professional and Occupational Affairs (Bureau), in conjunction with the Department of Human Services, for individuals, entities and organizations to apply for approval to deliver the mandatory training in child abuse recognition and reporting required under Act 31. To be approved to provide the mandatory training in child abuse recognition and reporting, an individual, entity or organization must be able to report participation or attendance electronically to the Bureau. In this manner, the completion of the training is automatically imported into the applicant's or licensee's record with the Board at the time the course is completed.

Finally, the Board is amending Subchapter G (relating to continuing education) to incorporate the 2 hours of child abuse recognition and reporting training as part of the existing requirement for licensees to complete 20 clock hours of continuing education, and not as an additional requirement. Section 45.502 (relating to exemption and waiver) would be amended to clarify that these 2 hours of mandatory training are an exception to the rule that licensees are not required to complete continuing education during the first biennial period in which first licensed. Finally, § 45.503 (relating to continuing education requirement for reactivation of inactive and lapsed licenses) is likewise amended to incorporate the mandatory training in child abuse recognition and reporting as a condition of reactivation of an inactive or lapsed license.

#### *Summary and Response to Comments*

Notice of the proposed rulemaking was published at 53 Pa.B. 2316 (April 29, 2023). Publication was followed by a 30-day public comment period during which the Board received no public comments. Additionally, there were no comments received from the Independent Regulatory Review Commission (IRRC) other than to say that they have no objections, comments or recommendations to offer. IRRC further advised that if the final-form rulemaking is delivered without revisions, and the committees do not take any action, it will be deemed approved. The Consumer Protection and Professional Licensure Committee of the Senate (SCP/PLC) and the Professional Licensure Committee of the House of Representatives (HPLC) did not submit comments. For these reasons, the Board makes no changes to this final-form rulemaking.

#### *Fiscal Impact and Paperwork Requirements*

The Board does not anticipate any significant fiscal impact or paperwork requirements relating to these amendments. Because licensees are already required to complete mandatory continuing education requirements, and these 2 hours in child abuse recognition and reporting are incorporated in the existing requirement, there would not be an increased burden. Only applicants for licensure would incur an additional requirement and, as there are many low-cost and free options available to complete the training, the Board anticipates this impact to also be minimal. Because all approved training providers of the mandatory training in child abuse recognition and reporting are required to report participation or attendance electronically, there are no additional paperwork requirements imposed on licensees. In addition, the implementation of an electronic reporting system for mandated reporters of child abuse under the CPSL by the Department of Human Services has decreased the paperwork requirements related to the mandatory reporting requirements.

*Sunset Date*

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 6, 2023, the Board submitted a copy of this final-form rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the SCP/PLC and the HPLC. A copy of this material is available to the public upon request.

Under section 5(c) of the Regulatory Review Act, IRRC, the SCP/PLC and the HPLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has made no revisions based on a lack of comments received from the public, IRRC, the SCP/PLC and the HPLC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on December 6, 2023, the final-form rulemaking was deemed approved by the SCP/PLC and the HPLC. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective December 6, 2023.

*Additional Information*

Additional information may be obtained by writing to Shakeena L. Chappelle, Board Administrator, State Board of Examiners in Speech-Language Pathology and Audiology, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-SPEECH@PA.GOV.

*Findings*

The State Board of Examiners in Speech-Language Pathology and Audiology finds that:

- (1) Public notice of the 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 under those sections at 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 no comments were received.
- (3) Amendments were not made to this final-form rulemaking and therefore this final-form rulemaking does not enlarge the original purpose of the proposed rulemaking published at 53 Pa.B. 2316.
- (4) This final-form rulemaking is necessary and appropriate for the administration of the relevant provisions of the CPSL.

*Order*

The Board, acting under its authorizing statute, orders that:

- (a) The regulations of the Board, 49 Pa. Code Chapter 45, are amended by amending §§ 45.12, 45.13, 45.401—45.407 and 45.501—45.503 and adding §§ 45.408 and 45.409 to read as set forth in Annex A, with ellipses referring to existing text of the regulation.
- (b) The Board shall submit a copy of 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 shall deposit it with the Legislative Reference Bureau as required by law.

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

PATRICK MURPHY, AuD,  
Chairperson

(*Editor's Note:* See 53 Pa.B. 8038 (December 23, 2023) for IRRC's approval.)

**Fiscal Note:** Fiscal Note 16A-6805 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 45. STATE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY**

**Subchapter B. LICENSURE AND CERTIFICATION**

**§ 45.12. Licensure application procedures.**

(a) The applicant for licensure shall submit to the Board, along with required fees as provided by § 45.1 (relating to fees), a completed, signed and dated application and applicable documentation.

(b) Excluding applicants who fall within the exclusions in section 6(b) of the act (63 P.S. § 1706(b)), the applicant for licensure shall file, or cause to be filed, with the Board evidence that the applicant has:

(1) *Speech-language pathologists.*

(i) Met the educational requirements of § 45.17(a) (relating to education requirements).

(ii) Completed 9 months of supervised professional experience requirements of § 45.20 (relating to supervised professional experience required for licensure as a speech-language pathologist).

(iii) Passed an examination approved by the Board.

(iv) Demonstrated that the applicant is of good moral character.

(v) Completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 45.408(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(2) *Audiologists.*

(i) Met the educational requirements of § 45.17(b).

(ii) Passed an examination approved by the Board.

(iii) Demonstrated that the applicant is of good moral character.

(iv) Completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 45.408(a).

(c) An applicant who wishes to apply for more than one Board-issued license or provisional license specified in § 45.11 (relating to licenses and certifications) shall submit a separate application for each license or provisional license.



**§ 45.13. Renewal of license; inactive status of license; required continuing education.**

\* \* \* \* \*

(f) A licensee who fails to renew a license or who requests to be placed on inactive status will not be sent Board notifications until the license is renewed or reactivated.

(g) An application for renewal of a license will not be granted unless the licensee has certified that the licensee has completed the required continuing education hours under § 45.501 (relating to credit hour requirements), including at least 2 hours of approved continuing education in child abuse recognition and reporting in accordance with § 45.408(b) (relating to child abuse recognition and reporting—mandatory training requirement). If requested by the Board, an application for renewal shall also include the documentation required under § 45.504 (relating to reporting completion of continuing education).

(h) An application for reactivation of an inactive or lapsed license shall also include the documentation required under § 45.504 for the preceding biennial period.

**Subchapter F. CHILD ABUSE REPORTING REQUIREMENTS**

**§ 45.401. Definitions.**

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

*Bodily injury*—Impairment of physical condition or substantial pain.

*Bureau*—The Bureau of Professional and Occupational Affairs within the Department of State of the Commonwealth.

*Child*—An individual under 18 years of age.

*Child abuse*—Intentionally, knowingly or recklessly doing any of the following:

(i) Causing bodily injury to a child through any recent act or failure to act.

(ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

(iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of these acts or failures to act.

(iv) Causing sexual abuse or exploitation of a child through any act or failure to act.

(v) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

(vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

(vii) Causing serious physical neglect of a child.

(viii) Engaging in any of the following recent acts:

(A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(B) Unreasonably restraining or confining a child, based on consideration of the method, location or duration of the restraint or confinement.

(C) Forcefully shaking a child under 1 year of age.

(D) Forcefully slapping or otherwise striking a child under 1 year of age.

(E) Interfering with the breathing of a child.

(F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), when the victim of the sexual offense was under 18 years of age when the crime was committed.

(II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).

(ix) Causing the death of the child through any act or failure to act.

(x) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

*ChildLine*—An organizational unit of the Department of Human Services, which operates a 24-hour a day Statewide toll-free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file.

*Licensee*—An audiologist or speech-language pathologist licensed by the Board.

*Mandated reporter*—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this subchapter, the term includes all audiologists and speech-language pathologists licensed by the Board.

*Parent*—A biological parent, adoptive parent or legal guardian.

*Perpetrator*—A person who has committed child abuse as defined in this section. The following apply:

(i) This term includes only the following:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) An individual 14 years of age or older who is a person responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program, activity or service.

(E) An individual 14 years of age or older who resides in the same home as the child.

(F) An individual 18 years of age or older who does not reside in the same home as the child but is related, within the third degree of consanguinity or affinity by birth or adoption, to the child.

(G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

(ii) Only the following may be considered a perpetrator for failing to act, as provided in this section:

- (A) A parent of the child.
- (B) A spouse or former spouse of the child's parent.
- (C) A paramour or former paramour of the child's parent.
- (D) A person responsible for the child's welfare who is 18 years of age or older.
- (E) An individual 18 years of age or older who resides in the same home as the child.

*Person responsible for the child's welfare*—A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.

*Program, activity or service*—Any of the following in which children participate and which is sponsored by a school or a public or private organization:

- (i) A youth camp or program.
- (ii) A recreational camp or program.
- (iii) A sports or athletic program.
- (iv) A community or social outreach program.
- (v) An enrichment or educational program.
- (vi) A troop, club or similar organization.

*Recent act or failure to act*—An act or failure to act committed within 2 years of the date of the report to the Department of Human Services or county agency.

*Serious mental injury*—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following:

- (i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.
- (ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

*Serious physical neglect*—Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

- (i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
- (ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

*Sexual abuse or exploitation*—Any of the following:

(i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes the following:

- (A) Looking at sexual or other intimate parts of a child or another individual for any purpose of arousing or gratifying sexual desire in any individual.

(B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

(C) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

(D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

(ii) Any of the following offenses committed against a child:

- (A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).
- (B) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).
- (C) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).
- (D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).
- (E) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).
- (F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).
- (G) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).
- (H) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).
- (I) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).
- (J) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).
- (K) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).
- (L) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).
- (M) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(iii) For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child's age.

**§ 45.402. Suspected child abuse—mandated reporting requirements.**

(a) *General rule.*

(1) Under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse), licensees of the Board are considered mandated reporters. A mandated reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- (i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the profession or through a regularly scheduled program, activity or service.
- (ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or



is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this subsection shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this subsection shall require the mandated reporter to take steps to identify the person responsible for the child abuse, if unknown, in order for the mandated reporter to make a report of suspected child abuse.

(b) *Staff members of public or private agencies, institutions and facilities.* Whenever a licensee is required to make a report under subsection (a) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that licensee shall report immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

(c) *Reporting procedure.* A mandated reporter shall immediately make a report of suspected child abuse to the Department of Human Services by either:

(1) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this paragraph may be submitted electronically.

(2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (relating to electronic reporting) through the Department of Human Service's Child Welfare Information Solution self-service portal at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis). A confirmation by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional oral or written report.

(d) *Written or electronic reports.* A written or electronic report of suspected child abuse, shall include the following information, if known:

(1) The names and addresses of the child, the child's parents and any other person responsible for the child's welfare.

(2) Where the suspected child abuse occurred.

(3) The age and sex of each subject of the report.

(4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or any sibling of the child.

(5) The name and relationship of each individual responsible for causing the suspected abuse and any evidence of prior abuse by each individual.

(6) Family composition.

(7) The source of the report.

(8) The name, telephone number and e-mail address of the person making the report.

(9) The actions taken by the person making the report, including actions taken under 23 Pa.C.S. §§ 6314—6317.

(10) Other information which the Department of Human Services may require by regulation.

(11) Other information required by Federal law or regulation.

**§ 45.403. Photographs, medical tests and X-rays of child subject to report.**

A licensee required to report suspected child abuse may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent, or within 48 hours after an electronic report is made under § 45.402(c)(2) (relating to suspected child abuse—mandated reporting requirements), or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request. Medical summaries or reports of the photographs, X-rays and relevant medical tests shall be made available to law enforcement officials in the course of investigating cases under 23 Pa.C.S. § 6340(a)(9) or (10) (relating to release of information in confidential reports).

**§ 45.404. Suspected death as a result of child abuse—mandated reporting requirement.**

A licensee who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the coroner or medical examiner of the county where death occurred or, in the case where the child is transported to another county for medical treatment, to the coroner or medical examiner of the county where the injuries were sustained.

**§ 45.405. Immunity from liability.**

(a) Under 23 Pa.C.S. § 6318 (relating to immunity from liability) a licensee who participates in good faith in the making of a report of suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team, testifying in a proceeding arising out of an instance of suspected child abuse or general protective services or engaging in any action authorized under 23 Pa.C.S. §§ 6314—6317, shall have immunity from civil and criminal liability that might otherwise result by reason of the licensee's actions. For the purpose of any civil or criminal proceeding, the good faith of the licensee shall be presumed.

(b) The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of a licensee's actions under §§ 45.402—45.404 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement).

**§ 45.406. Confidentiality—waived.**

To protect children from abuse, the reporting requirements of §§ 45.402—45.404 (relating to suspected child abuse—mandated reporting requirements; photographs,

medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) take precedence over the provisions of any client confidentiality, ethical principle or professional standard that might otherwise apply. In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient do not apply to a situation involving child abuse and do not relieve the mandated reporter of the duty to make a report of suspected child abuse.

**§ 45.407. Noncompliance.**

(a) *Disciplinary action.* A licensee who willfully fails to comply with the reporting requirements in §§ 45.402—45.404 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) will be subject to disciplinary action under section 10 of the act (63 P.S. § 1710).

(b) *Criminal penalties.* Under 23 Pa.C.S. § 6319 (relating to penalties), a mandated reporter who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities and who willfully fails to do so commits a criminal offense, as follows:

(1) An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree.

(2) An offense is a felony of the third degree if all of the following apply:

(i) The mandated reporter willfully fails to report.

(ii) The child abuse constitutes a felony of the first degree or higher.

(iii) The mandated reporter has direct knowledge of the nature of the abuse.

(3) If the willful failure to report an individual suspected of child abuse continues while the mandated reporter knows or has reasonable cause to suspect that a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the mandated reporter commits a felony of the second degree.

(4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319, has been convicted of a prior offense under 23 Pa.C.S. § 6319, commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree.

**§ 45.408. Child abuse recognition and reporting—mandatory training requirement.**

(a) Except as provided in subsection (c), individuals applying to the Board for an initial license shall complete at least 3 hours of training in child abuse recognition and reporting requirements which has been approved by the Department of Human Services and the Bureau, as set forth in § 45.409 (relating to child abuse recognition and reporting course approval process). The applicant shall certify on the application that the applicant has either completed the required training or has been granted an exemption under subsection (c). The Board will not issue

a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance or participation by the applicant or the applicant has obtained an exemption under subsection (c).

(b) Except as provided in subsection (c), licensees seeking renewal of a license issued by the Board shall complete, as a condition of biennial renewal of the license, at least 2 hours of approved continuing education in child abuse recognition and reporting, as a portion of the total continuing education required for biennial renewal. For credit to be granted, the continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services, as set forth in § 45.409. The Board will not renew a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance or participation by the licensee in an approved course within the applicable biennial renewal period or the licensee has obtained an exemption under subsection (c). If a licensee holds more than one license issued by the Board, or holds a license issued by another licensing board within the Bureau that requires mandatory training in child abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

(c) An applicant or licensee may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the applicant or licensee meets one of the following:

(1) The applicant or licensee submits documentation demonstrating that:

(i) The applicant or licensee has already completed child abuse recognition training as required by section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-1205.6).

(ii) The training was approved by the Department of Education in consultation with the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or subsection (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(2) The applicant or licensee submits documentation demonstrating that:

(i) The applicant or licensee has already completed child abuse recognition training required by 23 Pa.C.S. § 6383(c) (relating to education and training).

(ii) The training was approved by the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or subsection (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(3) The applicant or licensee submits documentation acceptable to the Board demonstrating why the applicant or licensee should not be subject to the training or continuing education requirement. The Board will not grant an exemption based solely upon proof that children are not a part of the applicant's or licensee's practice. Each request for an exemption under this paragraph will be considered on a case-by-case basis. The Board may grant the exemption if it finds that completion of the

training or continuing education requirement is duplicative or unnecessary under the circumstances.

(d) Exemptions granted under subsection (c) are applicable only for the biennial renewal period for which the exemption is requested. If an exemption is granted, the Board will issue or renew the license, as applicable. If an exemption is denied, the Board will e-mail the applicant or licensee a notice notifying them of the need to either complete an approved course or, if warranted, to submit additional documentation in support of their request for an exemption.

**§ 45.409. Child abuse recognition and reporting course approval process.**

(a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services, Office of Children, Youth and Families, and to the Bureau at the following addresses:

(1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120; or electronically at RA-PWOCYFCPSL@pa.gov.

(2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; or electronically at RA-stcpsl\_course\_app@pa.gov.

(b) Submissions shall include the following:

(1) Contact information, including mailing address, e-mail address and telephone number, for the agency/course administrator.

(2) General description of the training and course delivery method.

(3) Title of the course.

(4) Timed agenda and estimated hours of training.

(5) Learning objectives.

(6) Intended audience.

(7) Course-related materials, including as applicable:

(i) Handouts.

(ii) Narrated script or talking points.

(iii) Interactive activities or exercises.

(iv) Videos and audio/visual content.

(v) Knowledge checks, quizzes or other means of assessing participant’s understanding of the material.

(vi) For online courses, a transcript or recording of audio training.

(8) Citation of sources, including written permission to use copyrighted material, if applicable.

(9) Anticipated credentials or experience of the presenter, or biography of presenter, if known.

(10) Printed materials used to market the training.

(11) Evaluation used to assess participants’ satisfaction with the training.

(12) Sample certificate of attendance/participation, which shall include all of the following:

(i) Name of participant.

(ii) Title of training.

(iii) Date of training.

(iv) Length of training (2 hours or 3 hours).

(v) Name and signature of an authorized representative of the approved provider. An electronic signature is acceptable.

(vi) Statement affirming the participant attended the entire course.

(13) Verification of ability to report participation or attendance electronically to the Bureau in a format prescribed by the Bureau.

(c) The Bureau will notify the individual, entity or organization in writing upon approval of the course and will post a list of approved courses on the Bureau’s web site and the Board’s web site.

**Subchapter G. CONTINUING EDUCATION**

**§ 45.501. Credit hour requirements.**

(a) Each speech-language pathologist or audiologist shall have completed 20 clock hours of continuing education per license during each preceding biennial period, including at least 2 hours of approved courses in child abuse recognition and reporting in accordance with § 45.408(b) (relating to child abuse recognition and reporting—mandatory training requirement). Excess clock hours may not be carried over to the next biennium.

\* \* \* \* \*

**§ 45.502. Exemption and waiver.**

(a) With the exception of the 2 hours of mandatory training in child abuse recognition and reporting required under § 45.408(b) (relating to child abuse recognition and reporting—mandatory training requirement), a licensee is not required to complete continuing education during the biennial period in which the licensee was first licensed to renew for the next biennium.

\* \* \* \* \*

**§ 45.503. Continuing education requirement for re-activation of inactive and lapsed licenses.**

A licensee seeking to reactivate an inactive or lapsed license shall show proof of compliance with the continuing education requirement for the preceding biennial period, including at least 2 hours of approved courses in child abuse recognition and reporting in accordance with § 45.408(b) (relating to child abuse recognition and reporting—mandatory training requirement). Only continuing education obtained during the 24-month period immediately preceding application for reactivation may be used to justify reactivation. This continuing education is in addition to continuing education required to subsequently renew the license under § 45.501(c) (relating to credit hour requirements).

[Pa.B. Doc. No. 24-104. Filed for public inspection January 26, 2024, 9:00 a.m.]



# PROPOSED RULEMAKING

## STATE BOARD OF PHYSICAL THERAPY

[ 49 PA. CODE CH. 40 ]

### Early Exam and Continuing Credit Hours for Clinical Instruction

The State Board of Physical Therapy (Board) proposes to amend §§ 40.1, 40.14, 40.15, 40.61, 40.63, 40.67, 40.163, 40.164 and 40.192 to read as set forth in Annex A. This proposed rulemaking will allow physical therapist (PT) students and physical therapist assistant (PTA) students to sit for the requisite examinations up to 90 days prior to graduation from their respective programs, and it will allow PTs and PTAs to receive a limited amount of continuing education (CE) credit for providing clinical instruction to student PTs and student PTAs at clinical facilities affiliated with accredited programs. Additionally, this proposed rulemaking will allow applicants to directly register for the National examination with the examination provider, by removing the requirement that the applicant first seek the Board's permission, and it will allow applicants to sit for a third or successive examination, after two failures, without first seeking the Board's permission.

#### *Effective Date*

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

#### *Statutory Authority*

This proposed rulemaking is authorized under sections 3(a), 5, 6(b), 7.2 and 9.1(a) and (j) of the Physical Therapy Practice Act (act) (63 P.S. §§ 1303(a), 1305, 1306(b), 1307.2 and 1309.1(a) and (j)). "It shall be the duty of the board to pass upon the qualifications of applicants for licensure as physical therapists and certification as physical therapist assistants, to conduct examinations. . . ." 63 P.S. § 1303(a). "[A]n individual who desires and applies to be licensed as a physical therapist shall apply to the board on a form furnished by the board, and such application shall embody *evidence satisfactory to the board of the applicant's possessing the qualifications preliminary to examination required by this act.*" 63 P.S. § 1305 (emphasis added). Accordingly, the Board has broad authority to determine the timeframe in which an applicant may sit for the exam after completion of the didactic portion of their education.

"An applicant for licensure must pass an *examination approved by the board* which shall test the applicant's knowledge of the basic and clinical sciences. . . and such other subjects as the board may deem necessary to test the applicant's fitness to practice physical therapy. No license shall be granted unless an applicant has attained passing scores established by the testing agency and published prior to the administration of the examination." 63 P.S. § 1306(b) (emphasis added). "For each license renewal, a licensee shall complete within the immediately preceding two-year period at least 30 hours of continuing physical therapy education as approved by the board." 63 P.S. § 1307.2. "To be eligible for certification by the board as a physical therapist assistant, an applicant must be . . . successful in passing an examination approved by the

board, subject to rules and regulations established by the board. . . ." 63 P.S. § 1309.1(a). "For each certificate renewal, a certificate holder shall complete within the immediately preceding two-year period at least 30 hours of continuing physical therapy education as approved by the board in accordance with standards and criteria established by the board by regulation." 63 P.S. § 1309.1(j).

#### *Background and Need for the Amendment*

The current regulations pose an unnecessary burden to licensure and employment within this Commonwealth, in that there is no reasonable need to require PT students and PTA students to apply to the Board for permission to sit for their respective examinations, when allowing the exam provider to determine eligibility can alleviate pressures on Board staff while simultaneously simplifying and accelerating the examination process. Additionally, there is no reasonable need to require PT students and PTA students to wait until after graduating from their respective programs to sit for their respective examinations.

Section 6(b) of the act, regarding qualifications for license; examinations; failure of examinations; licensure without examination; issuing of license; foreign applicants for licensure; temporary license; perjury, provides that an applicant for licensure must pass an examination approved by the Board. Under section 5 of the act (relating to application for license), "an individual who desires and applies to be licensed as a physical therapist shall apply to the board on a form furnished by the board, and such application shall embody evidence satisfactory to the board of the applicant's possessing the qualifications preliminary to examination required by this act."

Both PT and PTA applicants must successfully pass the Board-approved examination, the National Physical Therapy Examination (NPTE) which was created by the Federation of State Boards of Physical Therapy (FSBPT). As part of an ongoing effort to standardize the examination applications process, the FSBPT contacted the Board in May of 2020 to introduce the Alternative Approval Pathway (AAP). The FSBPT explained that, should the Board decide to participate in the AAP, applicants would contact the FSBPT to register to sit for the NPTE, and the FSBPT would be responsible for making the candidate eligible to sit if they meet all NPTE eligibility requirements. Furthermore, to be consistent with NPTE eligibility requirements, and to participate in the AAP, the Board's regulations must be amended: 1) to allow PT and PTA students to sit for the NPTE prior to graduation; and 2) to remove a provision that requires applicants to request the Board's permission to sit for the examination a third time after two failures. In this proposed rulemaking, §§ 40.14 and 40.164 (relating to examination; failure; reexamination; and physical therapist assistant certification examination) would be amended to implement these requirements.

Sections 40.15(b) (relating to examinations), which is proposed to be renamed licensure by examination, and 40.164(a)(2) currently require PT and PTA applicants to present the required credentials of professional education to the Board. In implementing these provisions, the Board requires proof that applicants graduated from a Board-approved school of physical therapy or completed an approved PTA program before it will permit applicants to sit for the NPTE. In proposing amendments to these

sections, the Board considered the Executive Report on Occupational Licensing as well as legislation that was introduced in this Commonwealth (House Bill 2617 (2018) and House Bill 138 (2019)), which would allow PT students and PTA students, to sit for their respective exams prior to graduating from their respective programs so that they may enter the workforce without unnecessary delay. In reviewing the timing of the examinations, the Board has determined that the existing regulations pose an unnecessary burden to licensure and occupational employment within this Commonwealth, in that there is no reasonable need to require PT students and PTA students to wait until after graduating from their respective programs to sit for the NPTE.

Furthermore, the Board proposes amendments which will allow PTs and PTAs who provide clinical instruction to receive credit for 1 contact hour of CE for each 40 hours of clinical instruction up to a maximum of 4 contact hours per biennial period.

#### *Description of the Proposed Amendments*

The Board proposes to amend § 40.1 (relating to definitions) to define “NPTE” as the National Physical Therapy Examination developed, maintained and administered by the FSBPT (“develops, maintains, and administers” is language copied from the FSBPT web site). “FSBPT” is already defined in § 40.1 as the Federation of State Boards of Physical Therapy.

The Board proposes to amend § 40.14 to allow the Board to participate in the AAP. Subsection (a) states applicants shall successfully pass the examination approved by the Board, and subsection (d) references “the examination.” However, subsections (a) and (d) do not currently name the approved examination. The NPTE is the only Nationally recognized physical therapy examination and the only Board-approved examination. Therefore, the Board proposes to amend subsections (a) and (d) to name the NPTE as the approved examination. According to the FSBPT, as of May 2023, 29 states are actively participating in the AAP. In the Northeast region of the United States, Ohio, Maryland, Delaware, New Jersey, Rhode Island, New Hampshire and Maine are actively participating. To participate in the AAP, the Board proposes the following amendments that would remove the Board’s internal approval process relating to administering examinations. The Board proposes to delete subsection (b) which requires applicants to appear before the Board, provide evidence of additional training, and request permission to sit for the examination a third time after two failures. Additionally, the Board proposes to delete subsection (c), which addresses requirements for the Board’s approval to take a third or successive examination.

The Board also proposes amendments to update examination eligibility requirements consistent with NPTE standards. In accordance with section 6(c) of the act, proposed subsection (d) would prohibit an applicant from taking the NPTE more than three times in a consecutive 12-month period. Finally, proposed subsection (e) will be added to allow applicants to take the NPTE up to 90 days prior to graduation from a CAPTE accredited program. Students in physical therapy and PTA programs who are on track to graduate within 90 days will typically have completed the didactic portion of their education and are therefore fully prepared to sit for the NPTE. However, these same students will not qualify for licensure/certification until they have successfully passed the

NPTE, completed the clinical portion of their education and graduated from a physical therapy or PTA program.

The Board no longer provides or accepts paper applications. Accordingly, § 40.15(a) is proposed to be amended to clarify that applications for licensure by examination must be submitted to the Board in a manner and format prescribed by the Board. Applications for licensure by examination must be submitted online.

Subsection (b) currently does not allow a PT applicant to sit for the licensure examination unless and until the applicant has obtained “the required credentials of professional education from an approved institution.” Accordingly, applicants are not currently allowed to sit for the examination until after completion of professional education and graduation from an approved institution. Subsection (b) is proposed to be amended to require that applicants submit to the Board, “at the time of application [for licensure],” the required credentials of professional education from an approved institution; thereby removing the requirement that applicants provide these credentials to be admitted to the examination, an unnecessary burden to licensure and employment.

Subsection (b) requires physical therapy applicants to provide the Board with “the required credentials of professional education from an approved institution.” Proposed subsection (b) will still require applicants to provide the Board with “the required credentials of professional education from an approved institution” which is “a physical therapy program accredited by CAPTE or by another National organization recognized by the Board that accredits physical therapy programs” as per section 6 of the act and § 40.11(a) (relating to educational requirements for licensure by examination).

The Board also proposes to amend § 40.61(a)(2)(i) (relating to certificate of authorization to preventive physical therapy without a referral) to reference the “National Physical Therapy Examination” as “NPTE” as per the proposed definition of NPTE in § 40.1.

Proposed § 40.63(j) (relating to continuing education for direct access certificateholder) will allow PTs with direct access certificates who provide clinical instruction to students in a clinical facility affiliated with a physical therapy program accredited by CAPTE or by another National organization recognized by the Board to receive credit for 1 contact hour of CE for each 40 hours of clinical instruction up to a maximum of 4 contact hours per biennial period.

Proposed § 40.67(c)(7) (relating to continuing education for licensed physical therapist) would be added to allow PTs who do not have direct access certificates, who provide clinical instruction to students in a clinical facility affiliated with a physical therapy program accredited by CAPTE or by another National organization recognized by the Board to receive credit for 1 contact hour of CE for each 40 hours of clinical instruction up to a maximum of 4 contact hours per biennial period. This amendment is also reflected in the proposed restructuring of § 40.67(c)(1) which lists approved sources of CE.

Proposed § 40.163(a) (relating to requirements for certification) will be amended to inform applicants for certification by examination as a PTA that they must pay the fee in § 40.5 (relating to fees) for initial application for PTA certification by exam or endorsement (\$30). This fee requirement is currently located in § 40.164(a)(1) but is being relocated to § 40.163(a) because PTAs will no longer be required to submit an application to the Board prior to sitting for the NPTE.



The Board proposes amendments that would delete the Board’s internal approval process relating to examinations in the same way it is amending regulations relating to PTs. Section 40.164(a) would be amended to move the examination requirement from subsection (a) to paragraph (3). This is necessary because PTAs will no longer be required to submit an application to the Board prior to sitting for the NPTE, thereby rendering obsolete the current language of subsection (a). The Board also proposes to delete paragraphs (1) and (2) because the Board will no longer be involved in examination approvals.

The Board proposes to amend subsection (b) to delete language from paragraph (1) requiring that applicants reapply to the Board after failing the NPTE a first and second time. Additionally, paragraph (2) would be deleted because applicants will no longer file examination applications with the Board. The language of paragraph (3) would be deleted so that applicants will no longer be required to ask the Board’s permission to take the NPTE a third time.

The Board also proposes amendments to update PTA examination eligibility requirements consistent with NPTE standards. Consistent with NPTE standards, proposed paragraph (4) will allow applicants to take the NPTE up to 90 days prior to graduation from a CAPTE accredited program. The Board proposes to add language to subsection (b) to prohibit applicants from taking the NPTE more than three times in a consecutive 12-month period, in accordance with section 6(c) of the act and mirroring the existing requirements for PT licensure under § 40.14(d).

Proposed § 40.192(c)(7) (relating to continuing education for certified physical therapist assistant) would be added to allow PTAs who provide clinical instruction to students in a clinical facility affiliated with a PT program or PTA program accredited by CAPTE or by another National organization recognized by the Board to receive credit for 1 contact hour of CE for each 40 hours of clinical instruction up to a maximum of 4 contact hours per biennial period. This proposed amendment is also reflected in the proposed restructuring of paragraph (1) which lists approved sources of CE.

*Fiscal Impact and Paperwork Requirements*

The proposed amendments would have no adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed amendments will impose no additional paperwork requirements upon the Commonwealth or its political subdivisions.

However, members of the regulated community who provide clinical instruction will be allowed to earn up to 4 credit hours of the required 30 credit hours per biennium by providing clinical instruction (4 credit hours of 30 credit hours equals approximately 13%). Therefore, the Board can ascertain that those able to take full advantage of this amendment should see a cost savings of approximately 13%. Small businesses that cover the cost of CE will benefit in the same fashion.

*Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 12, 2024, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the chairperson of the Con-

sumer Protection and Professional Licensure Committee of the Senate (SCP/PLC) and the chairperson of the Professional Licensure Committee of the House of Representatives (HPLC). A copy of this material is available to the public upon request.

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

*Public Comment*

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Thomas M. Davis, Regulatory Counsel, P.O. Box 69523, Harrisburg, PA 17106-9523 or by e-mail at RA-STRegulatoryCounsel@pa.gov, within 30 days of publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference “Regulation No. 16A-6522 (Early Exam, CE for Clinical Instruction, and AAP)” when submitting comments.

CYNTHIA L. POTTER, PT, MS, DPT,  
*Chairperson*  
State Board of Physical Therapy  
ARION R. CLAGGETT,  
*Acting Commissioner*  
Bureau of Professional and Occupational Affairs

**Fiscal Note:** 16A-6522. No fiscal impact; recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 40. STATE BOARD OF PHYSICAL THERAPY**

**Subchapter A. PHYSICAL THERAPISTS**

**GENERAL PROVISIONS**

**§ 40.1. Definitions.**

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

\* \* \* \* \*

*FSBPT*—The Federation of State Boards of Physical Therapy.

*NPTE*—The National Physical Therapy Examination developed, maintained and administered by FSBPT.

*Physical therapist*—A person licensed under the act and this chapter to provide physical therapy services without restriction in this Commonwealth.

\* \* \* \* \*

**LICENSURE**

**§ 40.14. Examination; failure; reexamination.**

(a) [ **Applicants shall successfully pass, to the satisfaction of the Board, the examination approved**

by the Board. In cases of failure at the first examination, the applicant shall have, after the expiration of 60 days and within 1 year from the date of the first failure, the privilege of a second examination, with the payment of an additional examination fee charged by the vendor ] Applicants shall successfully pass the NPTE.

(b) [ After a second or successive failure to pass the examination, an applicant desiring to take a third or successive examination shall make a new application within the meaning of section 5 of the act (63 P.S. § 1305) within 6 months from the date of the last failure. However, prior to filing a new application for examination, the Board may require evidence of additional training. If the Board determines that the applicant will be permitted to take a third or successive examination, the Board may authorize in connection with a written examination an oral or practical examination, or both, to test the knowledge and competence of the applicant ] [ Reserved ].

(c) [ The granting of permission by the Board to take a third or successive examination is at all times subject to the applicant otherwise qualifying under the requirements in force at the time permission to take the examination is sought ] [ Reserved ].

(d) An applicant may not take the [ examination ] NPTE more than three times in a consecutive 12-month period.

(e) An applicant may take the NPTE up to 90 days prior to graduation from a CAPTE accredited program.

§ 40.15. [ Examinations ] Licensure by Examination.

(a) [ An application for licensure by examination may be obtained from the State Board of Physical Therapy, Post Office Box 2649, Harrisburg, Pennsylvania, 17105-2649 ] Applications for licensure by examination must be submitted to the Board in a manner and format prescribed by the Board.

(b) [ An applicant may not be admitted to examination who is unable to present, at the time of application, the required credentials of professional education from an approved institution ] Applicants who have graduated from a physical therapy program accredited by CAPTE or by another National organization recognized by the Board that accredits physical therapy programs, shall submit to the Board, at the time of application, the required credentials of professional education from an approved institution.

**PRACTICE WITHOUT REFERRAL**

§ 40.61. Certificate of authorization to practice physical therapy without a referral.

(a) An applicant for certification of authorization to practice physical therapy without a referral of a licensed physician shall submit evidence satisfactory to the Board, on forms supplied by the Board, that the applicant has met the following requirements:

- (1) Holds a current license to practice physical therapy in this Commonwealth.
- (2) Has done one of the following:

(i) Passed the [ National Physical Therapy Examination (NPTE) ] NPTE after January 1, 1990.

(ii) Passed the NPTE prior to January 1, 1990, and successfully completed, within 2 years prior to application, a Board approved course consisting of at least 10 hours on the appropriate evaluative and screening procedures to determine the need for further examination or consultation by a physician, dentist or podiatrist prior to initiating treatment without a referral. The Board will maintain a list of currently approved courses.

\* \* \* \* \*

§ 40.63. Continuing education for direct access certificateholder.

\* \* \* \* \*

(i) *General continuing education requirement.* Hours of continuing education applied to satisfy the requirement of this section may also be applied to satisfy the requirement of § 40.67 (relating to continuing education for licensed physical therapist). Satisfaction of the continuing education requirement in this section will be deemed to establish satisfaction of the continuing education requirement in § 40.67.

(j) Continuing education credit for clinical instruction. A certificate-holder who provides clinical instruction to students in a clinical facility affiliated with a physical therapy program accredited by CAPTE, or by another National organization recognized by the Board that accredits physical therapy programs, may receive credit for 1 contact hour of continuing education for each 40 hours of clinical instruction up to a maximum of 4 contact hours per biennial period. Credits earned under this subsection will not count toward credits required under § 40.61(a)(2)(ii) (relating to certificate of authorization to practice physical therapy without a referral).

**CONTINUING EDUCATION**

§ 40.67. Continuing education for licensed physical therapist.

\* \* \* \* \*

(c) *Credit for approved continuing education.* Credit for continuing education will be determined in accordance with the following.

(1) Credit for continuing education will be granted only for [ courses or programs offered by providers preapproved under subsection (d)(1) or approved by the Board under subsection (d)(2) or for authoring publications as authorized under subsection (e). ] the following:

(i) Clinical instruction provided to students under paragraph (7).

(ii) Courses or programs offered by providers preapproved under subsection (d)(1).

(iii) Courses or programs approved by the Board under subsection (d)(2).

(iv) Authoring publications as authorized under subsection (e).

(2) Unless limited by this section, continuing education credit may be earned in a course or program or authoring a publication relating to any of the following:

\* \* \* \* \*

(6) If a course or program extends beyond a single biennial renewal period, credit will be awarded in the period in which the course or program is finally completed.

**(7) A licensee providing clinical instruction to students in a clinical facility affiliated with a physical therapist program or physical therapist assistant program accredited by CAPTE or by another National organization recognized by the Board that accredits physical therapy programs or physical therapist assistant programs may receive credit for 1 contact hour of continuing education for each 40 hours of clinical instruction up to a maximum of 4 contact hours per biennial period.**

(d) *Approval of continuing education courses and programs.* Continuing education courses and programs may be approved in accordance with this subsection.

\* \* \* \* \*

**Subchapter C. PHYSICAL THERAPIST ASSISTANTS  
CERTIFICATION**

**§ 40.163. Requirements for certification.**

(a) Under section 9.1(a) of the act (63 P.S. § 1309.1(a)), an applicant for certification by examination shall **pay the fee in § 40.5 (relating to fees) for initial application for physical therapist assistant certification by exam or endorsement and** submit evidence of the following:

(1) Graduation from a physical therapist assistant program which has been approved for the education and training of physical therapist assistants by CAPTE.

(2) A passing grade on the **[ physical therapist assistant certification examination ] NPTE.**

(b) Under section 6(d.1) of the act (63 P.S. § 1306(d.1)), an applicant for reciprocal certification shall submit evidence of a valid license, certificate or registration as a physical therapist assistant issued by another state, territory or the District of Columbia, where the requirements for licensure, certification or registration were on the date of issuance substantially the same as those required by this Commonwealth, and which accords similar privileges to persons certified as physical therapist assistants in this Commonwealth.

**§ 40.164. Physical therapist assistant certification examination.**

(a) *Application procedure.* An applicant applying for certification by examination shall **[ take the physical therapist assistant certification examination. The applicant who is taking the examination in this Commonwealth shall ]** comply with the following:

(1) **[ The applicant shall complete application forms for admission to the examination obtained from the Board and return the completed form with a check or money order for the appropriate fee ] [ Reserved ].**

(2) **[ The applicant shall present the required credentials of professional education at the time of application ] [ Reserved ].**

**(3) An applicant shall successfully pass the NPTE.**

**(4) An applicant may take the NPTE up to 90 days prior to graduation from a CAPTE accredited program.**

(b) *Failure and re-examination.* In the case of failure of examination, **[ the following apply: ] an applicant may retest, but may not take the NPTE more than three times in a consecutive 12-month period.**

(1) **[ After failing the first examination, the applicant has, after the expiration of 60 days and within 1 year of the date of the first failure, the privilege of a second examination upon the filing of a new application under subsection (a) and payment of the appropriate fee ] [ Reserved ].**

(2) **[ After a second or successive failure to pass the examination, an applicant desiring to take a third or successive examination shall file a new application. The Board may require evidence of additional training prior to allowing a candidate to take a third or successive examination ] [ Reserved ].**

(3) **[ The granting of permission to take a third or successive examination is subject to:**

(i) **Authorization by the Board at its discretion to include an oral or practical examination, or both, in connection with the written examination to further test the knowledge, skills and competence of the applicant.**

(ii) **The applicant otherwise qualifying under requirements in force at the time that permission to take the examination is sought ] [ Reserved ].**

**CONTINUING EDUCATION**

**§ 40.192. Continuing education for certified physical therapist assistant.**

\* \* \* \* \*

(c) *Credit for approved continuing education.* Credit for continuing education will be determined in accordance with the following.

(1) Credit for continuing education will be granted only for **[ courses or programs offered by providers preapproved under subsection (d)(1) or approved by the Board under subsection (d)(2) or for authoring publications as authorized under subsection (e). ] the following:**

**(i) Clinical instruction provided to students under paragraph (7).**

**(ii) Courses or programs offered by providers preapproved under subsection (d)(1).**

**(iii) Courses or programs approved by the Board under subsection (d)(2).**

**(iv) Authoring publications as authorized under subsection (e).**

(2) Unless limited by this section, continuing education credit may be earned in a course or program or by authoring a publication relating to any of the following:

\* \* \* \* \*

(6) If a course or program extends beyond a single biennial renewal period, credit will be awarded in the period in which the course or program is finally completed.

**(7) A certified physical therapist assistant providing clinical instruction to students in a clinical facility affiliated with a physical therapist program or physical therapist assistant program accredited**

by CAPTE or by another National organization recognized by the Board that accredits physical therapy programs or physical therapist assistant programs shall receive credit for 1 contact hour of continuing education for each 40 hours of clinical instruction up to a maximum of 4 contact hours per biennial period.

(d) *Approval of continuing education courses.* Continuing education courses or programs may be approved in accordance with this subsection.

\* \* \* \* \*

[Pa.B. Doc. No. 24-105. Filed for public inspection January 26, 2024, 9:00 a.m.]

\_\_\_\_\_



# NOTICES

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 23.188: Governor's Suite Chandeliers.** This project involves the following: restoration and refinishing of existing historic light fixtures; fabrication of replication historic chandeliers utilizing various existing components, fabrication of selected missing fixture components, complete renewal of all electrical components and wiring, development and provision of a maintenance manual for each fixture. Work shall include removal of each existing fixture, crating, delivery, uncrating and suspension of each fixture from the storage rack system at the Committee's offsite storage facility and installation of new fixtures and preparatory work to remove and replace existing furniture to provide for installation access.

A mandatory preproposal conference and walk through will be held on March 8, 2024, in Room 630 of the Main Capitol at 9 a.m. The proposal receipt date is March 28, 2024, at 2 p.m. Project documents may be obtained on or after February 20, 2024, by contacting Tara Pyle at (717) 648-1918.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 24-106. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, February 7, 2024. A business meeting will be held the following month on Wednesday, March 6, 2024. Both the hearing and the business meeting are open to the public and both will be conducted remotely. Details about the remote platforms for the public hearing and the business meeting will be posted on the Commission's web site at [www.drbc.gov](http://www.drbc.gov), at least 10 days prior to the respective hearing and meeting dates. Both the public hearing and the business meeting will be streamed live on the Commission's YouTube channel.

**Public hearing.** The Commission will conduct the public hearing virtually on February 7, 2024, beginning at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources. A list of the projects scheduled for hearing, including project descriptions, along with links to draft dockets, will be posted on the Commission's web site at [www.drbc.gov](http://www.drbc.gov), in a long form of this notice at least 10 days before the hearing date.

Written comments on matters scheduled for hearing on February 7, 2024, will be accepted through 5 p.m. on Monday, February 12, 2024.

The public is advised to check the Commission's web site periodically during the 10 days prior to the hearing

date, as items scheduled for hearing may be postponed if additional time is needed to complete the Commission's review. Items also may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is asked to be aware that the details of projects may change during the Commission's review, which is ongoing.

**Business meeting.** The business meeting on March 6, 2024, will begin at 10:30 a.m. and will include: adoption of the minutes of the Commission's December 6, 2023, business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required. The agenda is expected to include consideration of the draft dockets for withdrawals, discharges and other projects that are subjects of the public hearing on February 7, 2024.

After all scheduled business has been completed and as time allows, the business meeting will be followed by up to 1 hour of open public comment, an opportunity to address the Commission off the record on any topic concerning management of the Delaware River Basin's water resources outside the context of a duly noticed, on-the-record public hearing.

There will be no opportunity for additional public comment for the record at the March 6, 2024, business meeting on items for which a hearing was completed on February 7, 2024, or a previous date. Commission consideration on March 6, 2024, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Deferred items will be considered for action at a public meeting of the Commission on a future date.

**Advance registration and sign-up for oral comment.** Links for registration to attend the public hearing and the business meeting will be posted at [www.drbc.gov](http://www.drbc.gov) at least 10 days before each meeting date. Registrants who wish to comment on the record during the public hearing on February 7, 2024, or to address the Commissioners informally during the open public comment session following the meeting on March 6, 2024, as time allows, will be asked to so indicate when registering. The Commission's public hearing, business meeting and open public comment session will also be livestreamed on YouTube at [https://www.youtube.com/@DRBC\\_1961](https://www.youtube.com/@DRBC_1961). For assistance contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).

**Addresses for written comment.** Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at [www.drbc.gov](http://www.drbc.gov). Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need, by writing to the attention of the Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).



*Accommodation for special needs.* Closed captioning will be available on both webinar and livestream Internet platforms. Those with limited Internet access may listen and speak at virtual public meetings of the Commission using any of several toll-free phone numbers that will be provided to all virtual meeting registrants.

Other individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 who wish to attend the virtual meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services at 711, to discuss how the Commission can accommodate their needs.

*Additional information and contacts.* Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Donna Woolf at (609) 883-9500, Ext. 222. For other questions concerning hearing items, contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 24-107. Filed for public inspection January 26, 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 January 16, 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-bnbnksbmssnspt@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

No activity.

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
01-16-2024	Temperance Wealth Partners, LP West Palm Beach Florida	Approved

Application for approval to acquire a membership interest that will result in control of 20% or more of the voting membership interest of Pitcairn Financial Group, LLC, and thereby indirectly acquire 20% or more of the ownership or voting control of Pitcairn Trust Company.

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
01-12-2024	Somerset Trust Company Somerset Somerset County	1301 South Main Street Greensburg Westmoreland County	Approved

#### 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. 24-108. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Manufactured Home Community Rights Act; Maximum Relocation Fees Payable in the Event of Community Closure

Section 11.2(c) of the Manufactured Home Community Rights Act (act) (68 P.S. § 398.11.2(c)) requires that the Department of Community and Economic Development annually adjust relocation fees that may be owed to manufactured home owners in the event that the community closes. The fees are adjusted based on an increase on the Consumer Price Index.

The base amount of this fee in effect for calendar year 2013 was \$4,000 for single section manufactured homes and \$6,000 for multisection manufactured homes. The Consumer Price Index Inflation Calculator as provided by the United States Department of Labor adjusts the fees for calendar year 2024 as follows:

- \$5,328.23 for single section manufactured homes
- \$7,992.34 for multisection manufactured homes

Inquiries regarding the act should be directed to the Office of Attorney General.

RICK SIGER,  
*Secretary*

[Pa.B. Doc. No. 24-109. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

*Section*            *Category*

- |     |  |
|-----|--|
| 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>
PAD020056	Chapter 102 Individual NPDES Permit	Transfer	Raynor Lane Holdings P.O. Box 250 Cheswick, PA 15024-0250	Fox Chapel Borough Allegheny County	SWRO
0124801	Joint DEP/PFBC Pesticides Permit	New	Osborn David 685 Cunningham Road Gettysburg, PA 17325-6935	Freedom Township Adams County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2223806	Joint DEP/PFBC Pesticides Permit	New	Meehan Vincent T 308 Village Road Harrisburg, PA 17112-2440	Lower Paxton Township Dauphin County	SCRO
2224801	Joint DEP/PFBC Pesticides Permit	New	Bible Jesse 20 White Pine Drive Hershey, PA 17033-9533	Conewago Township Dauphin County	SCRO
PA0005037	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Transfer	Homer City Generation LP 1750 Power Plant Road Homer City, PA 15748	Center Township Indiana County	NWRO
PA0096903	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	CP Hidden Valley MHC 75 Penn Adamsburg Road Jeannette, PA 15644-2900	Robinson Township Washington County	SWRO
0687409	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Fleetwood Borough Authority Berks County 110 West Arch Street Suite 104 Fleetwood, PA 19522-1321	Richmond Township Berks County	SCRO
6371418	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	CP Hidden Valley MHC 75 Penn Adamsburg Road Jeannette, PA 15644-2900	Robinson Township Washington County	SWRO
NOEXNE015	No Exposure Certification	Renewal	Acton Tech Inc. 100 Thompson Street Pittston, PA 18640	Jenkins Township Luzerne County	NERO
NOEXNW237	No Exposure Certification	New	Erie Hard Chrome Inc. 1570 E 12th Street Erie, PA 16511-1750	Erie City Erie County	NWRO
NOEXSE124	No Exposure Certification	Renewal	Titanium Finishing Co. 248 Main Street East Greenville, PA 18041-1405	East Greenville Borough Montgomery County	SERO
PAG030306	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Marine Acquisition (US) Inc. 640 North Lewis Road Limerick, PA 19468-1228	Limerick Township Montgomery County	SERO
PAG032249	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Norfolk Southern Railway Co. 650 W Peachtree Street NW P.O. Box 13 Atlanta, GA 30308-1925	Taylor Borough Lackawanna County	NERO
PAG034901	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Odyssey Energy Solutions LLC 119 Grovedale Lane Wyalusing, PA 18853-8933	Wysox Township Bradford County	NCRO
PAG041162	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Christopher & Dawn Karns 10747 Route 19 N Waterford, PA 16441-5103	Waterford Township Erie County	NWRO
PAG050092	PAG-05 NPDES General Permit for Groundwater Cleanup	Renewal	Bob Nolans Auto Service 2464 Bristol Pike Bensalem, PA 19020-5244	Bensalem Township Bucks County	SERO
PAG123569	PAG-12 NPDES General Permit for CAFOs	Renewal	Huber John 2701 Fruitville Pike Lancaster, PA 17601-2919	Northeast Madison Township Perry County	SCRO



## NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG123686	PAG-12 NPDES General Permit for CAFOs	Renewal	Martin Joel 2700 Mountain Road Manheim, PA 17545-9517	Penn Township Lancaster County	SCRO
PAG123709	PAG-12 NPDES General Permit for CAFOs	Renewal	Hoover Phillip 2862 Harvest Road Elizabethtown, PA 17022-9676	Mount Joy Township Lancaster County	SCRO
PAG123777	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Metal Township Franklin County	SCRO
PAG123834	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Fannett Township Franklin County	SCRO
PAG123841	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Monroe Township Bedford County	SCRO
PAG123892	PAG-12 NPDES General Permit for CAFOs	Renewal	Carowick Casey S 6109 Country Lane Todd, PA 16685	Cass Township Huntingdon County	SCRO
PAG123904	PAG-12 NPDES General Permit for CAFOs	Renewal	Good Eric 4840 Biesecker Road Thomasville, PA 17364-9625	Dover Township York County	SCRO
PAG123933	PAG-12 NPDES General Permit for CAFOs	Renewal	Cedar Hill Pork 120 Harbold Altland Road Wellsville, PA 17365-9535	Washington Township York County	SCRO
PAG124846	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Sullivan Township Tioga County	SCRO
PAG124849	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Columbia Township Bradford County	SCRO
PAG124852	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Deerfield Township Tioga County	SCRO
PAG124864	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Wells Township Bradford County	SCRO
0110402	Pump Stations Individual WQM Permit	Amendment	Cumberland Township Authority Adams County 1370 Fairfield Road Gettysburg, PA 17325-7267	Cumberland Township Adams County	SCRO
4423402	Pump Stations Individual WQM Permit	New	Granville Township Mifflin County 100 Helen Street Lewistown, PA 17044-2437	Granville Township Mifflin County	SCRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0223406	Sewer Extensions Individual WQM Permit	New	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0223407	Sewer Extensions Individual WQM Permit	New	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0223408	Sewer Extensions Individual WQM Permit	New	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
PA0291269	Single Residence STP Individual NPDES Permit	Transfer	Kelly James E 105 Mohawk Trail Slippery Rock, PA 16057-3621	Slippery Rock Township Butler County	NWRO
1022415	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Kelly James E 105 Mohawk Trail Slippery Rock, PA 16057-3621	Slippery Rock Township Butler County	NWRO
1623405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Fye Jacob 474 S 2nd Avenue Clarion, PA 16214-1428	Limestone Township Clarion County	NWRO
2423403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Beede Adam 795 Markman Park Road Baden, PA 15005-2845	Benezette Township Elk County	NWRO
6123403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Disque Peter 2230 US 62 Oil City, PA 16301-4118	Cranberry Township Venango County	NWRO
1623403	Small Flow Treatment Facility Individual WQM Permit	New	Grace Comm Church Curllsville 3225 Curllsville Road Sligo, PA 16255	Monroe Township Clarion County	NWRO
2504401	Small Flow Treatment Facility Individual WQM Permit	Transfer	Christopher & Dawn Karns 10747 Route 19 N Waterford, PA 16441-5103	Waterford Township Erie County	NWRO

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

*Northcentral Regional Office*

**PA0233471**, Sewage, SIC Code 4952, **Ruth Provine & Robert & Nicole Crabb**, 637 Fowlersville Road, Bloomsburg, PA 17815-6969. Facility Name: Ruth Provine & Robert & Nicole Crabb SRSTP. This proposed facility is located in North Centre Township, **Columbia County**.

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

The receiving stream(s), Cabin Run (CWF, MF), is located in State Water Plan watershed 5-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum Daily	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

**PA0063304**, Industrial, SIC Code 4941, **Blythe Township Municipal Authority**, 375 Valley Street, New Philadelphia, PA 17959-1218. Facility Name: Crystal Run Water Treatment Plant (WTP). This existing facility is located in Cass Township, **Schuylkill County**.

Description of Existing Activity: The application is for a major NPDES permit amendment (changes in proposed final permit limits and their effective dates) for an existing discharge of treated industrial waste.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .042 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Aluminum, Total	Report	Report	XXX	4.000	8.000	10.000
Cadmium, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Lead, Total	Report	Report	XXX	Report	Report	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX
Acrylamide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .042 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Aluminum, Total	0.38	0.67	XXX	1.090	1.920	2.72
Cadmium, Total	0.00009	0.0002	XXX	0.0002	0.0005	0.0006
Copper, Total	0.002	0.003	XXX	0.006	0.009	0.014
Lead, Total	0.0004	0.0006	XXX	0.001	0.002	0.003
Zinc, Total	0.009	0.010	XXX	0.026	0.028	0.028
Acrylamide	Report	Report	XXX	0.002	0.003	0.004

The proposed effluent limits for Outfall 001 are based on a design flow of .042 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.5 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.00
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75.0
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Antimony, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Report	XXX
Cobalt, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	2.000	4.000	5.000
Manganese, Total	Report	Report	XXX	1.000	2.000	2.500

The proposed effluent limits for Outfall 101 (Raw Water Intake) are based on a design flow of NA MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Semi-Annual Average	Daily Maximum		Semi-Annual Average	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Daily Maximum</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Aluminum, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Antimony, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Cadmium, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Report	XXX
Cobalt, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Copper, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Lead, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Nickel, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Silver, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Zinc, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	Report	Report	XXX	Report	Report	XXX

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

- Necessary property rights; Residuals management; Relationship to WQM permits; BAT; Chlorine minimization; Changes in stream/effluent; Sludge management; (updated) WQBELs for toxic pollutants; WQBELs below quantitation limits (Acrylamide); and Chemical additives.

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0003026**, Sewage, SIC Code 3366, **US Bronze Foundry & Machine, Inc.**, 18649 Brake Shoe Road, Meadville, PA 16335-9603. Facility Name: US Bronze Foundry & Machine. This existing facility is located in Woodcock Township, **Crawford County**.

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

The receiving stream(s), Unnamed Tributary to French Creek and French Creek, is located in State Water Plan watershed 16-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.017 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/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
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	14.0	XXX	28
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Dissolved Zinc	XXX	XXX	XXX	XXX	XXX	Report
Total Copper	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 814-332-6078.

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0092304**, Sewage, SIC Code 4952, 8361, **Cherry Hill Corp**, 296 Dinnerbell Road, Butler, PA 16002-8862. Facility Name: Shelbourne Personal Care. This existing facility is located in Penn Township, **Butler 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), Robinson Run (CWF), is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .009 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000.0	XXX	10,000
Oct 1 - Apr 30				Geo Mean		



Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
May 1 - Aug 31	XXX	XXX	XXX	200.0	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	9.0	XXX	18
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .009 MGD.—Limits.

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

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0103209**, Sewage, SIC Code 4952, **Wattsburg Area School District**, 10782 Wattsburg Road, Erie, PA 16509-6422. Facility Name: Wattsburg Area School District Campus. This existing facility is located in Greene Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary of East Branch LeBoeuf Creek (TSF), is located in State Water Plan watershed 16-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0296 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.21	XXX	0.87
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 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 7.5	XXX	15
Ammonia-Nitrogen	XXX	XXX	XXX	2.5	XXX	5
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Daily Max Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Daily Max Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Daily Max Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0218928**, Sewage, SIC Code 4952, **Cadogan Township**, P.O. Box 309, Cadogan, PA 16212-0309. Facility Name: Cadogan Township STP. This existing facility is located in Cadogan Township, **Armstrong County**.

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

The receiving stream, the Glade Run, is located in State Water Plan watershed 17-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	15.6	XXX	Daily Min XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	18.8	XXX	XXX	30.0	XXX	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
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	7.7	XXX	XXX	12.4	XXX	24.8
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Daily Max		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Daily Max		
Copper, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
				Avg Qrtly	Daily Max	

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

- Solids Management

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0239003**, Sewage, SIC Code 6515, **H&H Property Investments, LLC**, 211 Lincoln Highway, Fairless Hills, PA 19030-1101. Facility Name: Perry Lake Estates MHP. This existing facility is located in Lancaster Township, **Butler County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0046 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.3	XXX	1.1
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	10.5	XXX	21.0
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	3.5	XXX	7.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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

- Solids Management

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0295442**, Sewage, SIC Code 8800, **Joseph G Snyder**, 386 Smittys Road, Tidioute, PA 16351-7242. Facility Name: Joseph G Snyder SRSTP. This proposed facility is located in Deerfield Township, **Warren County**.

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

The receiving stream(s), Allegheny River (WWF), is located in State Water Plan watershed 16-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0295451**, Sewage, SIC Code 8800, **Paul Beining**, 123 Britt Lane, Butler, PA 16002-8877. Facility Name: Paul Beining SRSTP. This proposed facility is located in Penn Township, **Butler County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0259942**, Sewage, SIC Code 4952, **Steven E Nye**, 38 Harmon Road, Newburg, PA 17240-9115. Facility Name: Steve Nye Subdivision. This existing facility is located in Upper Mifflin Township, **Cumberland County**.

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

The receiving stream(s), Three Square Hollow Run (WWF), is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

In addition, the permit contains the following major special conditions: N/A

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PAI133552**, MS4, **Centre Township, Berks County**, 449 Bucks Hill Road, Mohrsville, PA 19541-9340.

The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Centre Township, **Berks County**. The receiving stream(s), Schuylkill River (WWF, MF), Irish Creek (WWF, MF), and Plum Creek (WWF, MF) is located in State Water Plan watershed 3-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

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

*Southeast Regional Office*

**PA0054780**, Sewage, SIC Code 4952, **Concord Township, Delaware County**, 43 S Thornton Road, Glen Mills, PA 19342-1325. Facility Name: Riviera At Concord STP. This existing facility is located in Concord Township, **Delaware County**.

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

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



The proposed effluent limits for Outfall 001 are based on a design flow of .0635 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	13	XXX	XXX	25	XXX	50
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen Nov 1 - Apr 30	9.5	XXX	XXX	18.0	XXX	36
May 1 - Oct 31	3.0	XXX	XXX	6.0	XXX	12
Total Phosphorus Nov 1 - Apr 30	1.0	XXX	XXX	2.0	XXX	4
May 1 - Oct 31	0.5	XXX	XXX	1.0	XXX	2

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0024490**, Sewage, SIC Code 4952, **Rockwood Borough Municipal Authority, Somerset County**, 410 Market Street, Rockwood, PA 15557-1127. Facility Name: Rockwood Borough STP. This existing facility is located in Rockwood Borough, **Somerset 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), Coxes Creek (WWF) and Casselman River (WWF), is located in State Water Plan watershed 19-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.30 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	62	95	XXX	25.0	38.0	50
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX Daily Max	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	25.0	XXX	50

The proposed effluent limits for Outfall 001 are based on a design flow of 0.30 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.30 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

- The Authority is permitted to discharge through CSO Outfalls 002 and 005 but must mark 85% capture and treatment of combined flow prior to any discharge.

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*

**PA0093165**, Sewage, SIC Code 4952, **PA American Water Co.**, 800 W Hershey Park Drive, Hershey, PA 17033-2400. Facility Name: PA American Water—Claysville STP. This existing facility is located in Donegal Township, **Washington County**.

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

The receiving stream(s), Dutch Fork (HQ-WWF), is located in State Water Plan watershed 20-E and is classified for High Quality Waters—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 .122 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.03	XXX	0.10
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13	20	XXX	10.0	15.0	20
Biological Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	13	20	XXX	10.0	15.0	20
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Nov 1 - Apr 30				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	200	XXX	400
Ammonia-Nitrogen	5.0	8.0	XXX	Geo Mean	4.0	6.0
Nov 1 - Apr 30						
May 1 - Oct 31	2.0	3.0	XXX	1.5	2.0	3
Total Phosphorus	2.5	4.0	XXX	2.0	3.0	4
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0094315**, Sewage, SIC Code 4952, **Thomas Wiles**, 110 Sandy Creek Road, Verona, PA 15147-1728. Facility Name: Pittsburgh Spay & Vaccination Clinic. This existing facility is located in Penn Hills Township, **Allegheny County**.

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

The receiving stream(s), Sandy Creek (WWF), is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	0.0004	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	Inst Min XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0285188**, Industrial, SIC Code 1311, **Hyperion Midstream LLC**, 501 Technology Drive, Canonsburg, PA 15317-7535. Facility Name: Champion Compressor Station Ind Permit. This proposed facility is located in Elizabeth Township, **Allegheny County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of storm water associated with industrial activities and diverted discharges from abandoned mine lands.

The receiving stream, Unnamed Tributary to Gillespie 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 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	90.0
Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	XXX	Report
Net Alkalinity	XXX	XXX	0.0	XXX	XXX	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	7.0
Manganese, Total	XXX	XXX	XXX	XXX	XXX	5.0

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	90.0
Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	XXX	Report
Net Alkalinity	XXX	XXX	0.0	XXX	XXX	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	7.0
Manganese, Total	XXX	XXX	XXX	XXX	XXX	5.0

No effluent limits are proposed for storm water discharges from Outfall 002.

In addition, the permit contains the following major special conditions: requirements applicable to storm water discharges and a requirement to sample and analyze Outfall 002 to characterize the effluent.

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.

---

*Southeast Regional Office*

Applicant: **Stoltzfus Construction**

Applicant Address: 330 Todd Rd, Honey Brook, PA 19344

Application Number: **PAD150302**

Application Type: New

Municipality/County: Honey Brook Township, **Chester County**

Project Site Name: E197A-22 Calvary Chapel of Honey Brook

Total Earth Disturbance Area (acres): 2.85 acres

Surface Waters Receiving Stormwater Discharges: UNT to West Branch Brandywine Creek (HQ-TSF, 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 consists of converting the existing commercial building into a church with a seating capacity of 400 people, constructing 286 linear feet of new access drive over the existing access and gravel parking, expansion of the parking lot, closing off the driveway of Horseshoe Pike, and installation of stormwater management BMPs. The total proposed area of disturbance is 2.85 acres.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Northeast Regional Office*

Applicant: **Joann Raab**

Applicant Address: 2650 Eagle Lane, Hellertown, PA 18055-3361

Application Number: **PAD480203**

Application Type: New

Municipality/County: Williams Township, **Northampton County**

Project Site Name: Single Family Detached Home at 137 Wassergrass Road

Total Earth Disturbance Area (acres): 1.59 acres

Surface Waters Receiving Stormwater Discharges: Fry's Run (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: Proposed construction of one single-family detached house with associated driveway, well, on-lot sewage disposal system, and one out-building (shed). Subsurface infiltration facility is proposed to meet permitting requirements.

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.

*Regional Permit Coordination Office*

Applicant: **Southern End Properties, LTD**

Applicant Address: 33 Friendly Drive, Ste H, Quarryville, PA 17566

Application Number: **PAD360111**

Application Type: New

Municipality/County: East Drumore Township, **Lancaster County**

Project Site Name: Musser's Plaza



Total Earth Disturbance Area (acres): 10 acres

Surface Waters Receiving Stormwater Discharges: Conowigo Creek (HQ-CWF, MF), PEM wetlands (other)

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 a 2,400 square foot café, driveway, parking lot, utilities, and stormwater management facilities. Construction will also include grading for future pad sites.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

*Northeast Regional Office*

Applicant: **PPL Elec Utilities Corp.**

Applicant Address: 827 Hausman Rd., Genn 4, Allentown, PA 18104-9392

Application Number: **PA520003D**

Application Type: New

Municipality/County: Lackawaxen Township, **Pike County**

Project Site Name: Bohemia Tap 69kV Line Project

Total Earth Disturbance Area (acres): 48.75 acres

Surface Waters Receiving Stormwater Discharges: West Falls Creek & Unnamed Tributaries to West Falls Creek are High Quality—Cold Water Fish, Migratory Fish. Tinkwig Creek is High Quality—Trout Stocked Fish, Migratory Fish.

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 PPL EU Bohemia Tap 69kV Line Project is the addition of a second circuit to an approximately 3.8-mile, existing electric transmission line. There are a few locations where adding the second circuit resulting in replacing an existing utility pole, in kind. This project is in Lackawaxen Township, Pike County, PA. The project begins at the Bohemia Substation, North of Route 509, and crosses State Route 4003. The line travels generally northwest until it turns south, east of State Route 2003.

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

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

*Southeast Regional Office*

Applicant: **North Penn Water Authority**

Applicant Address: 300 Forty Foot Road, Lansdale, PA 19446-4017

Application Number: **PAD090101**

Application Type: New

Municipality/County: West Rockhill Township, **Bucks County**

Project Site Name: West Rockhill Water Transmission Main

Total Earth Disturbance Area (acres): 2.90 acres

Surface Waters Receiving Stormwater Discharges: UNT to Ridge Valley Creek (HQ-TSF), UNT to East Branch Perkiomen Creek (TSF/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 installation of approximately 12,600 LF water transmission main, in West Rockhill Township, within the cartway of Ridge Road, Almont Road and under Rt. 309, connecting the existing Sellersville water system to the existing Salford Township system both owned and operated by NPWA.

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: **John Zook**

Applicant Address: 3930 E. Newport Road, Gordonville, PA 17529

Application Number: **PAD150319**

Application Type: New

Municipality/County: West Caln Township, **Chester County**

Project Site Name: John D. Zook

Total Earth Disturbance Area (acres): 1.87 acres

Surface Waters Receiving Stormwater Discharges: UNT West Branch Brandywine Creek (HQ-TSF)

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 a single family dwelling, barn and driveway.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Northeast Regional Office*Applicant: **Pleasant Valley Assembly of God**

Applicant Address: P.O. Box 797, Brodheads ville, PA 18322

Application Number: **PAD450192**

Application Type: New

Municipality/County: Chestnuthill Township, **Monroe County**

Project Site Name: Pleasant Valley Assembly of God

Total Earth Disturbance Area (acres): 7.5 acres

Surface Waters Receiving Stormwater Discharges: Weir Creek (CWF, MF) Pohopoco 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: To construct a multi-purpose facility on the existing church site with associated parking and amenities. The site will be served by a proposed individual on-lot septic system and individual on-lot well. Stormwater runoff from the improvements will be controlled by a Detention Infiltration Basin.

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

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

*Northeast Regional Office*Applicant: **Tobyhanna Army Depot**

Applicant Address: 11 Hap Arnold Blvd., Coolbaugh Township, PA 18466

Application Number: **PAD450137 A-1**

Application Type: Major Amendment

Municipality/County: Coolbaugh Township, **Monroe County**

Project Site Name: Tobyhanna Army Depot—Army Family Housing

Total Earth Disturbance Area (acres): 13.68 acres

Surface Waters Receiving Stormwater Discharges: Hummler 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: Existing family housing units to be demolished and replaced with new housing units, road and utilities. The Major Amendment is required for the revised stormwater approach that proposes the use of an MRC to meet requirements.

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

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

*Southeast Regional Office*

Applicant: **Resource Env Solutions, LLC**

Applicant Address: 6575 West Loop S, Suite 300, Bellaire, TX 77401-3521

Application Number: **PA510002D**

Application Type: New

Municipality/County: City of Philadelphia, **Philadelphia County**

Project Site Name: Philadelphia Stadium District Stormwater Retrofit

Total Earth Disturbance Area (acres): 4.51 acres

Surface Waters Receiving Stormwater Discharges: Delaware 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: The Philadelphia Stadium District Stormwater Retrofit Project is funded by PWD as part of the Stormwater Management Incentive Program and requires DEP E&S approval due to the acres disturbed. The stormwater retrofit project services the purpose of achieving "greened acres" in accordance with commitments contained in the City of Philadelphia's CSS Long Term Control Plan. The project has been designed in accordance with PWD's SW Management Requirements as defined in Section 1.3 Stormwater Retrofits, in the Stormwater Guidance Manual v3.3. The project consists of 10 SMPs for capture of runoff from existing impervious surfaces within two properties and the relocation of parking within the paved area of the parking lot. The plan includes junction boxes for connection to green inlets (WQ storm drain improvements within the public right-of-way) to be constructed by the City of Philadelphia in the future along adjacent roadway areas. Disturbance is primarily of the impervious area within the parking lot; minimal disturbance will occur within existing vegetated traffic islands in the parking lot for the installation of stormwater piping. The total disturbance that will occur over the course of the project totals 4.51 acres; therefore, a NPDES permit will be required for Stormwater Discharges from Construction Activities. The site is located within the Delaware River Watershed; no wetlands, streams, or ponds are located within the project area.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Regional Permit Coordination Office*

Applicant: **PPL Electric Utilities Corporation**

Applicant Address: 1639 Church Road, Allentown, PA 18104

Application Number: **PAD360110 A-1**

Application Type: Major Amendment

Municipality/County: East Donegal Township, Mount Joy Township, West Donegal Township, **Lancaster County**

Project Site Name: WHEM-HUMM Rebuild Project

Total Earth Disturbance Area (acres): 43.9 acres

Surface Waters Receiving Stormwater Discharges: Tributary to Susquehanna River (WWF, MF), Susquehanna River (WWF, MF), Tributary to Donegal Creek (CWF, MF), Donegal Creek (TSF, 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: PPL is proposing to rebuild part of the existing West Hempfield-Hummelstown Transmission Line. The project activities include approximately 8.22 miles of fiber installation, installation of new monopoles, and other associated components. Temporary work pads and construction accesses will be required. All earth disturbance activities will be restored to existing conditions. This portion of the WHEM-HUMM Rebuild will start at the Armstrong Marietta Tap and end at the Elizabethtown Tap.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

*Southcentral Regional Office*

Applicant: **Columbia Gas of Pennsylvania, Inc.**

Applicant Address: 1600 Colony Road, York, PA 17408

Application Number: **PAD670096**

Application Type: New

Municipality/County: Red Lion Borough, and Windsor Township, **York County**

Project Site Name: Wise and Chestnut (Gas Line Replacement)

Total Earth Disturbance Area (acres): 1.96 acres

Surface Waters Receiving Stormwater Discharges: Barshinger Creek (CWF, MF) and Pine Run (CWF, MF) via EV Wetlands

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: Replacement of existing gas lines

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southcentral Regional Office*

Applicant: **PennDOT Engineering District 8-0**

Applicant Address: 2140 Herr Street, Harrisburg, PA 17103

Application Number: **PAD280020**

Application Type: New

Municipality/County: Shippensburg Borough and Southampton Township, **Franklin County**

Project Site Name: SR0011 over Norfolk Southern Railroad

Total Earth Disturbance Area (acres): 4.53 acres

Surface Waters Receiving Stormwater Discharges: Conodoguinet Creek (CWF, MF) and Middle Spring 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: To widen SR 011 and replace an existing bridge

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southwest Regional Office*

Applicant: **Carnegie Mellon University**

Applicant Address: 5000 Forbes Avenue, Pittsburgh, PA 15213

Application Number: **PAD020071**

Application Type: New

Municipality/County: City of Pittsburgh, **Allegheny County**

Project Site Name: Richard King Mellon Science Building

Total Earth Disturbance Area (acres): 2.86 acres

Surface Waters Receiving Stormwater Discharges: Monongahela River (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: Construction of the new Richard King Mellon Science building. The proposed 340,000 GSF building will consist of research laboratories, computational space, classrooms, teaching labs, shared seminar room, art galleries, offices, support spaces, restaurant, and parking garage.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

*Southcentral Regional Office*

Applicant: **Donald Grant**

Applicant Address: 36 Ridgewood Drive, Hanover, PA 17331

Application Number: **PAD670087**

Application Type: New

Municipality/County: Codorus Township, **York County**

Project Site Name: Grant (11287 Rockville Road)

Total Earth Disturbance Area (acres): 1.68 acres

Surface Waters Receiving Stormwater Discharges: Pierceville Run (CWF, MF) and Centerville Creek (CWF, MF) via EV Wetlands

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: Single Family Home and Driveway

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southcentral Regional Office*

Applicant: **Columbia Gas of Pennsylvania**

Applicant Address: 1600 Colony Road, York, PA 17408

Application Number: **PAD670100**

Application Type: New

Municipality/County: Hopewell Township, **York County**

Project Site Name: Vineyard Road

Total Earth Disturbance Area (acres): 2.17 acres

Surface Waters Receiving Stormwater Discharges: Ebaugh Creek (CWF, MF) and East Branch Codorus 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: Gas Main Replacement

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southcentral Regional Office*

Applicant: **TCNE Route 74 Associates, LLC**

Applicant Address: 300 Conshohocken State Road, Suite 250, West Conshohocken, PA 19428

Application Number: **PAD670081**

Application Type: New

Municipality/County: Carroll Township, **York County**

Project Site Name: Lefever Property

Total Earth Disturbance Area (acres): 32.00 acres

Surface Waters Receiving Stormwater Discharges: Dogwood Run (CWF, MF) and Dogwood Run (CWF, MF) via EV Wetlands

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

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

**Project Description:** New warehouse/distribution facility with access drive and parking areas

**Special Conditions:** N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Northeast Regional Office*

**Applicant: PA Department of Transportation—District 4-0**

**Applicant Address:** 55 Keystone Industrial Park, Dunmore, PA 18512

**Application Number: PA400004D**

**Application Type:** New

**Municipality/County:** Dorrance Township, **Luzerne County**

**Project Site Name:** SR 0081 Section D52 Structure Replacement Project

**Total Earth Disturbance Area (acres):** 8.6 acres

**Surface Waters Receiving Stormwater Discharges:** 1. UNT to Big Wapwallopen Creek (CWF, MF); 2. Big Wapwallopen Creek (CWF, MF); and 3. EV Wetlands

**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 Project is located along I-81 in Dorrance Township, Luzerne County, PA, located 2.1 miles north on I-81 at the interstate's crossing of Big Wapwallopen Creek. The overall Project involves the replacement of the I-81 NB bridge over SR 3010 (Alberdeen Road), and the I-81 NB bridge over Big Wapwallopen Creek, as well as the extension of one existing culvert structure along I-81 NB Section D52 (located just south of the latter structure), for PennDOT District 4-0. The Project also includes the installation of PCSM Best Management Practice facilities.

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

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

## PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

### SAFE DRINKING WATER

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

*Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.*

**Application No. 1424502**, Construction, Public Water Supply.

Applicant	<b>PA American Water— Philipsburg</b>
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Rush Township
County	<b>Centre County</b>
Responsible Official	Bruce Aiton 852 Wesley Drive Mechanicsburg, PA 17055

Consulting Engineer Garret J Hargenrader  
3121 Fairway Drive  
Altoona, PA 16602

Application Received January 8, 2024

Description Pennsylvania-American Water Company is planning to replace an existing booster pump station (BPS) on Linnwood Drive in Rush Township, Centre County PA. The existing BPS has reached the end of its useful life and is in need of replacement. The new BPS will be equipped with two (2) normal duty booster pumps, rated for 164 gallons per minute (gpm) at 115-feet total dynamic head (TDH) and all required appurtenances to supply approximately 120 high elevation customers. The pump station will also include (1) high flow fire pump rated for 763 gpm at 85-feet TDH.

**Application No. 1424503**, Construction, Public Water Supply.

Applicant **PA American Water**  
Address 852 Wesley Drive  
Mechanicsburg, PA 17055

Municipality Boggs Township  
County **Clearfield County**  
Responsible Official Bruce Aiton  
852 Wesley Drive  
Mechanicsburg, PA 17055

Consulting Engineer Garret J Hargenrader  
3121 Fairway Drive  
Altoona, PA 16602

Application Received January 8, 2024

Description Pennsylvania-American Water Company (PAWC) is proposing to install two (2) new booster pump stations and approximately 11,000 L.F. of 12" and 8" diameter waterline in Boggs Township, Clearfield County.

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

*Contact: Lorrie Fritz, Clerical Assistant 2, 570-830-3048.*

**Application No. 6423507**, Construction, Public Water Supply.

Applicant **Camp Starlight, Inc.**  
Address 151 Starlight Lake Road  
Starlight, PA 18461

Municipality Preston Township  
County **Wayne County**  
Responsible Official David Miller  
151 Starlight Road  
Starlight, PA 18461

Consulting Engineer Anthony Price, P.E.  
EEMA, Inc.  
P.O. Box 232  
Kulpsville, PA 19443

Application Received December 20, 2023

Description The applicant proposes modifications (sodium hypochlorite feed and contact piping) to attain 4-log inactivation of viruses.

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

*Contact: Joseph Mattucci, Program Manager, 717-705-4931.*

**Application No. 2123516**, Construction, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
Address 204 East Sunbury Street  
Shamokin, PA 17872

Municipality Monroe Township  
County **Cumberland County**  
Responsible Official Michael Fili  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010

Consulting Engineer David Richard Knapton, P.E.  
4068 Mount Royal Boulevard  
Allison Park, PA 15101

Application Received December 20, 2024

Description The proposed project includes constructing a new well station building, treatment process trains, chemical storage and feed facilities, process instrumentation, and control facilities.

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Application No. 0623523**, Construction, Public Water Supply.

Applicant **New Morgan LDFL Co, Inc.  
Conestoga Landfill**  
Address 420 Quarry Road  
Morgantown, PA 19543

Municipality New Morgan Borough  
County **Berks County**  
Responsible Official Mazen Haydar  
420 Quarry Road  
Morgantown, PA 19543

Consulting Engineer Hershey Engineering, Inc.  
703 Woodcrest Avenue  
Lititz, PA 17543

Application Received September 28, 2023

Description Construction permit application for pH adjustment at the Conestoga Landfill.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

---

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

---

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where an individual proposes to, or has been required to, respond to a release of a regulated substance at a site. Individuals intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a NOI to Remediate with DEP. A NOI to Remediate filed with DEP provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. An individual who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals not participating in the remediation.

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

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

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

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

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

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

**White Haven Center**, Primary Facility ID # **754804**, 821 Oley Valley Road, White Haven, PA 18661, Foster Township, **Luzerne County**. Skelly & Loy, 449 Eisenhower Boulevard, Suite 300, Harrisburg, PA 17111 on behalf of Pennsylvania Department of Human Services, 2525 North Seventh Street, Suite 150, Harrisburg, PA 17110, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated by a release of heating oil. The Notice of Intent to Remediate was published in *The Citizens Voice* on December 27, 2023. Application received: January 12, 2024.

**6241 South Delaware Drive Property**, Primary Facility ID # **868161**, 6241 South Delaware Drive, Bangor, PA 18013, Lower Mount Bethel Township, **Northampton County**. Barry Isett & Associates, 5420 Crackersport Road, Allentown, PA 18104 on behalf of New Enterprise Stone & Lime Company, Inc., P.O. Box 77, New Enterprise, PA 16664, submitted a Notice of Intent to Remediate. Soil was contaminated with a release of fuel oil from an aboveground storage tank. The Notice of Intent to Remediate was published in *The Morning Call* on November 2, 2023. Application received: January 16, 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.*

**Peterman's Garage**, Primary Facility ID # **871835**, 1408 North 4th Avenue, Altoona, PA 16602, City of Altoona, **Blair County**. McKee Environmental, Inc., 86 Quartz Drive, Bellefonte, PA 16823 on behalf of Burgmeier's Hauling, 1356 Old 6th Avenue Road, Altoona, PA 16601, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate groundwater contaminated with petroleum products. The site will be remediated to the Statewide health standard. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *Altoona Mirror* on December 21, 2023. Application received: November 28, 2023.

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

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

**6122 Lancaster Avenue**, Primary Facility ID # **871526**, 6122 Lancaster Avenue, Philadelphia, PA 19157, City of Philadelphia, **Philadelphia County**. Gregory Firely, AMO Environmental Decisions, Inc., 875 North Easton Road, Suite 10, Doylestown, PA 18902 on behalf of Jerome Shabazz, JASTECH Development Services, Inc., 6134 Lancaster Avenue, Philadelphia, PA 19151, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with metals and PAHs in soil. The planned reuse for the site is an Environmental Education Center. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *Philadelphia Tribune* on December 5, 2023. Application received: December 6, 2023.



### 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.**

*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 North Reading Avenue, Boyertown, PA 19512, Colebrookdale Township, **Berks County**. This is a renewal for general permit 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. Deemed administratively complete: December 26, 2023.

Questions concerning the application should be directed to John L. Oren, P.E., Permits Chief, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

**WMGR038SC011. TyreFlow Lancaster LLC**, 1905 Horseshoe Road, Lancaster, PA 17602, East Lampeter Township, **Lancaster County**. This application is for coverage under WMGR038 which authorizes the processing, reuse, and beneficial use of waste tires including whole tires, tire chips, baled tires, tire shreds, and crumb rubber. The processing includes collection, sorting, storage, recapping, cleaning, shredding, chipping, grinding, crumbing, cutting and baling of waste tires. The beneficial use of whole waste tires, tire chips, baled tires, tire shreds, and crumb rubber is limited to recapping, as fuel in boilers or other combustion units, in civil engineering practices, and as an ingredient in or as a commercial product. Application received: November 16, 2022. Withdrawn: January 11, 2024.

Questions concerning the application should be directed to John L. Oren, P.E., Permits Chief, Waste Management Program, 717-705-4907, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

### 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.**

*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.*

**JMT Environmental Technologies, Inc.**, P.O. Box 22044, Lehigh Valley, PA 18002. **License No. PA-AH 0648.** Accepted: November 16, 2023.

**WM Curbside, LLC**, 301 Stanhope Street, Pittsburgh, PA 15204. **License No. PA-AH 0793.** Accepted: December 4, 2023.

**Earth Smart Environmental Solutions, LLC**, 7937 Rhea County Hwy, Dayton, TN 37321. **License No. PA-AH 0833.** Accepted: December 12, 2023.

**Sharps Environmental Services, Inc.**, 1544 NE Loop, Carthage, TX 75633. **License No. PA-AH 0920.** Accepted: November 29, 2023.

### 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.*

**Sharps Environmental Services, Inc.**, 1544 NE Loop, Carthage, TX 75633. **License No. PA-HC 0288.** Accepted: November 29, 2023.

### AIR QUALITY PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

#### PLAN APPROVALS

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

*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.*

**67-03188A: Divert PA Development Co LLC**, 23 Bradford Street, Concord, MA 01742, Manchester Township, **York County**. Application received: November 29, 2022. For the construction and operation of a biogas food recovery facility. The facility's emissions are estimated to be 14.03 tpy NO<sub>x</sub>, 4.06 tpy SO<sub>x</sub>, 33.49 tpy CO, 2.55 tpy PM<sub>10</sub> and < 1 tpy VOCs. 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 estab-

lished in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

*Contact: James Beach, New Source Review Chief, 484-250-5920.*

**15-0162: Longwood Funeral Home & Cremation of Matthew Genereux Inc.**, 913 E Baltimore Pike, Kennett Square, PA 19348, East Marlborough Township, **Chester County**. Application received: September 25, 2023. This action is for a plan approval for the installation of a new human crematory unit. The crematory unit is the only source of emissions at the facility. The facility is an area source of PM, CO, SO<sub>x</sub>, NO<sub>x</sub>, and VOC emissions. The facility potential emissions are 2.30 tons/year of PM, 3.29 tons/year of CO, 0.82 ton/year of SO<sub>x</sub>, 0.99 ton/year of NO<sub>x</sub>, and 0.99 ton/year of VOC. The facility is subject to conditions in accordance with 25 Pa. Code § 127.1, Best Available Technology requirements, and regulations under the Pennsylvania Air Pollution Control Act. The plan approval contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person previously listed in the header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQUBCOM@pa.gov.

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

*Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.*

**PA-63-01056A: Bloom Engineering Company, Inc.**, 100 Vista Drive, Charleroi, PA 15022, Fallowfield Township, **Washington County**. Application received: January 12, 2023.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 63-01056A to authorize modification of the existing equipment used in the manufacture and study of natural gas and oil burners for industrial furnaces located in Fallowfield Township, Washington County.

The facility consists of three (3) natural gas-fired curing ovens, each rated less than 2.0 MMBtu/hr; two (2) natural gas-fired drying ovens each rated at 2.0 MMBtu/hr, two (2) refractory mixing stations; one (1) paint booth, controlled by dry fiberglass filters; welding of fabricated pieces, controlled by a dust collector; one (1) 33.5 hp natural gas-fired emergency generator; testing laboratory, comprised of twenty (20) testing furnaces and one (1) 1.5 MMBtu/hr natural gas-fired boiler; and three (3) parts washers. Potential emissions from the project are 19.95 tons of nitrogen oxides (NO<sub>x</sub>), 8.3 tons of carbon monoxide (CO), 3.24 tons of particulate matter less than 10 microns in diameter (PM<sub>10</sub>), 0.7 ton of sulfur oxides (SO<sub>x</sub>), 1.7 tons of volatile organic compounds (VOC), 1.2 tons of combined hazardous air pollutants (HAP), less than 0.5 ton of single HAP, and 21,833 tons of greenhouse gases (GHGs) as carbon dioxide equivalents (CO<sub>2</sub>e), per year. The Department has determined that the proposed facility satisfies Best Available Technology ("BAT") requirements. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2 and 123.31; and Federal National Emission Standards for Hazardous



Air Pollutants (NESHAP) from 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) and 40 CFR Part 63 Subpart XXXXXX—National Emissions Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. The Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, work practice, monitoring, record-keeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

The Plan Approval Application, the Department's Air Quality Review Memorandum, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

A person may oppose the proposed plan approval by filing a written protest with the Department through Jesse Parihar, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; [jparihar@pa.gov](mailto:jparihar@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-63-01056A), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone or email, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Sheri L. Guerrieri, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to [shguerrier@pa.gov](mailto:shguerrier@pa.gov).

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.

---

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Norm Frederick, 570-826-2409.*

**48-00021, Northampton Generating Co LP/Northampton Facility**, 1 Horwith Drive, Northampton, PA 18067-9728, Northampton Borough, **Northampton County**. Application received: May 23, 2023. The Department intends to issue a renewal Title V Operating Permit for the electric generation facility located in Northampton Borough, Northampton County. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Sub-

chapter G. The main sources at this facility consist of one fluidized bed boiler, ash handling systems, ash storage and loadout, an emergency generator, a diesel boiler emergency feed pump, and a diesel fire pump. The sources are controlled by baghouses and collectors. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. On April 23, 2016, the Pennsylvania Department of Environmental Protection (PADEP) published 25 Pa. Code §§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOC, also known as Reasonably Available Control Technology (RACT) II. Northampton Generating Co LP/Northampton Facility qualifies as a major source of NO<sub>x</sub> emissions because facility-wide potential NO<sub>x</sub> emissions are above the RACT II major source threshold (i.e., 100 tons per year). As a result, the NO<sub>x</sub>-emitting operations at the facility will be subject to the provisions of the RACT II rule. The NO<sub>x</sub> emitting source at the facility are Source ID # 001, the Circulating Fluidized Bed (CFB) Boiler. The Presumptive RACT II requirements are included in the TV operating permit. Sections 129.111—129.115 of 25 Pa. Code—Effective on November 12, 2022, upon its publication in the *Pennsylvania Bulletin*, the Environmental Quality Board (EQB) amended Chapter 129 to establish additional presumptive reasonable available control technology (RACT) requirements and RACT emission limitations for certain major stationary sources of oxides of nitrogen (NO<sub>x</sub>), and volatile organic compounds (VOC) emissions in existence on or before August 3, 2018. These additional requirements and limitations, collectively known as RACT III, address the Federal requirements for the 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS). Northampton Generating Co LP/Northampton Facility operates several sources subject to RACT III, including Source ID # 001, the Circulating Fluidized Bed (CFB) Boiler, Source ID # 002, Propane Vaporizer, Source ID # 101, Emergency Fire Pump, Source ID # 111, Plant Emergency Generator, and Source ID # 112, Diesel Boiler Emergency Feed Pump. The Presumptive RACT III requirements are included in the TV operating permit. The Title V operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

*Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.*

**03-00027, Keystone-Conemaugh Projects, LLC Keystone Station**, 175 Cornell Rd, Ste 1, Blairsville, PA 15717, Plumcreek Township, **Armstrong County**. Application received: January 5, 2024. In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan and an amendment to the State Implementation Plan (SIP) for the Keystone Station owned and operated by Keystone-Conemaugh Projects, LLC in Plumcreek Township, Armstrong County. The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone. The proposed amendments to the RACT 2 determinations, if approved, will be incorporated into a revised operating permit (03-00027) for the facility. The relevant RACT 2

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 2 determinations will be excluded from the SIP submittal. The following is a summary of the proposed amendments to the RACT 2 determination for this operation that will be submitted to the EPA as a SIP revision: The total combined NO<sub>x</sub> emissions from Boilers 1 and 2 shall not exceed 0.075 lb/MMBtu on a 30-operating day rolling average. Daily NO<sub>x</sub> emissions from Boiler 1 shall not exceed 15,691 lbs per unit operating day. Daily NO<sub>x</sub> emissions from Boiler 2 shall not exceed 15,691 lb per unit operating day. The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits: (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR Parts 60 and 75, Appendix F, Procedure 1; (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR Part 75; and (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C.

The permittee shall: (a) Operate the SCR systems associated with Boiler 1 and/or 2 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler. (b) Utilize reagent in the SCR systems at a rate that is optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and (c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions. • The permittee shall create and maintain records of: (a) the hourly heat input for each unit; (b) The specific hourly ammonia injection amounts for each unit; and (c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years. The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month reporting period. The periodic report shall contain data for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility. • Boilers 1 and 2 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065. In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department proposes to add a requirement to make the previously identified shutdown date of on or before December 31, 2028 for Source 031 and Source 032 (Boiler 1 and 2) Federally enforceable and permanent. Public hearing. A public hearing will be held if requested by February 21, 2024 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on February 28, 2024, at 10:30 AM at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to

speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be February 21, 2024. If we do not receive any pre-registered speakers by this date, 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/NorthwestRegion/Community-Information/Pages/default.aspx>. We ask that you contact Tom Decker at 814-332-6615 or monitor the web site to determine if a hearing will be held. Persons wishing to present testimony at the hearing should contact Tom Decker at 814-332-6615 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from the date of this notice 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 RACT 2 Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 Plan. All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 813-332-6078 or by email submitted to [ra-epnwinformfilere@pa.gov](mailto:ra-epnwinformfilere@pa.gov). The review memo and draft permit modification will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Tom Decker at 814-332-6615 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

**32-00059, Keystone-Conemaugh Projects, LLC Conemaugh Station**, 175 Cornell Rd, Ste 1, Blairsville, PA 15717, West Wheatfield Township, **Indiana County**. Application received: January 5, 2024. In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan and an amendment to the State Implementation Plan (SIP) for the Conemaugh Station owned and operated by Keystone-Conemaugh Projects, LLC in West Wheatfield Township, Indiana County. The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone. The



proposed amendments to the RACT 2 determinations, if approved, will be incorporated into a revised operating permit (32-00059) for the facility. The relevant RACT 2 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 2 determinations will be excluded from the SIP submittal. The following is a summary of the proposed amendments to the RACT 2 determination for this operation that will be submitted to the EPA as a SIP revision: The total combined NO<sub>x</sub> emissions from Boilers 1 and 2 shall not exceed 0.072 lb/MMBtu on a 30-operating day rolling average. Daily NO<sub>x</sub> emissions from Boiler 1 shall not exceed 14,308 lbs per unit operating day. Daily NO<sub>x</sub> emissions from Boiler 2 shall not exceed 14,308 lbs per unit operating day. The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits: (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR Parts 60 and 75, Appendix F, Procedure 1; (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR Part 75; and (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C.

The permittee shall: (a) Operate the SCR systems associated with Boiler 1 and/or 2 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler. (b) Utilize reagent in the SCR systems at a rate that is optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and (c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions. The permittee shall create and maintain records of: (a) the hourly heat input for each unit; (b) The specific hourly ammonia injection amounts for each unit; and (c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years. The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month reporting period. The periodic report shall contain data for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility. Boilers 1 and 2 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065. In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department proposes to add a requirement to make the previously identified shutdown date of on or before December 31, 2028 for Source 031 and Source 032 (Boiler 1 and 2) Federally enforceable and permanent. Public hearing. A public hearing will be held

if requested by February 21, 2024 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on February 28, 2024, at 9:00 AM at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be February 21, 2024. If we do not receive any pre-registered speakers by this date, 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/NorthwestRegion/Community-Information/Pages/default.aspx>. We ask that you contact Tom Decker at 814-332-6615 or monitor the web site to determine if a hearing will be held. Persons wishing to present testimony at the hearing should contact Tom Decker at 814-332-6615 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from the date of this notice 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 RACT 2 Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 Plan. All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 813-332-6078 or by email submitted to [ra-epnwinformfilere@pa.gov](mailto:ra-epnwinformfilere@pa.gov). The review memo and draft permit modification will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Tom Decker at 814-332-6615 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

**32-00055, Homer City Generation LP Homer City Generation LP Station**, 1750 Power Plant Road, Homer City, PA 15748, Center Township, **Indiana County**. Application received: January 5, 2024. Approval of a Reasonably Available Control Technology (RACT 2) plan for Homer City Generation LP located in Center Township, Indiana County. In accordance with 25 Pa. Code

§§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan and an amendment to the State Implementation Plan (SIP) for the Homer City Generation LP Station owned and operated by Homer City Generation LP in Center Township, Indiana County. The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone. The proposed amendments to the RACT 2 determinations, if approved, will be incorporated into a revised operating permit (32-00055) for the facility. The relevant RACT 2 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 2 determinations will be excluded from the SIP submittal. The following is a summary of the proposed amendments to the RACT 2 determination for this operation that will be submitted to the EPA as a SIP revision: The total combined NO<sub>x</sub> emissions from Boilers 1—3 shall not exceed 0.096 lb/MMBtu on a 30-operating day rolling average. • Daily NO<sub>x</sub> emissions from Boiler 1 shall not exceed 15,649 lbs per unit operating day. Daily NO<sub>x</sub> emissions from Boiler 2 shall not exceed 15,649 lbs per unit operating day. • Daily NO<sub>x</sub> emissions from Boiler 3 shall not exceed 16,727 lbs per unit operating day. • The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits: (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR Parts 60 and 75, Appendix F, Procedure 1; (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR Part 75; and (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C. The permittee shall: (a) Operate the SCR systems associated with Boilers 1, 2, and/or 3 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler. (b) Utilize reagent in the SCR systems at a rate that is optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and (c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions. The permittee shall create and maintain records of: (a) the hourly heat input for each unit; (b) The specific hourly ammonia injection amounts for each unit; and (c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years. The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month reporting period. The periodic report shall contain data for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility. Boilers 1—3 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065. In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires

State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department proposes to add a requirement to make the previously identified shutdown date of on or before June 30, 2023 for Source 031, Source 032, and Source 033 (Boilers 1—3) Federally enforceable and permanent. Public hearing. A public hearing will be held if requested by February 21, 2024 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on February 28, 2024, at 1:00 PM at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be February 21, 2024. If we do not receive any pre-registered speakers by this date, 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/NorthwestRegion/Community-Information/Pages/default.aspx>. We ask that you contact Tom Decker at 814-332-6615 or monitor the web site to determine if a hearing will be held. Persons wishing to present testimony at the hearing should contact Tom Decker at 814-332-6615 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from the date of this notice 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 RACT 2 Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 Plan. All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 813-332-6078 or by email submitted to [ra-epnwinformfilere@pa.gov](mailto:ra-epnwinformfilere@pa.gov). The review memo and draft permit modification will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Tom Decker at 814-332-6615 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.



*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.*

**05-05021, Creative Pultrusions, Inc.**, 214 Industrial Lane, Alum Bank, PA 15521, West Saint Clair Township, **Bedford County**. Application received: September 13, 2023. To issue a Title V Operating Permit renewal for their fiberglass pultrusion operation at the Alum Bank plant. The facility has the following 2022 actual air emissions: 10.01 tons VOC, 6.49 tons total HAPs and 6.26 tons of a single HAP. 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 for Federal 40 CFR 63 Subpart WWWW—National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production; 40 CFR 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; 40 CFR 63 Subpart PPPP—National Emissions Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products; 40 CFR 63 Subpart N—National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; and 25 Pa. Code § 129.52d.

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

**06-05002, Heidelberg Materials US Cement LLC**, 537 Evansville Road, Fleetwood, PA 19522-8541, Maiden-creek Township, **Berks County**. Application received: February 17, 2023. For Heidelberg's Evansville Cement Plant and Quarry. The Title V Operating Permit is undergoing a significant modification to renew the facility's Plant Wide Applicability Limits (PALs), to update the facility owner, to update Federal regulation requirements, to add RACT 3 requirements, to revise the ammonia slip and annual particulate testing requirements under Section E, Group SG01, Condition 018, and Section C, Condition 008 (now 009), and to make minor administrative updates. In accordance with 40 CFR 52.21(aa)(10) and 25 Pa. Code § 127.218(k) the PALs are proposed to be renewed at: Particulate Matter (PM) (232.27 tpy), Particulate Matter with an aerodynamic diameter less than 10 microns (PM<sub>10</sub>) (330.37 tpy), Particulate Matter with an aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>) (286.25 tpy), Carbon Monoxide (CO) (357.74 tpy), Nitrogen Oxides (NO<sub>x</sub>) (1,783.18 tpy), Sulfur Oxides (expressed as SO<sub>2</sub>) (329.49 tpy), Volatile Organic Compounds (VOC) (51.41 tpy), Fluorides (expressed as HF) (3.22 tpy), Sulfuric Acid (H<sub>2</sub>SO<sub>4</sub>) (12.70 tpy), & Lead (Pb) (0.60 tpy). The PALs will be valid for ten (10) years.

### 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.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**41-00072, Reynolds Iron Works**, 157 Palmer Industrial Road, Williamsport, PA 1771, Woodward Township,

**Lycoming County**. Application received: May 30, 2023. The Department intends to issue a renewal State Only (Natural Minor) Operating Permit for their Williamsport facility. The facility's main sources include a steel parts surface coating operation, one propane fired air makeup unit and four natural gas-fired heaters. The facility has potential emissions of 2.72 tons per year of nitrogen oxides, 0.81 ton per year of carbon monoxide, 0.00 ton per year of sulfur oxides, 0.12 ton per year of particulate matter, 14.88 tons per year of volatile organic compounds, and 9.55 tons per year of total hazardous air pollutants (HAPs). The potential emissions for all criteria pollutants remained the same at the facility. No emission or equipment changes are being proposed by this action. The emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

**41-00060, Frito-Lay, Inc.**, 220 N. Reach Rd., Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Application received: October 13, 2023. To issue a renewal State Only Operating Permit for the Williamsport Plant. The facility's main sources include one 3 MMBtu/hr, natural gas fired boiler; numerous small natural gas and propane fired heaters; several pieces of snack food manufacturing equipment including fryers, extruders, bake ovens, cooking kettles, a corn cleaner and two cornmeal silos; one 2.5 kW, natural gas/propane fired emergency generator; and various miscellaneous sources. The facility has potential emissions of 12.43 TPY of CO; 12.72 TPY of NO<sub>x</sub>; 0.18 TPY of SO<sub>x</sub>; 4.25 TPY of PM/PM<sub>10</sub>; 0.82 TPY of VOCs; 0.28 TPY of HAPs and 18,083 TPY of CO<sub>2</sub>e. The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ—NESHAPS for Stationary Reciprocating Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Part 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Norman Frederick, Facility Permitting Chief, 570-826-2409.*

**35-00048, Pioneer Aggregates Inc.**, 220 S River Street, Plains, PA 18705-1137, Fell Township, **Lackawanna County**. Application received: December 27, 2023. The Department intends to issue a renewal State-

Only Operating Permit (natural minor) for sources such as their primary jaw crusher, secondary cone crusher, double deck screen, and triple deck screen. Sources also include water sprays as control devices. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00004, Silgan White Cap Corporation**, 1190 Corporate Center Drive, Oconomowoc, WI 53066, Hazle Township, **Luzerne County**. Application received: January 8, 2024. The Department intends to issue an initial State-Only Operating Permit (synthetic minor) for sources such as their printing/coating lines, solvent clean-up, coating mix room, and an emergency generator. Sources also include regenerative thermal oxidizers, 4.5 and 9 MMBtu/HR, as control devices. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**45-00021, Lehigh Valley Hospital Pocono**, 206 East Brown Street, East Stroudsburg, PA 18301-3094, East Stroudsburg Borough, **Monroe County**. Application received: December 15, 2023. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for sources such as their boilers and emergency generators. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**64-00015, Bedrock Quarries Inc.**, P.O. Box 196, 2052 Lucon Rd, Skippack, PA 19474-0196, Damascus Township, **Wayne County**. Application received: December 21, 2023. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for sources such as their primary, secondary, and tertiary crushers, primary scalping screen, product screens, and conveyance system. Sources also include a wet suppression system as a control device. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

*Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6940.*

**24-00022, St. Mary's Carbon Co.**, 259 Eberl St., Saint Mary's, PA 15857-1677, City of Saint Mary's, **Elk County**. Application received: November 9, 2022. The Department intends to issue the renewal State Only Natural Minor Operating Permit for the carbon, graphite, and metal/graphite production facility. The facility's primary emission sources include eight natural gas boilers, four carbon baking kilns, four belt chain furnaces, four curing ovens, three continuous furnaces, five smoke ovens, three carbon baking furnaces, two carbon/graphite mixers controlled by thermal oxidizers, a graphitization system, finishing departments and associated machines, a backup generator, and a degreaser. The potential emissions of the primary pollutants from the facility are as follows: 13.80 TPY NO<sub>x</sub>, 11.52 TPY CO, 10.53 TPY VOC, 0.38 TPY total HAP, 4.35 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and

9.32 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The backup generator is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The carbon/graphite mixers were subject to Plan Approval 24-022B for the installation of thermal oxidizers to control emissions of SO<sub>x</sub>. At this issuance, the conditions of this plan approval have been integrated into the operating permit. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**37-00368, Amerikohl Aggregates, Inc.**, 1384 State Route 711, Stahlstown, PA 15687, Shenango Township, **Lawrence County**. Application received: February 17, 2023. The Department intends to issue the State Only Operating Permit for Amerikohl Aggregates, Inc. Moscipan Mine. The sources at the facility include the processing plant (crushers, screens, conveyors, and stockpiles) and diesel engines. The engines are subject to 40 CFR 60 Subpart III. The processing plant is subject to 40 CFR Part 60 Subpart OOO. Emissions from the facility are less than the major source thresholds with a potential of 32.6 tpy NO<sub>x</sub>; 7.02 tpy CO; 2.14 tpy SO<sub>x</sub>; 4.14 tpy PM; 4.83 tpy PM<sub>10</sub>; and 2.59 tpy VOC. The facility is a Natural Minor. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The permit contains a compliance schedule to perform initial performance testing per 40 CFR Part 60 Subpart OOO within 30 days of startup of the 2024 season.

**16-00134, Car Mate Trailers Inc.**, P.O. Box 155, Leeper, PA 16233, Farmington Township, **Clarion County**. Application received: November 1, 2022. The Department intends to issue the renewal of the State-Only Operating Permit for Car Mate Trailers, Inc., facility which fabricates cargo and utility trailers. Permitted sources at the facility include a 500,000 Btu/hr natural gas boiler, a 3 million Btu/hr natural gas furnace, 2 paint booths, 2 natural gas fueled air-makeup units, welding and plasma cutting operations, paint mixing, manual paint application operations, and miscellaneous natural gas heating emissions. Potential Emissions for the site are as follows: 3.07 tpy CO; 3.66 tpy NO<sub>x</sub>; 0.28 tpy particulate matter; 0.02 tpy SO<sub>x</sub>; 40.6 tpy VOC, 9.91 tpy xylene; 7.46 tpy ethylbenzene; and 19.4 tpy all HAPs combined. The facility is a Natural Minor. The operating permit will include a site-level VOC emission restriction of 49.32 tpy. Conditions from previous permits and plan approvals are incorporated into the renewal. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**67-03144, KRB Machinery Co.**, 1058 Cool Creek Road, Wrightsville, PA 17368, Lower Windsor Township, **York County**. Application received: June 30, 2023. For the operation of a modular rebar fabrication facility. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 1.139 tpy VOC, 0.180 tpy HAPs, and 18.65 tpy PM<sub>10</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, Surface coating processes; 25 Pa. Code § 129.63, Degreasing operations; 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; 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.

**67-05096, Blockhouse Co. Inc.**, 3285 Farmtrail Road, York, PA 17406, Manchester Township, **York County**. Application received: March 3, 2023. To issue a State Only Operating Permit for its furniture manufacturing facility. This is for renewal of the existing State-Only Permit. The actual emissions from the facility in 2022 are estimated at 6.14 tons of VOCs and 1.53 tons of HAP. 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 25 Pa. Code § 129.52 (Surface coating processes).

**21-05012, Mt. Holly Springs Specialty Paper Inc.**, 1 Mountain Street, Mount Holly Springs, PA 17065, Mount Holly Springs Borough, **Cumberland County**. Application received: August 29, 2023. To issue a State Only Operating Permit for its paper mill. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 25.7 tpy NO<sub>x</sub>, 21.2 tpy CO, 1.9 tpy PM<sub>10</sub>, 1.7 tpy VOCs, < 1 tpy SO<sub>x</sub> and < 1 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 for Federal 40 CFR 63 Subpart ZZZZ—NESHAPS for Stationary Reciprocating Internal Combustion Engines, and 25 Pa. Code § 129.63—Degreasing Operations.

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

**06-03087, Arkema, Inc.**, 1112 Lincoln Road, Birdsboro, PA 19508, Exeter Township, **Berks County**. Application received: July 14, 2023. To issue a State-Only Operating Permit for the operation of their nylon polymer manufacturing facility. This is for renewal of the existing State-Only Permit. The subject facility has the potential-to-emit 12.2 tpy of CO, 10.6 tpy of NO<sub>x</sub>, 4.8 tpy of PM<sub>10</sub>, 0.4 tpy of SO<sub>x</sub>, & 7.7 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.11, 123.13, 123.22, 129.63, 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

**06-05106, SFS Group USA, Inc./Exeter Plant**, 41 Dennis Dr., Reading, PA 19606, Exeter Township, **Berks County**. Application received: July 5, 2023. For operation of a cold formed components, special fasteners and mechanical fastening systems manufacturing facility. This is for renewal of the existing State-Only Permit. The facility

actual emissions for 2022 are 0.42 ton of CO, 0.50 ton of NO<sub>x</sub>, 0.04 ton of PM, 0.003 ton of SO<sub>x</sub>, and 17.51 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 25 Pa. Code § 123.13 for particulate matter, 25 Pa. Code § 123.21 for sulfur dioxide emissions from processes 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.

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

*Contact: Janine Tulloch-Reid, Environmental Engineer Manager, 484-250-7505.*

**46-00121, Main Line Hospital, Inc.—Lankenau Medical Center**, 100 E Lancaster Ave, Wynnewood, PA 19096, Lower Merion Township, **Montgomery County**. Application received: November 18, 2022. The State Only Operating Permit for the Lankenau Medical Center facility for the operation of four dual-fired (natural gas and No. 2 oil fired) steam boilers and eight diesel-fired emergency electric generators is being renewed. There have been no physical changes or modifications to these sources since the operating permit was last issued and renewed in 2018. The steam boilers are now subject to a fuel oil sulfur content standard of 15 ppm or 0.0015%, by weight. The emergency generator engines were all previously subject to this fuel oil standard. Lankenau Medical Center is categorized as a synthetic minor facility for nitrogen oxides (NO<sub>x</sub>) with an annual NO<sub>x</sub> emission limit of 24.9 tons per year, based on a 12-month rolling sum. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQUBCOM@pa.gov.

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.*

**09-00127, Bracalente Manufacturing Company Inc.**, 20 W Creamery Rd, Trumbauersville, PA 18970, Trumbauersville Borough, **Bucks County**. Application received: November 1, 2023. The facility is a machine shop that performs turning, milling, assembly, and surface treatment for various industries. The renewal of this permit is for a non-Title V (State Only) facility. The permit was initially issued on 12/18/2008 and was renewed in 8/27/2014 and 2/26/2020. The sources of air emissions are the six (6) immersion cold cleaning machines, ranging from 40 to 80 gallons capacity and one (1) airless cold cleaning machine (i.e., degreasers) that are used to remove the machining oils and grease. The Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQUBCOM@pa.gov.

**46-00150, Montgomery County SPCA/Perkiomenville**, 1059 Sweisford Rd, Perkiomenville, PA 18074, Upper

Frederick Township, **Montgomery County**. Application received: September 21, 2022. Montgomery County SPCA operates a propane fired animal crematorium with a rated capacity of 150 lbs/hr. This action is for the renewal of a Non-Title V Facility, State-Only, Natural Minor Permit for this crematorium. The facility has a potential to emit less than 1 ton per year for NO<sub>x</sub>, VOC, SO<sub>2</sub> and PM if operated 8,760 hours per year, and the potential to emit 3.2 tons per year of CO if operating 8,760 hours per year. Monitoring, recordkeeping and reporting requirements are included in the permit to address applicable limitations. There are no changes reflected in this renewal permit. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

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

**63-00899, Pleiger Plastics Company**, 498 Crile Road, Washington, PA 15301, South Strabane Township, **Washington County**. Application received: March 22, 2023. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue a renewed natural minor state-only operating permit to Pleiger Plastics Company for the custom molding polyurethane manufacturing facility located in South Strabane Township, Washington County. Sources of emissions are miscellaneous natural gas sources totaling 16.57 MMBtu/hr, three (3) manual shotblast units, one (1) vapor degreaser, adhesive application, hand casting, machine casting, and six (6) centrifuges and two (2) ovens. Potential emissions at this facility are 2.8 TPY NO<sub>x</sub>, 0.4 TPY CO, negligible SO<sub>x</sub> emissions (< 0.01), 11.1 TPY VOCs, 1.6 TPY aluminum oxide, 0.6 TPY PM<sub>10</sub>, 0.6 TPY PM<sub>2.5</sub>, 7.7 TPY total HAP, 6.6 TPY single HAP, and 8,585 TPY CO<sub>2e</sub>. The facility is required to conduct surveys of the site once per day to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the natural minor State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments; identification of the proposed Operating Permit (63-00899) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit. A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Environmental Engineering Manager, at the previously listed address. All comments must

be received prior to the close of business 30 days after the date of this publication. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> and by contacting Thomas Joseph, Environmental Engineering Manager, at 412-442-4336 or [tjoseph@pa.gov](mailto:tjoseph@pa.gov).

## PLAN APPROVALS

### Receipt of Plan Approval Application(s) and 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 and Subchapter F. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Shailesh Patel, New Source Review Chief, 570-826-2357.*

**39-00108C, Tierpoint Two LLC**, 9999 Hamilton Blvd, Breinigsville, PA 18031, Upper Macungie Township, **Lehigh County**. Application received: November 8, 2023. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Tierpoint Two, LLC for their facility located in Upper Macungie Twp., Lehigh County. Plan Approval No. 39-00180C will be incorporated into their State-Only Operating Permit through administrative amendment at a later date. Plan Approval No. 39-00108C is for the installation and operation of four diesel-fired 2.5 MW emergency generators. The emergency generators are subject to the requirements of 40 CFR Part 60, Subpart IIII and 40 CFR Part 63, Subpart ZZZZ. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00108C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Shailesh Patel, EEM, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2357 within 30 days after publication date.

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or Local Government Agency or Authority to DEP at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's

newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

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

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

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

### Coal Applications

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

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. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Aleppo and Richhill Townships, Greene County.** To revise the permit and related NPDES permit to construction degas boreholes, affecting 9.4 proposed surface acres. Application received: November 29, 2023. Accepted: January 5, 2024.

**Mining Permit No. 56111303. NPDES No. PA0236110 and GP12-56111303. LCT Energy, LP, 25646 Mt. Airy Drive, Suite 200, Johnstown, PA 15904, Conemaugh Township, Somerset County.** To renew the permit and related NPDES permit. Includes renewal of Air Quality GPA/GP12 Authorization. Application received: November 15, 2023. Accepted: January 10, 2024.

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

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

**Mining Permit No. 33180101. P. & N. Coal Company, Inc., 680 Old Route 119 North, Indiana, PA 15701, Rose Township, Clover Township, Jefferson County.** Revision to include a post mining land use change from Forestland to Unmanaged Natural Habitat. Application received: January 8, 2024.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17020112. NPDES No. PA024337. Junior Coal Contracting, Inc., 2330 Six Mile Rd, Philipsburg, PA 16866, Decatur Township, Clearfield County.** Permit renewal application for a bituminous surface coal



mine and associated NPDES permit affecting 228 acres. Receiving stream(s): Big Run, Shimmel Run, and UNT A to Moshannon Creek classified for the following use(s): CWF. Application received: December 21, 2023. Accepted: January 5, 2024.

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

*Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.*

**Mining Permit No. 3378BC21. NPDES No. PA0251348. Milrock Mining, Inc.,** 960 Penn Avenue, Suite 400, Pittsburgh, PA 15222, Henry Clay Township and Wharton Township, **Fayette County**. Renewal application received for continued treatment to an existing bituminous surface mining operation and associated NPDES permit, affecting 11.4 acres. Receiving stream: Unnamed tributary to Fike Run, classified for the following use: HQ-CWF. Application received: January 10, 2024.

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 13980201. Rossi Excavating Company,** 10 Centtown Road, Beaver Meadows, PA 18216, Banks Township, **Carbon County**. Renew an anthracite coal refuse reprocessing operation affecting 18.0 acres. Receiving stream: Beaver Creek, classified for the following use: CWF. Application received: January 2, 2024.

**Mining Permit No. 13990201. Rossi Excavating Company,** 10 Centtown Road, Beaver Meadows, PA 18216, Banks Township, **Carbon County**. Renew an anthracite coal refuse reprocessing operation affecting 493.0 acres. Receiving stream: Beaver Creek, classified for the following use: CWF. Application received: January 2, 2024.

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 54830102. Bell Corporation,** P.O. Box 131, Tuscarora, PA 17982, Blythe Township, **Schuylkill County**. Transfer from Joe Kuperavage Coal Company and correction to reduce the permit acreage from 263.0 to 113.6 acres and update the post-mining land use from forestland to unmanaged natural habitat. Receiving stream: Silver Creek to Schuylkill River, classified for the following uses: CWF, MF. Application received: January 8, 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.

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity.			
pH must always be greater than 6.0; less than 9.0.			

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 4773SM2. NPDES No. PA0596680. Heidelberg Materials Northeast, LLC,** 7660 Imperial Way, Allentown, PA 18195, Potter Township, **Centre County**. Renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site affecting 18.7 acres. Receiving stream(s): Unnamed tributary to Cedar Run classified for the following use(s): CWF, MF. Application received: December 21, 2023. Accepted: January 5, 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*

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

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

**NPDES No. PA0268950. Mining Permit No. 56120104. Wilson Creek Energy, LLC**, P.O. Box 260, Friedens, PA 15541, Lincoln Township, **Somerset County**. Renewal of an NPDES permit for discharge of water resulting from surface coal mining operations affecting 72.0 acres. Receiving streams: unnamed tributaries to Quemahoning Creek, classified for the following use: CWF. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: May 1, 2023.

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 outfalls discharge to unnamed tributaries to Quemahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond 1)	N
002 (Sediment Pond 1)	N
003 (Sediment Pond 2)	N
004 (Treatment Pond 2)	Y

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

<i>Outfalls: 001 &amp; 004 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.10	2.20	2.70
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 002 &amp; 003 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</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
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

*Noncoal NPDES Draft Permits*

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**NPDES Permit No. PA0225878. Mining Permit No. 64870301. Heidelberg Materials Northeast, LLC**, 7660 Imperial Way, Allentown, PA 18195, Lake Township, **Wayne County**. Renew NPDES permit affecting 109.7 acres. Receiving stream: UNT to Jones Creek, classified for the following use: HQ-CWF. Non-Discharging Best Management Practices will be in effect. Application received: July 5, 2023.

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**NPDES Permit No. PA0226394. Mining Permit No. 7976SM2. Eureka Stone Quarry, Inc.**, P.O. Box 249, Chalfont, PA 18914, Warrington Township, **Bucks County**. Application received: March 30, 2023.

Renew an NPDES permit affecting 172.0 acres. Receiving stream: UNT to Neshaminy Creek, classified for the following uses: TSF, MF.

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

The following treated wastewater outfalls discharge to UNT to Neshaminy Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Facility Outfall	1.0 MGD
002	Existing	Stormwater Outfall	0.005 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>i</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

<sup>i</sup>This Parameter is applicable at all times.

The following limits apply to dry weather discharges from the following stormwater Outfalls: 002

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>i</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

<sup>i</sup>This Parameter is applicable at all times.

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event: 002

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>i</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (m/L)				0.5

<sup>i</sup>This Parameter is applicable at all times.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection be-

tween 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-EPEASTERNNOGPRG@pa.gov.*

**E5829223-004. Williams Field Services Co LLC**, 2000 Commerce Drive, Pittsburgh, PA 15275, Gibson Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 5, 2023.

To construct, operate, and maintain:

- 1) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 50-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway

(NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.733576°, Longitude: -75.604733°),

2) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 50-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.732216°, Longitude: -75.604728°),

3) a temporary timber mat crossing impacting 168-square feet (0.01-acre) of Palustrine Emergent Wetlands (PEM) and 26-square feet (0.01-acre) of Palustrine Scrub-Shrub Wetlands (PSS) (Clifford, PA Quadrangle; Latitude: 41.732310°, Longitude: -75.604791°),

4) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 14,036-square feet (0.32-acre) of Palustrine Emergent Wetlands (PEM) and 3,698-square feet (0.08-acre) of Palustrine Scrub-Shrub Wetlands (PSS) (Clifford, PA Quadrangle; Latitude: 41.730286°, Longitude: -75.607045°),

5) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 52-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.730408°, Longitude: -75.606898°),

6) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 1,302-square feet (0.03-acre) of Palustrine Emergent Wetlands (PEM) (Clifford, PA Quadrangle; Latitude: 41.729177°, Longitude: -75.608383°),

7) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 2,284-square feet (0.05-acre) of Palustrine Emergent Wetlands (PEM) (Clifford, PA Quadrangle; Latitude: 41.728219°, Longitude: -75.610035°),

8) a temporary timber mat crossing impacting 5,580-square feet (0.13-acre) of floodway only of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.727863°, Longitude: -75.608993°),

9) a 10-inch natural gas pipeline and temporary timber mat crossings impacting 50-linear feet of unnamed tributaries to Bear Swamp Creek and associated floodway (NRT, CWF-MF) (Clifford, PA Quadrangle; Latitude: 41.727921°, Longitude: -75.610697°),

10) a temporary timber mat crossing impacting 63-square feet (0.01-acre) of Palustrine Emergent Wetlands (PEM) (Clifford, PA Quadrangle; Latitude: 41.726441°, Longitude: -75.612862°).

The project includes the construction of 1.1 miles of 10-inch diameter natural gas pipeline in Gibson Township, Susquehanna County. The project will result in 202-linear feet of stream impacts, 5,580-square feet (0.13-acre) of floodway only impacts, 17,853-square feet (0.41-acre) of PEM wetland impacts, and 3,724-square feet (0.09-acre) of PSS wetland impacts to provide safe conveyance of Marcellus Shale natural gas.

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: James Cassidy, Senior Civil Engineer, 570-855-9764.*

**E4104223-009. John D. Klingerman 2012 GST Trust**, 405 Golden Valley Drive, Bloomsburg, PA 17815, Shrewsbury Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 1, 2023.

This project will have and will result in minor permanent impacts to the affected reaches of stream channel and their adjacent 100 yr. floodway. The floodway limits are based on the default Chapter 105 50-ft rule. For purposes of this application, the impacts have been separated into channel impacts and floodway impacts. Latitude: 41.333212°, Longitude: -76.673603°.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**E6703223-015. Locust Point York PA Holdings, LLC**, 1780 South Post Oak Lane, Houston, TX 77056, Conewago Township, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 25, 2023.

To place and maintain fill in two (2) Unnamed Tributaries (UNT's) to Poplar Run (TSF, MF) and their accompanying floodways, permanently impacting 470.0-linear feet of stream channel; to install and maintain a culvert crossing in a UNT to Poplar Run (TSF, MF) and its accompanying floodway, permanently impacting 57.0-linear feet of stream channel; to install and maintain a utility line crossing of a UNT to Poplar Run (TSF, MF) and its accompanying floodway, permanently impacting 22.0-linear feet of stream channel; and to place and maintain fill in 1.25 acres of emergent wetlands (Other) all for the purpose of constructing two (2) warehouse facilities. To compensate for the stream and wetland impacts, the applicant proposes to purchase 549.0 stream credits and 1.25 wetland credits from the East Branch Codorus Creek Mitigation Bank (PADEP MB#990563-003) in York County, PA. The project is located along the northwest side of Locust Point Road (SR 1021), North, approximately 2,550.0-feet south of the intersection of Bowers Bridge Road (SR 1013) (Latitude: (40.0708), Longitude: (-76.7544)) in Conewago Township, York County.

**E0103123-004. PennDOT Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103, Menallen Township, **Adams County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 29, 2023.

To remove existing structure and to install and maintain a 40 foot 3.5 inch 12-foot x 6-foot Box Culvert with 1-foot uniform depression in UNT Opossum Creek (TSF, MF) and relocated 360 linear feet of Opossum Creek (TSF, MF) with riprap scour protection, for the purpose of improving transportation safety. The project is located in Menallen Township, Adams County (Latitude: 39.9999°, Longitude: -76.2159°).

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E1501221-001. Mountain Laurel Funding Company, LLC**, 155 North Wacker Drive, Suite 4250, Chicago, IL 60606-2180, East Whiteland Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: December 27, 2023.

To reissue Permit E1501221-001, which authorized the construction and maintenance of approximately 80 linear feet of new 8-inch diameter DIP sanitary sewer pipe across an unnamed tributary to Valley Creek (EV, MF) for the purpose of connecting two new office buildings, 4 and 5, to the existing infrastructure. This permit was issued under Permit E15-857 in 2017 and 2021. The site is



located on the campus of 20 Moores Road (Malvern, PA) in East Whiteland Township, Chester County. Latitude: 40.054040°, Longitude: -75.558399°.

**E1501223-021. West Sadsbury Township**, 6400 North Moscow Road, Parkesburg, PA 19365, West Sadsbury Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: December 27, 2023.

To restore and rehabilitate approximately 890 Linear feet of Officers Run (TSF, MF) associated with the applicant's request for stream and bank restoration and enhancement. The proposed restoration will include the following: 1) Grading back the existing nearly vertical banks to create a low, vegetated flat floodplain bench on each side of Watercourse to improve stream flows. 2) Along the perennial stream, a low floodplain bench averaging approximately 20–30 feet wide) will be installed on either side of the existing approximately 30-foot-wide channel, with 3:1 slope on both sides of the floodplain bench. 3) Native trees and shrubs will be planted to enhance the riparian buffer for pollutant runoff. 4) Two permanent livestock crossings (GP-6-1 and GP-6-2) and streambank fencing will be installed to protect the project site. Also, an existing stormwater drainage pipe will be regraded along with the channel realignment in this area and the area will be stabilized with a riprap apron at the outfall (GP-4-1) etc. 5) The proposed project will not increase flood elevations or adversely impact upstream, downstream, or adjoining properties and structures. 6) Permanent wetland impacts will be approximately 0.032 (PEM) acre. The project is located at the Strasburg Road Bridge crossing and extending about 890 feet to a stream crossing on the King property (Parkesburg, PA USGS Quadrangle) in West Sadsbury Township, Chester County. Latitude: 39.966944°, Longitude: -75.962222°.

**E4601223-034. Encompass Health Rehabilitation Hospital of Lower Providence, LLC**, 9001 Liberty Parkway, Birmingham, AL 35242, Lower Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: December 4, 2023.

Encompass Health Pennsylvania Real Estate, LLC proposes the development of an inpatient rehabilitation facility and associated parking and circulation, lighting, stormwater management facilities, and other utilities on a 9.63-acre site located at 2660 Audubon Road, Lower Providence Township, Montgomery County. The proposed improvements include the following: to relocate 380 linear feet (LF) of Lamb Run, a tributary to the Schuylkill River, resulting in 0.10 acre of permanent impacts to the existing stream. There will also be 0.03 acre of temporary impact to Lamb Run for construction access. The relocated stream will be 363 LF long and approximately 13 feet wide (0.11 acre). The project also proposes 0.96 acre of permanent disturbance within the assumed 50-foot floodway of Lamb Run, including the work to realign the stream, grading, stormwater outfalls, and a retaining wall. There will also be 0.3 acre of temporary disturbance to the assumed floodway consisting of tree clearing and earth disturbance to allow for access. Permanent impacts include 0.13 acre of a manmade pond and 0.10 acre of isolated wetland for construction of parking and grading west of the stream. The site is located near the intersection Trooper and Audubon Roads at 2660 Audubon Road (Valley Forge, PA USGS map) in Lower Providence Township, Montgomery County. Latitude: 40.11770°, Longitude: -75.42580°.

**WV2301223-003, EA2301223-002. Township of Darby**, 21 North Bartram Avenue, Glenolden, PA 19036, Darby Township, **Delaware County**. U.S. Army Corps of Engineers Philadelphia District. Application received: December 22, 2023.

Darby Township is proposing to stabilize multiple sections of streambank along the Hermesprot Creek (WWF) as part of the Conway Park Streambank Restoration Project. This activity includes 700 linear feet of temporary and permanent waterway impact due to grading of the streambank, implementation of erosion and sedimentation control best management practices, and blanket armoring for stabilization. And, includes a temporary stream crossing for access. In addition, the township is proposing to create 1.3 acres of native PFO wetlands. This project is located in Conway Park in Darby Township, Delaware County (USGS PA Lansdowne Quadrangle). Latitude: 39.898897°, Longitude: -75.270149°.

#### ENVIRONMENTAL ASSESSMENTS

*Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.*

*Contact: RA-EPEASTERNOPR@pa.gov.*

**EA0829223-001. Repsol Oil & Gas USA LLC**, 337 Daniel Zenker Drive, Horseheads, NY 14845, Warren Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 28, 2023.

The restoration of the existing water impoundment will result in 8,953 square feet (0.206 acre) of temporary impacts to a Palustrine Emergent Wetland. The project proposes 8,953 square feet (0.206 acre) of restoration activities and the replanting of native hydrophytic vegetation within the impacted wetland. The project will result in 8,953 square feet (0.206 acre) of temporary Palustrine Emergent Wetland impacts (Little Meadows, PA Quadrangle, Latitude: 41.913540°, Longitude: -76.203195°). The impacts are the result of restoring a water impoundment in Warren Township, Bradford County.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**EA3603223-006. East Earl Township**, 4610 Division Highway, East Earl, PA 17519, East Earl Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: November 15, 2023.

To conduct a stream restoration project along 1,640 feet of Cedar Creek (WWF, MF), including 1.) the re-grading and maintenance of 3,280 feet of streambank (left and right banks); and 2.) the installation and maintenance of 132 feet of boulder toe protection, impacting 0.73 acre of palustrine emergent wetlands, all for the purposes of reducing sediment loading to the stream and enhancing instream habitat. The project is located approximately 0.34 mile east of the intersection of SR 879 and US 322 (Latitude: 40.11337°N; Longitude: -76.02220°W) in East Earl Township, Lancaster County. The applicant proposes to re-establish the impacted wetlands onsite.

#### 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 distur-

bance 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).

---

**Applications Received Under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).**

---

*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 # ESP07022300100E Leto Compressor Station**

Applicant Name **Hyperion Midstream LLC**

Contact Person Brian Dillemath, (724) 754-0110

dillemath@olympusenergy.com

Address 501 Technology Drive, Suite 1200

City, State, Zip Canonsburg, PA 15317-7635

Township(s) West Deer Township

County **Allegheny County**

Receiving Stream(s) and Classification(s) Trib 42335 to Dawson Run (CWF), Dawson Run (CWF). Latitude:

40.63381, Longitude: -79.89005

Application received: December 11, 2023

---

## 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>
PAD110018	Chapter 102 Individual NPDES Permit	Issued	Peoples Natural Gas Co. LLC 375 N Shore Drive Pittsburgh, PA 15212-5866	Cambria Township Cambria County	SWRO
PAD130040	Chapter 102 Individual NPDES Permit	Issued	Preservation Graystones LLC P.O. Box 662 Norwich, VT 05055	Kidder Township Carbon County	NERO
PAD210103	Chapter 102 Individual NPDES Permit	Issued	Silver Spring Township 8 Flowers Drive Mechanicsburg, PA 17050-1701	Silver Spring Township Cumberland County	SCRO
PAD390062	Chapter 102 Individual NPDES Permit	Issued	Paarth Corp 5650 W Tilghman Street Allentown, PA 18104	Upper Macungie Township Lehigh County	NERO
PAD400073	Chapter 102 Individual NPDES Permit	Issued	Preserve At Blue Ridge LLC 1140 Route 315 Suite 201 Wilkes-Barre, PA 18711	Dorrance Township Luzerne County	NERO
PAD450185	Chapter 102 Individual NPDES Permit	Issued	Monroe County Vol Fire Co. 652 Laurel Drive Tobyhanna, PA 18466-8047	Coolbaugh Township Monroe County	NERO
PAD450187	Chapter 102 Individual NPDES Permit	Issued	Malanyuk Ivan 6533 Laurelwood Road Swiftwater, PA 18370-7721	Tunkhannock Township Monroe County	NERO
PAD460084	Chapter 102 Individual NPDES Permit	Issued	800 Schuylkill Owner LLC 201 King of Prussia Road Suite 501 Radnor, PA 19087-5147	Upper Merion Township Montgomery County	SERO

## NOTICES

433

<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>
PAD480068	Chapter 102 Individual NPDES Permit	Issued	Lower Nazareth Township Municipal Authority 623 Municipal Drive Nazareth, PA 18064-8981	Lower Nazareth Township Northampton County	NERO
PAD480200	Chapter 102 Individual NPDES Permit	Issued	Bethlehem Township Municipal Authority 3535 Orth Street Bethlehem, PA 18020-2924	Bethlehem Township and Bethlehem City Northampton County	NERO
PAD480202	Chapter 102 Individual NPDES Permit	Issued	PD Silk Mill LP 91 Larry Holmes Drive Easton, PA 18042-7745	Bethlehem City Northampton County	NERO
PAD510217	Chapter 102 Individual NPDES Permit	Issued	Philadelphia Energy Solutions Refinery & Marketing LLC 3144 W Passyunk Avenue Philadelphia, PA 19145-5208	Philadelphia City Philadelphia County	SERO
PAD540033	Chapter 102 Individual NPDES Permit	Issued	JVI LLC 1265 Miller Road Wind Gap, PA 18091-9765	Rush Township Schuylkill County	NERO
PAD650041	Chapter 102 Individual NPDES Permit	Issued	Penndot District 12-0 825 N Gallatin Avenue Uniontown, PA 15041	Bell Township Westmoreland County	SWRO
PA0276723	Industrial Stormwater Individual NPDES Permit	Issued	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Easton City Northampton County	NERO
PAS803505	Industrial Stormwater Individual NPDES Permit	Issued	HPT PSC Properties Trust 24601 Center Ridge Road West Lake, OH 44145	Middlesex Township Cumberland County	SCRO
0623806	Joint DEP/PFBC Pesticides Permit	Issued	Schad Timothy 837 Manatawny Road Boyertown, PA 19512-8047	Earl Township Berks County	SCRO
1594403	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Bucks County Water and Sewer Authority 1275 Almshouse Road Warrington, PA 18976	West Vincent Township Chester County	SERO
1596413	Land Application and Reuse of Sewage Individual WQM Permit	Issued	New Jerusalem Church 1564 Telegraph Road West Chester, PA 19382-1501	West Bradford Township Chester County	SERO
4612406	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Entrance System Inc. 2500 Quaketown Road Pennsburg, PA 18073	Upper Hanover Township Montgomery County	SERO
PAI136117	MS4 Individual NPDES Permit	Waived	West Taylor Township Cambria County 712 Cooper Avenue Johnstown, PA 15906-1106	West Taylor Township Cambria County	SWRO
PAI136136	MS4 Individual NPDES Permit	Issued	Derry Township 5321 State Route 982 Derry, PA 15627-2726	Derry Township Westmoreland County	SWRO
PAI136149	MS4 Individual NPDES Permit	Issued	Canton Township 1265 W Chestnut Street Washington, PA 15301-5451	Canton Township Washington County	SWRO
PA0266345	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Keystone Protein Co. 154 W Main Street Fredericksburg, PA 17026-9510	Bethel Township Lebanon County	SCRO

## NOTICES

<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>
PA0026298	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Whitemarsh Township Authority Montgomery County 2015 Joshua Road Lafayette Hill, PA 19444-2431	Whitemarsh Township Montgomery County	SERO
PA0026522	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
PA0026255	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Issued	Allegheny Valley Joint Sewer Authority P.O. Box 158 2400 Freeport Road Cheswick, PA 15024-0158	Harmar Township Allegheny County	SWRO
0201402	Major Sewage Treatment Facility Individual WQM Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
0609404	Major Sewage Treatment Facility Individual WQM Permit	Issued	Spring Township Berks County 2850 Windmill Road Sinking Spring, PA 19608-1668	Spring Township Berks County	SCRO
0906407	Major Sewage Treatment Facility Individual WQM Permit	Issued	Warwick Township Water & Sewer Authority Bucks County 1733 Township Greene Jamison, PA 18929	Warwick Township Bucks County	SERO
6586418	Major Sewage Treatment Facility Individual WQM Permit	Issued	Franklin Township Municipal Sanitary Authority 3001 Meadowbrook Road Murrysville, PA 15668-1627	Murrysville Borough Westmoreland County	SWRO
PA0028126	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA American Water Co. 800 W Hershey Park Drive Hershey, PA 17033-2400	Pittsburgh City Allegheny County	SWRO
PA0253561	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Somerset County Gen Authority 300 N Center Avenue Suite 500 Somerset, PA 15501-1499	Jenner Township Somerset County	SWRO
PA0036200	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Radley Run Mews Sewer Assoc P.O. Box 84 Pocopson, PA 19366-0084	Birmingham Township Chester County	SERO
PA0087041	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Sun Comm Inc. 27777 Franklin Road Southfield, MI 48034	Brecknock Township Lancaster County	SCRO
PA0238988	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Greene Meadows Septic Association 2130 Deer Run Trail Erie, PA 16509-5600	Greene Township Erie County	NWRO



## NOTICES

435

<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>
PA0276057	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Wyoming Valley Sanitary Authority 1000 Wilkes-Barre Street P.O. Box 33A Hanover Township, PA 18706-5244	Larksville Borough Luzerne County	NERO
PA0041441	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Somerset Township Municipal Authority P.O. Box 247 Somerset, PA 15501-0247	Somerset Township Somerset County	SWRO
PA0084191	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Peters Township Municipal Authority P.O. Box 19 5000 Steele Avenue Lemasters, PA 17231-0019	Peters Township Franklin County	SCRO
1506419	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	ER Frazer LLC P.O. Box 232 Kulpsville, PA 19443	East Whiteland Township Chester County	SERO
2503414	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Greene Meadows Septic Association 2130 Deer Run Trail Erie, PA 16509-5600	Greene Township Erie County	NWRO
NOEXNE055	No Exposure Certification	Issued	Nike USA Inc. 3633 Commerce Center Boulevard Bethlehem, PA 18015-9501	Bethlehem City Northampton County	NERO
NOEXNW097	No Exposure Certification	Issued	VPI Acquisition Corp d/b/a Viking Plastics P.O. Box 136 Corry, PA 16407-0136	Corry City Erie County	NWRO
NOEXNW155	No Exposure Certification	Issued	Metal Powder Products Co. 150 Ford Road St Marys, PA 15857	Saint Marys City Elk County	NWRO
NOEXNW184	No Exposure Certification	Issued	Advanced Finishing USA Inc. 7401 Klier Drive Fairview, PA 16415-2462	Fairview Township Erie County	NWRO
NOEXSC413	No Exposure Certification	Issued	Earthcare Bethel LLC 3311 E Powell Avenue Evansville, IN 47714-0438	Bethel Township Berks County	SCRO
NOEXSE089	No Exposure Certification	Issued	RR Donnelley 9985 Gantry Road Philadelphia, PA 19115-1001	Philadelphia City Philadelphia County	SERO
NOEXSE303	No Exposure Certification	Issued	Specialty Chemicals System 243 Shoemaker Road Pottstown, PA 19464-6433	Pottstown Borough Montgomery County	SERO
NOEXSE357	No Exposure Certification	Issued	Biocoat Inc. 123 Rock Road Horsham, PA 19044	Horsham Township Montgomery County	SERO
NOEXSW233	No Exposure Certification	Issued	Wilmerding Whse LLC 108 Plunkett Drive Zelienople, PA 16063-8716	Wilmerding Borough Allegheny County	SWRO
NOEXSW247	No Exposure Certification	Issued	Lanxess Corp 8 Morgan Road Burggettstown, PA 15021-9503	Hanover Township Washington County	SWRO

## NOTICES

<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>
PAG030048	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Harris Fuels Inc. 206 Otter Street Bristol, PA 19007	Newtown Borough Bucks County	SERO
PAG030076	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	RSI Leasing Inc. 2419 Science Parkway Okemos, MI 48864-2562	Pottstown Borough Montgomery County	SERO
PAG030107	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Berry Global Inc. 1075 Hemlock Road Morgantown, PA 19543-9803	Honey Brook Township Chester County	SERO
PAG030205	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	First Student Inc. 600 Vine Street Suite 1400 Cincinnati, OH 45202	Hatfield Township Montgomery County	SERO
PAG030231	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	United Metal Traders Inc. 5240 Comly Street Philadelphia, PA 19135	Philadelphia City Philadelphia County	SERO
PAG030238	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JKLM Corp 300 South Steel Road Morrisville, PA 19067	Springfield Township Bucks County	SERO
PAG030238	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Simsmetal East LLC 300 South Steel Road Morrisville, PA 19067	Springfield Township Bucks County	SERO
PAG030249	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	SEPTA 1234 Market Street 6th Floor Philadelphia, PA 19107	Upper Darby Township Delaware County	SERO
PAG030256	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Greenwich Terminal LLC 3301 S Columbus Boulevard Philadelphia, PA 19148	Philadelphia City Philadelphia County	SERO
PAG030259	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Estes Express Lines Corp 3901 West Broad Street Richmond, VA 23230	Bensalem Township Bucks County	SERO
PAG030287	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fluid Energy Proc & Equip Co. 4300 Bethlehem Pike Telford, PA 18969-1131	Hatfield Township Montgomery County	SERO
PAG032253	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Joe Squid Inc. 1410 Plank Road New Milford, PA 18834-7603	Harford Township Susquehanna County	NERO
PAG032287	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Luzerne County Luzerne County Courthouse 200 North River Street Wilkes-Barre, PA 18711	Forty Fort Borough Luzerne County	NERO
PAG032312	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Phoenix Forging Co. Inc. 800 Front Street Catasauqua, PA 18032-2343	Catasauqua Borough Lehigh County	NERO
PAG032387	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Amcor Flexibles North American Inc. 20 Jaycee Drive West Hazleton, PA 18202-1142	Hazle Township Luzerne County	NERO

<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>
PAG033507	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Procter & Gamble District LLC 9300 Olde Scotland Road Shippensburg, PA 17257-8887	Southampton Township Franklin County	SCRO
PAG033612	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Susquehanna Area Region Airport Authority 1 Terminal Drive Suite 300 Middletown, PA 17057-5045	Cumberland Township Adams County	SCRO
PAG033615	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kinsley Const Inc. 2700 Water Street P.O. Box 2886 York, PA 17405	Springettsbury Township York County	SCRO
PAG033643	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kinsley Const Inc. 2700 Water Street York, PA 17403-9306	West Manchester Township York County	SCRO
PAG033710	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Red Rose Transit Authority 45 Erick Road Lancaster, PA 17601-3111	Lancaster City Lancaster County	SCRO
PAG033738	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Royal Green LLC 620 North Lincoln Avenue Lebanon, PA 17042	Lebanon City Lebanon County	SCRO
PAG033779	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ross Industrial LLC 104 N Maple Avenue Leola, PA 17540-9799	Upper Leacock Township Lancaster County	SCRO
PAG033783	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Esab Group Inc. 801 Wilson Avenue Hanover, PA 17331-7948	Penn Township York County	SCRO
PAG033798	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Mack Trucks Inc. 2800 Commerce Drive Middletown, PA 17057-3204	Lower Swatara Township Dauphin County	SCRO
PAG033802	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rubin Steel Co. 965 Lancaster Pike Quarryville, PA 17566-9746	Lancaster City Lancaster County	SCRO
PAG033852	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kellogg USA LLC 2050 State Road Lancaster, PA 17601-1821	East Hempfield Township Lancaster County	SCRO
PAG033864	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Full Circle Recycling Inc. 965 Lancaster Pike Quarryville, PA 17566-9746	Lancaster Township Lancaster County	SCRO
PAG033890	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Envirite of PA Inc. 730 Vogelsong Road York, PA 17404-6707	York City York County	SCRO
PAG033906	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Baughmans U-Pull-It 441 N Eberts Lane York, PA 17403-1140	York City York County	SCRO
PAG033930	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	DFA Dairy Brands Fluid LLC 2401 Walnut Street Lebanon, PA 17042-9444	North Cornwall Township Lebanon County	SCRO

## NOTICES

<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>
PAG033942	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Swatara Township Dauphin County	SCRO
PAG033966	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gichner System Group Inc. 490 E Locust Street Dallastown, PA 17313-1902	York Township York County	SCRO
PAG034979	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Central Bldr Supply Co. P.O. Box 152 Sunbury, PA 17801-0152	Penn Township Snyder County	NCRO
PAG034990	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Opportunity Place LLC 381 Yeager Road Howard, PA 16841-1813	Beech Creek Township Clinton County	NCRO
PAG034995	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Central Bldr Supply Co. P.O. Box 152 Sunbury, PA 17801-0152	Delaware Township Northumberland County	NCRO
PAG035042	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Principle Enterprises LLC 2897 Route 414 Canton, PA 17724-7223	Canton Township Bradford County	NCRO
PAG036112	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	EDPO LLC 2719 Walton Street P.O. Box 669 Philipsburg, PA 16866-8517	Northern Cambria Borough Cambria County	SWRO
PAG036170	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kosmos Cement Co. LLC 15301 Dixie Highway Louisville, KY 40272	Neville Township Allegheny County	SWRO
PAG036232	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Amazon Com Service LLC P.O. Box 80842 Attn: NA Env Dept Seattle, WA 98108-0842	Aleppo Township Allegheny County	SWRO
PAG036297	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FMC Tech Surface Integrated Service Inc. 12 Arentzen Boulevard Charleroi, PA 15022-1060	Speers Borough Washington County	SWRO
PAG036319	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Heidelberg Materials US Inc. 111 Asphalt Lane Adamsburg, PA 15611	Hempfield Township Westmoreland County	SWRO
PAG036412	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Oneal Steel Inc. 2975 Duss Avenue Suite 100 Ambridge, PA 15003-1487	Harmony Township Beaver County	SWRO
PAG036448	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sunoco Midstream LLC 8111 Westchester Drive Dallas, TX 75225-6140	Speers Borough Washington County	SWRO
PAG036484	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	CBC Latrobe Acquisition LLC 100 33rd Street Latrobe, PA 15650-1477	Latrobe Borough Westmoreland County	SWRO
PAG036507	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Matthews Bus Co. 1112 1st Street Jefferson Hills, PA 15025-0079	Castle Shannon Borough Allegheny County	SWRO



<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>
PAG038312	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Reed Oil Co. 511 Montgomery Avenue New Castle, PA 16102-1111	Venango Township Erie County	NWRO
PAG038383	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JW Marshall Inc. 109 Browns Hill Road Valencia, PA 16059-3101	Middlesex Township Butler County	NWRO
PAG038408	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Penn Mag Inc. 719 Tarrtown Road Adrian, PA 16210-1219	East Franklin Township Armstrong County	NWRO
PAG038417	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ronald Renick 849 W Sunbury Road West Sunbury, PA 16061-2519	Clay Township Butler County	NWRO
PAG038418	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wiest Asphalt Products & Paving Inc. 310 Mitchell Hill Road Butler, PA 16002-9182	Summit Township Butler County	NWRO
PAG038442	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Purvis Bros Inc. P.O. Box 957 321 Mars-Valencia Road Mars, PA 16046-0957	Adams Township Butler County	NWRO
PAG038443	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Koda Holdings LLC 560 Branchton Road Slippery Rock, PA 16057-3216	Slippery Rock Township Butler County	NWRO
PAG038470	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Famco Service & Mach Inc. 754 S Main Street Ext Punxsutawney, PA 15767-7943	Young Township Jefferson County	NWRO
PAG038471	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Efco Inc. P.O. Box 4061 Erie, PA 16512-4061	Erie City Erie County	NWRO
PAG043982	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Cramer Kenneth 11016 Teakwood Lane Enola, PA 17025	East Pennsboro Township Cumberland County	SCRO
PAG133575	PAG-13 NPDES General Permit for MS4s	Waived	Earl Township 19 Schoolhouse Road Boyertown, PA 19512-7926	Earl Township Berks County	SCRO
PAG152202	PAG-15 NPDES General Permit for Pesticides	Issued	PA American Water Co. 2699 Stafford Avenue Scranton, PA 18505-3608	Dallas Township Luzerne County	NERO
0405405	Pump Stations WQM Individual Permit	Issued	Beaver Falls City 715 15th Street Beaver Falls, PA 15010-4124	Eastvale Borough Beaver County	SWRO
0270478	Sewer Extensions WQM Individual Permit	Issued	Peters Creek Sanitary Authority 3502 Lincoln Avenue Finleyville, PA 15332-1312	Peters Township Washington County	SWRO
0271418	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
0274411	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO

<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>
0274435	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
4509406	Sewer Extensions WQM Individual Permit	Issued	Stroudsburg Borough 700 Sarah Street Stroudsburg, PA 18360-2122	Stroudsburg Borough Monroe County	NERO
462S110	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
464S025	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
466S058	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
468S074	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
6310401	Sewer Extensions WQM Individual Permit	Issued	Peters Township Sanitary Authority 111 Bell Drive McMurray, PA 15317-3415	Peters Township Washington County	SWRO
6723402	Sewer Extensions WQM Individual Permit	Issued	Newberry Township 1915 Old Trail Road Etters, PA 17319-9130	Newberry Township York County	SCRO
08270-S	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
8326	Sewer Extensions WQM Individual Permit	Issued	W Mifflin Sanitary Sewer and Stormwater Authority 1302 Lower Bull Run Road West Mifflin, PA 15122-2902	West Mifflin Borough Allegheny County	SWRO
PA0244490	Single Residence STP Individual NPDES Permit	Issued	Patrick Reilly and Paula Holzman 171 Creamery Road Coatesville, PA 19320-1716	West Caln Township Chester County	SERO
PA0245313	Single Residence STP Individual NPDES Permit	Issued	The Grist At Mather Mill Ltd 7032 Lafayette Avenue Fort Washington, PA 19034	Whitemarsh Township Montgomery County	SERO
PA0266698	Single Residence STP Individual NPDES Permit	Issued	Danciu Ina 3501 New Holland Road Mohnton, PA 19540-8638	Cumru Township Berks County	SCRO
PA0291463	Single Residence STP Individual NPDES Permit	Issued	Hedlund Cortney 2464 W Washington Street Bradford, PA 16701-2415	Corydon Township McKean County	NWRO
0617406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Danciu Ina 3501 New Holland Road Mohnton, PA 19540-8638	Cumru Township Berks County	SCRO
4222409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hedlund Cortney 2464 W Washington Street Bradford, PA 16701-2415	Corydon Township McKean 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>
WQG01212302	WQG-01 WQM General Permit	Issued	Cramer Kenneth 11016 Teakwood Lane Enola, PA 17025	East Pennsboro Township Cumberland County	SCRO
WQG02152301	WQG-02 WQM General Permit	Issued	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Penn Township Chester County	SERO
WQG02632302	WQG-02 WQM General Permit	Issued	Burgettstown Rd Assoc LLC 100 Leetsdale Industrial Drive Leetsdale, PA 15056-1042	Findlay Township Allegheny County	SWRO

## II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC400292	PAG-02 General Permit	Issued	Can Do Hazleton LLC Zev Steinmetz 3 Chestnut Street Suffern, NY 10901	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC090577	PAG-02 General Permit	Issued	Hallmark Homes— Schoolhouse LLC 865 Easton Road Suite 320 Warrington, PA 18976-1877	New Britain Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@pa.gov
PAC090653	PAG-02 General Permit	Issued	Kampus Klothes, LLC 164 Railroad Drive Ivyland, PA 18974	Warwick Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@pa.gov
PAC680057	PAG-02 General Permit	Issued	PA DEP Bureau of Abandoned Mine Reclamation 286 Industrial Park Road Ebensburg, PA 15931	Decatur Township Clearfield County	DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800
PAC230065	PAG-02 General Permit	Issued	Toll Mid-Atlantic, LP Company 1140 Virginia Drive Fort Washington, PA 19034-1140	Middletown 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
PAC250179A1	PAG-02 General Permit	Issued	PADOT District 1 255 Elm Street Oil City, PA 16301	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAG10001C	PAG-02 General Permit	Issued	Franklin City General Authority 430 13th Street Franklin, PA 16323	City of Franklin Venango County	Venango County Conservation District 4871 US 322 Franklin, PA 16323 814-676-2832

<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>
PAC250200	PAG-02 General Permit	Issued	Catherines Acres LLC 2449 Woodlawn Avenue Erie, PA 16510	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC320028	PAG-02 General Permit	Issued	Indiana County Development Corporation 801 Water Street Indiana, PA 15701	Center Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751
PAC650186	PAG-02 General Permit	Issued	Charles Frazier S&A Homes Inc. 2121 Old Gatesburg Road State College, PA 16803	Hempfield Township Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271
PAC650359	PAG-02 General Permit	Issued	Joshua Shelton— Shelton Plumbing 1556 Greensburg Road New Kensington, PA 15068	Washington Township Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271
PAC630286	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	Fallowfield Twp Charleroi Boro Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC630299	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	Elco and Roscoe Boros Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC010261	PAG-02 General Permit	Issued	George Bushman 7 Howard Drive East Berlin, PA 17316	Menallen Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC110115	PAG-02 General Permit	Issued	Northpointe Development Group 985 Towne Sq. Dr. Suite 200 Greensburg, PA 15601	Richland Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120
PAC630218A-1	PAG-02 General Permit	Issued	Cecil Township 3599 Millers Run Road Cecil, PA 15321	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC040116A-1	PAG-02 General Permit	Issued	Independence Excavating, Inc. 5720 E. Schaaf Rd Independence, OH 44131	New Sewickley Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701



<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>
PAC360122A-2	PAG-02 General Permit	Issued	Catherine Hershey Schools for Early Learning P.O. Box 830 Hershey, PA 17033	City of Lancaster Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 814-627-1626
PAC650058A-3	PAG-02 General Permit	Issued	John Duwall—Adelphoi USA, Inc. 1119 Village Way Latrobe, PA 15650	Latrobe Borough Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271
PAC360348A-1	PAG-02 General Permit	Issued	Manheim Auto Auction 1190 Lancaster Road Manheim, PA 17545	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 814-627-1626
PAC360859A-1	PAG-02 General Permit	Issued	Samuel Brothers Realty LP 2191 Lincoln Highway East Lancaster, PA 17602	East Lampeter Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 814-627-1626
PAC360902	PAG-02 General Permit	Issued	Benuel King 1867 Kirkwood Pike Kirkwood, PA 17536	Colerain Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 814-627-1626
PAC670383A-2	PAG-02 General Permit	Issued	Northern York County School District 630 South Baltimore Street Dillsburg, PA 17019	Carroll Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC670535A-2	PAG-02 General Permit	Issued	Keel-Mark Farms LLC 335 Indian Rock Dam Road York, PA 17403	York Township York County	York County Conservation District 2401 Pleasant Valley Road York, PA 17402 717-840-7430
PAC380293	PAG-02 General Permit	Issued	Eastern Enterprises, Inc. P.O. Box 100 Mount Gretna, PA 17064	West Cornwall Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC280340	PAG-02 General Permit	Issued	KLS Investment Properties 6934 Tippetts Drive Mercersburg, PA 17236	Mercersburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280342	PAG-02 General Permit	Issued	Simon Zaiger 3705 Oak Hill Road Waynesboro, PA 17268	Saint Thomas Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499

## NOTICES

<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>
PAC280049	PAG-02 General Permit	Issued	Portersneck, LLC 434 Pheonix Drive Chambersburg, PA 17201	Hamilton Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280315A-1	PAG-02 General Permit	Issued	Shippensburg Area School District 317 North Morris Street Shippensburg, PA 17257	Shippensburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280324	PAG-02 General Permit	Issued	Chambersburg Wayne Developers, LLC 1195 Route 70 Suite 2000 Lakewood, NJ 08701	Chambersburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC480172	PAG-02 General Permit	Issued	Trevon Construction 30 Church Street P.O. Box 0811 Liberty Corner, NJ 07938	Williams Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@ pa.gov
PAC280107A-1	PAG-02 General Permit	Issued	Ted Snowberger 10880 Rinehart Drive Waynesboro, PA 17268	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280339	PAG-02 General Permit	Issued	Keystone Rural Health Center 111 Chambers Hill Drive Chambersburg, PA 17201	Chambersburg Borough Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC400215 A-1	PAG-02 General Permit	Issued	The Hub at Sand Springs, LLC Mike Tuskes 4511 Falmer Drive Bethlehem, PA 18020	Butler Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov
PAC080080	PAG-02 General Permit	Issued	Charles Jennings 2150 Cider Mill Rd Grannville Summit, PA 16925	Granville Township Bradford County	Bradford County Conservation District 200 Lake Rd Ste E Towanda, PA 18848-9693 570-265-5539

<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>
PAC140160	PAG-02 General Permit	Issued	Transducer Works, LLC 2821 State Route 487 Orangeville, PA 17859	Potter Township Centre County	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 814-355-6817
PAC180003 A-2	PAG-02 General Permit	Issued	Wayne Township Landfill P.O. Box 209 McElhatten, PA 17748	Wayne Township Clinton County	Clinton County Conservation District 45 Cooperation Ln Mill Hall, PA 17751 570-726-3798
PAC190080	PAG-02 General Permit	Issued	LGN Management LLC— Gabriel Hutchinson 333 Rose Street Williamport, PA 17701	Benton Township Columbia County	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 570-784-1310
PAD190081	PAG-02 General Permit	Issued	Williams Solar Holdco, LLC c/o Jayme Stotka 2000 Commerce Drive Pittsburgh, PA 15275	Orange Township Columbia County	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 570-784-1310
PAD410047 A-1	PAG-02 General Permit	Issued	Tesla Sheetz 1170 Garfield Ave # 2 Lancaster, PA 17601	Clinton Township Lycoming County	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville, PA 17754-0218 570-433-3003
PAC410101	PAG-02 General Permit	Issued	Department of Corrections SCI Muncy 6454 Route 405 Muncy, PA 17756	Clinton Township Lycoming County	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville, PA 17754-0218 570-433-3003
PAC410103	PAG-02 General Permit	Issued	Jersey Shore Thompson Street Park 232 Smith St Jersey Shore, PA 17740	Jersey Shore Borough Lycoming County	Lycoming County Conservation District 542 County Farm Rd Suite 202 Montoursville, PA 17754 570-433-3003
PAC470043	PAG-02 General Permit	Issued	Geisinger Medical Center N. Academy Ave Danville, PA 17821	Mahoning Township Montour County	Montour County Conservation District 1210 Bloom Road Danville, PA 17821 570-271-1140
PAC600037	PAG-02 General Permit	Issued	Lewisburg Area School District John Fairchild 545 Newman Road Lewisburg, PA 17837	Kelly Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860
PAC600111	PAG-02 General Permit	Issued	Homestead Heights of New Berlin, Inc Matthew Zimmerman 7776 State Route Mifflinburg, PA 17844	Limestone Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860

**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>
Wilmer W Nolt 166 Ulrich Road Peach Bottom, PA 17563	Lancaster County	293	229.51	Ducks Dairy	HQ	Approved
Harold Merkey 2904 Sunnyside Road Manheim, PA 17545	Lancaster County	50.2	453.4	Swine Horses	NA	Approved
Joel Knoebel Cleveland Pork Inc 110 Center School Road Elysburg, PA 17824	Columbia County	38.6	1,387.18	Swine	HQ	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. 1423510MA**, Minor Amendment, Public Water Supply.

Applicant **Pennsylvania State University**  
 Address 139J Physical Plant Building  
 University Park, PA 16802  
 Municipality College Township  
 County **Centre County**  
 Consulting Engineer Charles W Stover II  
 209 Water Treatment Plant  
 Building  
 University Park, PA 16802  
 Application Received October 23, 2023  
 Permit Issued January 8, 2024  
 Description This permit grants permission to modify the nanofiltration clean-in-place and antiscalant chemicals and to replace the pump, motor, and appurtenances in Well UN33.

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

*Contact: Lorrie Fritz, CA2, 570-830-3048.*

**Construction Permit No. 3480029-E3**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 Address 1 Aqua Way  
 White Haven, PA 18661  
 Municipality Moore Township  
 County **Northampton County**  
 Consulting Engineer David R. Knapton, P.E.  
 GHD, Inc.  
 4068 Mt. Royal Boulevard  
 Gamma Building  
 Suite 201  
 Allison Park, PA 15101  
 Application Received August 15, 2023  
 Permit Issued January 5, 2024  
 Description Time extension for well station temporary filter addition at the Evanwood Water System located at 2493 Evanwood Road in Moore Township.

**Operation Permit No. 3390374**, Public Water Supply.

Applicant **Lehigh Valley Hospital, Inc.  
 Lehigh Valley Health Network**  
 Address One City Center  
 707 E. Hamilton Street  
 Executive Suite  
 9th Floor  
 Allentown, PA 18101  
 Municipality Salisbury Township

County  
 Consulting Engineer

**Lehigh County**

Wayne F. Jacobs, P.E.  
 Jacobs Engineering Associates  
 1914 Mt. Royal Boulevard  
 Glenshaw, PA 15116

Application Received  
 Permit Issued  
 Description

October 24, 2023  
 November 16, 2023  
 Lehigh Valley Hospital—  
 Cedar Crest Campus secondary  
 disinfection. Monochloramine  
 will be fed to the domestic cold  
 and hot water systems and enter  
 the distribution system at six (6)  
 distinct Entry Points.

**Construction Permit No. 4823501MA**, Minor Amendment, Public Water Supply.

Applicant  
 Address  
 Municipality  
 County  
 Consulting Engineer

**City of Bethlehem**  
 10 East Church Street  
 Bethlehem, PA 18018  
 East Allen Township  
**Northampton County**  
 Mr. Steven G. Lowry, P.E.  
 City of Bethlehem  
 10 East Church Street  
 Bethlehem, PA 18018

Application Received  
 Permit Issued  
 Description

July 14, 2023  
 January 3, 2024  
 Construction permit which  
 proposed to replace the existing  
 1,000 rinse water holding tank  
 in-kind, clean and flush the  
 existing 10,000-gallon finished  
 water storage tank as a  
 maintenance activity and  
 temporarily supply the system  
 directly with finished water from  
 a permitted finished water bulk  
 hauler (Palmieri & Sons—  
 PWS ID No. 3480050) during  
 this activity, and delete a  
 redundant performance  
 monitoring condition—Special  
 Condition 5—listed in PWS  
 Operations Permit 3480022  
 issued May 2, 2023.

**Construction Permit No. 4821503**, Public Water Supply.

Applicant  
 Address  
 Municipality  
 County  
 Consulting Engineer

**Aqua Pennsylvania, Inc.**  
 1 Aqua Way  
 White Haven, PA 18661  
 Moore Township  
**Northampton County**  
 David R. Knapton, P.E.  
 GHD, Inc.  
 4068 Mt. Royal Boulevard  
 Gamma Building  
 Suite 201  
 Allison Park, PA 15101

Application Received  
 Permit Issued

August 15, 2023  
 December 4, 2023

Description Time extension for PWS Permit No. 4821503 for Well station filter addition at the Evanwood Water System located at 2493 Evanwood Road in Moore Township.

**Operation Permit No. 3480030**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
 Address 1 Aqua Way  
 White Haven, PA 18661  
 Municipality Moore Township  
 County **Northampton County**  
 Consulting Engineer Jonathan Morris, P.E.  
 GHD, Inc.  
 4068 Mt. Royal Boulevard  
 Gamma Building  
 Suite 201  
 Allison Park, PA 15101

Application Received December 1, 2023

Permit Issued December 21, 2023

Description Treatment system includes an oxidation and pressure filtration system, manganese removal, disinfection, sequestration, and general corrosion control, housed in a new well station building.

**Operation Permit No. 3390024**, Public Water Supply.

Applicant **Lehigh County Authority**  
 Address 1300 Martin Luther King Drive  
 Allentown, PA 18102  
 Municipality City of Allentown  
 County **Lehigh County**  
 Consulting Engineer Jason G. Saylor, P.E.  
 Utility Services Company, Inc.  
 1230 Peachtree St. NE  
 Suite 1100  
 Atlanta, GA 30309

Application Received October 16, 2023

Permit Issued November 3, 2023

Description 19th Ward Water Storage Tank Renovation Project.

**Operation Permit No. 2520062**, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Municipality Lehman Township  
 County **Pike County**  
 Consulting Engineer Maureen Coleman, P.E.  
 Pennsylvania American Water Company  
 2699 Stafford Ave  
 Scranton, PA 18505

Application Received October 30, 2023

Permit Issued November 27, 2023

Description Rigby and Dorchester Storage Tanks Replacement Projects.

**Operation Permit No. 2400076**, Public Water Supply.

Applicant **Veolia Water Pennsylvania, Inc.**  
 Address 6310 Allentown Boulevard  
 Suite 104  
 Harrisburg, PA 17112  
 Municipality Dallas Township  
 County **Luzerne County**  
 Consulting Engineer Peng Chen, P.E.  
 Veolia Water Pennsylvania, Inc.  
 6310 Allentown Boulevard  
 Suite 104  
 Harrisburg, PA 17112

Application Received November 3, 2023

Permit Issued December 7, 2023

Description Warren Drive Well Station (Overbrook Well No's. 1 and 2) Integration into Veolia Dallas Water System.

**Operation Permit No. 2640048**, Public Water Supply.

Applicant **Aqua America, Inc.**  
 Address 1775 Main Street  
 Honesdale, PA 18431  
 Municipality Lake Township  
 County **Wayne County**  
 Consulting Engineer Patrick Burke, P.E.  
 Entech Engineering, Inc.  
 201 Penn Street  
 Suite 300  
 P.O. Box 32  
 Reading, PA 19603

Application Received October 9, 2023

Permit Issued January 3, 2024

Description Approval to operate a replacement online chlorine analyzer at Well House No. 4.

**Operation Permit No. 2450063**, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Municipality Coolbaugh Township  
 County **Monroe County**  
 Consulting Engineer Scott Thomas, P.E.  
 Pennsylvania American Water Company  
 852 Wesley Drive  
 Mechanicsburg, PA 17055

Application Received December 19, 2023

Permit Issued January 3, 2024

Description Approval to operate the rehabilitated PCP Main Service Tank.

**Construction Permit No. 6423506MA**, Minor Amendment, Public Water Supply.

Applicant **Aqua America, Inc.**  
 Address 1775 Main Street  
 Honesdale, PA 18431

Municipality Lake Township  
 County **Wayne County**  
 Consulting Engineer Patrick Burke, P.E.  
 Entech Engineering, Inc.  
 201 Penn Street  
 Suite 300  
 P.O. Box 32  
 Reading, PA 19603

Application Received October 9, 2023  
 Permit Issued January 3, 2024  
 Description Approval to install a replacement online chlorine analyzer at Well House No. 4.

**Operation Permit No. 2450065**, Public Water Supply.

Applicant **Community Utilities of Pennsylvania, Inc.**  
 Address 570 Hallet Road  
 East Stroudsburg, PA 18301

Municipality Stroud Township  
 County **Monroe County**  
 Consulting Engineer Emily Ann Long  
 State Operations Manager  
 Community Utilities of Pennsylvania, Inc.  
 570 Hallet Road  
 East Stroudsburg, PA 18301

Application Received December 12, 2023  
 Permit Issued December 21, 2023  
 Description Request for the Designation of Optimal Water Quality Parameters for the Penn Estates water system.

**Operation Permit No. 2450034**, Public Water Supply.

Applicant **Brodhead Creek Regional Authority**  
 Address 410 Mill Creek Road  
 East Stroudsburg, PA 18301

Municipality Stroud Township  
 County **Monroe County**  
 Consulting Engineer Chris Borger, P.E.  
 Brodhead Creek Regional Authority  
 410 Mill Creek Road  
 East Stroudsburg, PA 18301

Application Received December 19, 2023  
 Permit Issued December 22, 2023  
 Description Frantz Road Tank Leak Repairs.

**Construction Permit No. 4523504MA**, Minor Amendment, Public Water Supply.

Applicant **Barton Court MHC, LLC**  
 Address 1199 Lancaster Avenue  
 Suite 100  
 Berwyn, PA 19312

Municipality Pocono Township  
 County **Monroe County**

Consulting Engineer Craig LaBarre  
 Portland Contractors, Inc.  
 P.O. Box 554  
 Portland, PA 18351

Application Received April 10, 2023  
 Permit Issued December 21, 2023  
 Description Barton Court Mobile Home Park Well No. 2 casing extension.

**Operation Permit No. 2359008**, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055

Municipality North Abington Township  
 County **Lackawanna County**  
 Consulting Engineer Maureen Coleman, P.E.  
 Pennsylvania American Water Company  
 2699 Stafford Avenue  
 Scranton, PA 18505

Application Received November 29, 2023  
 Permit Issued January 11, 2024  
 Description New 300,000-gallon finished water storage tank (Ivy Tank No. 2), with a passive mixing system, and active mixing system for TTHM reduction.

**Construction Permit No. 1323502**, Major Amendment, Public Water Supply.

Applicant **JFBB Ski Areas, Inc. d/b/a Jack Frost Ski Area**  
 Address Jack Frost Mountain Summit Lodge  
 P.O. Box 1539  
 Blakeslee, PA 18610-1539

Municipality Kidder Township  
 County **Carbon County**  
 Consulting Engineer Mr. Robert H. Schemmerling, P.E.  
 RHS Engineering, Inc.  
 2909 Conococheague Lane  
 Greencastle, PA 17225

Application Received September 7, 2023  
 Permit Issued January 11, 2024  
 Description The application proposed the installation of corrosion control treatment (CCT) facilities per the Department's Lead and Copper Rule (LCR) (soda ash with a blended potassium based phosphate (SLI-DP or equal)) and the installation of an Oxidation/Filtration Treatment System for Iron and Manganese Reduction at Well Nos. 2 and 3 including chlorination facilities for oxidation (12—15% sodium hypochlorite) prior to the filters and for disinfection after the filters.

Contact: Ryan Fox, Env. Engineering Specialist, 570-826-2533.

**Construction Permit No. 3523503MA**, Minor Amendment, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 Address 852 Wesley Dr.  
 Mechanicsburg, PA 17055  
 Municipality Roaring Brook Township  
 County **Lackawanna County**  
 Consulting Engineer Michael P. Goodwin, P.E.  
 12 Frear Hill Rd.  
 Tunkhannock, PA 18657  
 Application Received July 3, 2023  
 Permit Issued January 10, 2024  
 Description Constriction Permit issued for addition of 3.5 MG finished water storage tank at the PA American Water Co. Lake Scranton Treatment Plant.

**Emergency Permit No. 2520056-E3**, Public Water Supply.

Applicant **Pennsylvania American Water Company—All Seasons**  
 Address 852 Wesley Dr.  
 Mechanicsburg, PA 17055  
 Municipality Delaware Township  
 County **Pike County**  
 Application Received January 12, 2024  
 Permit Issued January 12, 2024  
 Description Extension of existing emergency bulk water hauling permit (limited duration).

**Transfer Permit No. 2400042**, Public Water Supply.

Applicant **Beechcrest Properties, LLC**  
 Address 34 Beechcrest Ln.  
 White Haven, PA 18661  
 Municipality Dennison Township  
 County **Luzerne County**  
 Application Received October 18, 2024  
 Permit Issued January 12, 2024  
 Description PWS Transfer permit issued to Beechcrest Properties, LLC

**Emergency Permit No. 2350029EP**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.—Sunset Hills**  
 Address 762 W. Lancaster Ave.  
 Bryn Mawr, PA 19010  
 Municipality North Abington Township  
 County **Lackawanna County**  
 Consulting Engineer Environmental Resources Management, Inc.  
 75 Valley Stream Parkway  
 Suite 200  
 Malvern, PA 19355

Application Received January 3, 2024  
 Permit Issued January 5, 2024  
 Description Emergency Bulk Water Hauling Permit issued to supplement water supply during new source development.

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

Contact: Joseph Mattucci, Program Manager, 717-705-4931.

**NCWSA Operation Permit No. 3060408**, Public Water Supply.

Applicant **Centerfork Management, LLC**  
 Address 689 Tilden Road  
 Mohrsville, PA 19541  
 Municipality Mohrsville  
 County **Berks County**  
 Consulting Engineer Gregg Kinsey  
 689 Tilden Road  
 Mohrsville, PA 19541

Application Received January 3, 2024  
 Permit Issued January 9, 2024  
 Description This Noncommunity Water System (NCWS) Approval to Operate is being issued to Drover's Grind (PWSID 3060408) in response to the completed construction activities as approved under NCWS Approval to Construct issued November 22, 2023.

**Operation Permit No. 0123503 MA**, Minor Amendment, Public Water Supply.

Applicant **Arendtsville Borough**  
 Address 1 Chestnut Street  
 Arendtsville, PA 17303  
 Municipality Arendtsville Borough  
 County **Adams County**  
 Consulting Engineer Craig Zack, P.E.  
 143 Carlisle Street  
 Gettysburg, PA 17325

Application Received January 2, 2024  
 Permit Issued January 9, 2024  
 Description This operation permit approves the use of the rehabilitated 300,000-gallon finished water storage tank for the Arendtsville Municipal Authority (PWSID 7010001).

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

Contact: Kimberleigh Rivers Clerical Assistant, 484-250-5887.

**Construction Permit No. 1523522**, Major Amendment, Public Water Supply.

Applicant **New Bolton Center**  
 Address 382 West Street Road  
 Kennett Square, PA 19348



Municipality East Marlborough Township  
 County **Chester County**  
 Consulting Engineer Remington & Vernick Engineers  
 600 West Hamilton Street  
 Suite 320  
 Allentown, PA 18101

Application Received October 25, 2023  
 Permit Issued January 10, 2024  
 Description Change of water source from  
 onsite wells to CWA supply.

**Construction Permit No. 1521528**, Major Amend-  
 ment, Public Water Supply.

Applicant **PA American (Shady Lane)**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055-4436

Municipality East Vincent Township  
 County **Chester County**  
 Consulting Engineer Gannett Fleming, Inc.  
 207 Senate Avenue  
 Camp Hill, PA 17011-2316

Application Received December 30, 2021  
 Permit Issued May 8, 2023  
 Description New water treatment plant will  
 be constructed on a green field  
 site near the existing water  
 treatment plant. The new WTP  
 will utilize conventional  
 treatment (flocculation,  
 sedimentation, gravity sand  
 filtration) plus UV treatment.

*Contact: Kimberleigh Rivers Clerical Assistant 2, 484-  
 250-5887.*

**Construction Permit No. 0923519**, Major Amend-  
 ment, Public Water Supply.

Applicant **Peddlers Village Partnership**  
 Address P.O. Box 218  
 Lahaska, PA 18931

Municipality Buckingham Township  
 County **Bucks County**  
 Consulting Engineer Gilmore & Associates, Inc.  
 65 East Butler Avenue  
 New Britain, PA 18901-5106

Application Received October 13, 2023  
 Permit Issued January 10, 2024  
 Description Water Supply Well and  
 Treatment Plant.

**Construction Permit No. 0922522**, Major Amend-  
 ment, Public Water Supply.

Applicant **Warwick House**  
 Address 1460 Meetinghouse Road  
 Hartsville, PA 18974-1070

Municipality Warwick Township  
 County **Bucks County**  
 Consulting Engineer Suburban Water Technology, Inc.  
 1697 Swamp Pike  
 Gilbertsville, PA 19525

Application Received October 14, 2022  
 Permit Issued August 23, 2023  
 Description Permit for adding pH adjustment  
 to existing system.

**Construction Permit No. 1522526**, Major Amend-  
 ment, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.  
 (West Chester)**  
 Address 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010

Municipality East Bradford  
 East Marlborough Twps.  
 County **Chester County**  
 Consulting Engineer BCM Engineers/Atlas Technical  
 Consultants  
 920 Germantown Pike  
 Plymouth Meeting, PA 19462

Application Received October 17, 2022  
 Permit Issued October 17, 2023  
 Description To Install two-line application  
 points at IMWTP and  
 installation of a corrosion  
 inhibitor system at WWH.

**Construction Permit No. 1521528**, Major Amend-  
 ment, Public Water Supply.

Applicant **PA American (Shady Lane)**  
 Address 852 Wesley Drive  
 Mechanicsburg, PA 17055-4436

Municipality East Vincent Township  
 County **Chester County**  
 Consulting Engineer Gannett Fleming, Inc.  
 207 Senate Avenue  
 Camp Hill, PA 17055-4436

Application Received December 30, 2021  
 Permit Issued May 8, 2023  
 Description New water treatment plant will  
 be constructed on a greenfield  
 site near the existing water  
 treatment plant. The new WTP  
 will utilize conventional  
 treatment (flocculation,  
 sedimentation gravity sand  
 filtration) plus UV treatment.

**Construction Permit No. 1522526**, Major Amend-  
 ment, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.  
 (West Chester)**  
 Address 762 W. Lancaster Avenue  
 Bryn Mawr, PA 19010

Municipality East Bradford  
 East Marlborough Twps.  
 County **Chester County**  
 Consulting Engineer BCM Engineers/Atlas Technical  
 Consultants  
 902 Germantown Pike  
 Suite 200  
 Plymouth Meeting, PA 19462

Application Received October 17, 2022

Permit Issued	October 17, 2023
Description	Install two-line application points at IMWTP and installation of a corrosion inhibitor system at WWH.
<b>Construction Permit No. 0922522</b> , Major Amendment, Public Water Supply.	
Applicant	<b>Warwick House</b>
Address	1460 Meetinghouse Road Hartsville, PA 18974-1070
Municipality	Warwick Township
County	<b>Bucks County</b>
Consulting Engineer	Suburban Water Technology, Inc. 1697 Swamp Pike Gilbertsville, PA 19525
Application Received	October 14, 2022
Permit Issued	August 23, 2023
Description	Permit for adding pH adjustment to existing system.

*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.*

**Operation Permit 4189510-A3**. PWSID No. **4410173**. **Williamsport Municipal Water Authority**, 253 West Fourth Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Application received: November 13, 2023. Permit Issued: January 8, 2024. This permit authorizes operation of a Water Buffalo to provide potable water to WMWA customers during emergency service water interruptions.

**Operation Permit 4189510-A3**. PWSID No. **4410173**. **Williamsport Municipal Water Authority**, 253 West Fourth Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. Application received: November 13, 2023. Permit Issued: January 8, 2024. This permit authorizes operation of a Water Buffalo to provide potable water to WMWA customers during emergency service water interruptions.

**Operation Permit 1822503**. PWSID No. **4180031**. **Eastern Gas Transmission & Storage, Inc.—Leidy Station**, 91 Gas Plant Lane, Renovo, PA 17764, Leidy Township, **Tioga County**. Application received: December 20, 2023. Permit Issued: January 11, 2024. This permit authorizes operation of a new chlorine pump, chlorine analyzer and chlorine injection point within the valve building, prior to the water entering the storage tank and recirculation system on the existing water storage tank. All facilities include Well No. 1, 3 HP submersible well pump, 73,000-gallon glass lined water storage tank, 2 Worthington 10 HP Centrifugal Booster Pumps, pressure switch, in-line cartridge filter, Mir-A-Force (polyphosphate) for corrosion control, and ion exchange for softening, recirculation pump, pressure tank, Evoqua On-Line pH, temperature and Amperometric Chlorine Analyzer Depolox 400M, with spare pH probe, Hayward RPV Series Pressure Relief Valves, 12.5% Sodium Hypochlorite solution, NSF 60 certified, Pulsafeeder Pulsatron Series A LB64 electronic metering pump, Pulsafeeder Pulsatron Chem-Tech Series XP-030 Peristal-

tic Metering pump, NSF 61 certified. Note that the entire water system is now approved by a public water supply operation permit under 25 Pa. Code § 109.503. It no longer qualifies for noncommunity approval under 25 Pa. Code § 109.505.

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

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Operation Permit 7500868**. PWSID No. **7500868**. **Karns Prime and Fancy Food Ltd.**, 35 Centre Dr, New Bloomfield, PA 17068, Centre Township, **Perry County**. Application received: January 4, 2024. Permit Issued: January 8, 2024. Comprehensive operation permit for the water treatment system upgrades.

**Operation Permit 5022505 MA**. PWSID No. **7500022**. **Newport Borough Water Authority**, 497 North Front Street, Newport, PA 17074, Newport Borough, **Perry County**. Application received: December 8, 2023. Permit Issued: January 9, 2024. Permit for river filtration plant modifications, including entry point flow meter, CFE turbidimeter replacement (after the fact), and relocation of CFE sample tap.

*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.*

**Water Allocation Permit WA04-1018A**. PWSID No. **5040009**. **Beaver Borough Municipal Authority**, 469 Third Street, Beaver, PA 15009, Beaver Borough, **Beaver County**. Application received: June 28, 2022. Permit Issued: January 10, 2024. The right to withdraw a maximum of 1,209,000 gallons per day (GPD) from Well No. 2, 1,080,000 GPD from Well No. 3, 1,382,000 GPD from Well No. 4, and 1,512,000 GPD from Well No. 5, with the total combined use from all four sources not to exceed 3,600,000 gallons of water per day.

#### WATER ALLOCATIONS

**Actions Taken on Applications Received Under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) Relating to the Acquisition of Rights to Divert Waters of the Commonwealth.**

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh C. Rivers, Clerical Assistant 2, 484-250-5887.*

**WA-15-1006A, Water Allocations. University of Pennsylvania (New Bolton)**, 382 West Street Road, Kennett Square, PA 19348, East Marlborough Township, Kennett Square, **Chester County**. University of Pennsylvania need to have a peak day flow of 300,000 gpd. Application received: October 25, 2023. Permit issued: November 16, 2023.

**WA-15-1006A, Water Allocations. University of Pennsylvania (New Bolton)**, 382 West Street Road, Kennett Square, PA 19348, East Marlborough Township, Kennett Square, **Chester County**. The University of Pennsylvania need to have a peak flow of 300,000 gpd. Application received: October 25, 2023. Issued: November 16, 2023.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as Amended, 35 P.S. § 750.5.**

*Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Lindsay Graeff, Sewage Planning Specialist, 717-705-4866.*

*Plan Location:*

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Carroll Township	50 Rambo Hill Rd Shermansdale, PA 17090	Perry County

*Plan Description:*

**David V. McCluskey Lot SFTF**, A3-50905-484-3S. The Department of Environmental Protection (DEP) has reviewed the proposed Official Plan revision for the property located at 7456 Spring Road in Carroll Township which proposes the use of a Small Flow Treatment Facility to replace a malfunctioning individual on-lot system that serves an existing commercial facility and apartment with flows of 1,060 gallons per day. The system will discharge to an unnamed tributary to Sherman’s Creek (WWF).

*Contact: Maria D. Bebenek, Program Manager, 717-705-4795.*

*Plan Location:*

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Douglass Township	1068 Douglass Drive Boyertown, PA 19512	Berks County

*Plan Description:*

**Official Act 537 Sewage Facilities Plan Areas 2, 3, and 4**, C2-06930-ACT. The plan provides for the continued use of on-lot sewage disposal systems in Areas 2—4 and the implementation of an On-lot Sewage Management Program. Additionally, proposed subdivisions and new land development projects proposing the use of on-lot sewage disposal systems that are within 1/4 mile of a well identified on Map 10 as exceeding 5 parts per million nitrate-nitrogen must use the Component 2 planning module and do preliminary hydrogeologic studies in accordance with Chapter 71, Section 71.62(c)(2). The submission is consistent with the planning requirements in Chapter 71 of DEP’s regulations.

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

*Contact: ra-epserocwplanning@pa.gov.*

*Plan Location:*

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Upper Pottsgrove Township	1409 Farmington Avenue Pottstown, PA 19464	Montgomery County

*Plan Description:*

**Yarnall Road Project**, 1-46956-177-1. This project proposes the construction of a 4-bedroom single-family dwelling on a vacant 10.82-acres parcel. The proposed dwelling will be served by an individual on-lot sewage disposal system.

**BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)**

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 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.

For individuals who wish to challenge this action, the appeal must reach the board within 30-days. A lawyer is not needed to file an appeal.

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 717-787-3483 for more information.

*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.*

Site Suitability Notice for Land Application Under Approved PAG08 for **Synagro**, 1605 Dooley Road, Whiteford, MD 21160, Bethel Township, **Lebanon County**. Stoner Farm, 124 Belair Drive, Fredericksburg, PA 17026. Application received: August 24, 2023. Approved: January 9, 2024.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
PREAMBLE 2**

**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup



of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

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

The Department has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**6241 South Delaware Drive Property**, Primary Facility ID # **868161**, 6241 South Delaware Drive, Bangor, PA 18013, Lower Mount Bethel Township, **Northampton County**. Barry Isett & Associates, 5420 Crackersport Road, Allentown, PA 18104, on behalf of New Enterprise Stone & Lime Company, Inc., P.O. Box 77, New Enterprise, PA 16664, submitted a Final Report concerning remediation of soil contaminated with fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

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

**Parkway Plaza**, Primary Facility ID # **868172**, 120 North Adams Street, 130 North Adams Street, and 329 East Gay Street, West Chester, PA 19380, West Chester Borough, **Chester County**. Stephen Huxta, PG, Huxta Environmental LLC, 461 Merlin Road, Phoenixville, PA 19460, on behalf of Eli Kahn, 314 East Chestnut Street Associates, LP, 120 Pennsylvania Avenue, Malvern, PA 19355, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Former Allenport Steel Mill Property**, Primary Facility ID # **859358**, 1 Wheeling Pitt Drive, Allenport, PA 15412, Allenport Borough, **Washington County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Mon River Industrial Group, LLC, P.O. Box 249, Allenport, PA 15412, submitted a Final Report concerning remediation of soil and groundwater contaminated with 1,1,1-trichloroethane, 1,1-dichloroethane, 1,2,4-trimethylbenzene, 1,2-dichlorobenzene, 1,3,5-trimethylbenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 2-butanone, 2-hexanone, 4-methyl-2-pentanone, acetone, benzene, carbon disulfide, cis-1,2-dichloroethene, cyclohexane, ethylbenzene, isopropyl benzene, methyl acetate, methyl cyclohexane, tetrachloroethene, toluene, trichloroethene, vinyl chloride, xylenes, 2-methylnaphthalene, acenaphthene, acenaphthylene, acetophenone, anthracene, benzaldehyde, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, benzo(k)fluoranthene, bis(2-ethylhexyl)phthalate, carbazole, chrysene, dibenzo(a,h)anthracene, dibenzofuran, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, p-chloro-m-cresol, phenanthrene, pyrene, aroclor 1242, aroclor 1248, aroclor 1254, aroclor 1260, aroclor 1268, arsenic, barium, cadmium, chromium (crviii), chromium (crvi), lead, mercury, selenium, and silver for soil; chloroform, trichlorofluoromethane, acenaphthene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, bis(2-ethylhexyl)phthalate, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, pentachlorophenol, arsenic, barium, cadmium, chromium, lead, mercury, and selenium for groundwater. The Final Report is intended to document remediation of the site to meet the site-specific 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**315 Columbia Street, Primary Facility ID # 821165**, 315 Columbia Street, Bethlehem, PA 18015, City of Bethlehem, **Northampton County**. Environmental Consulting Inc., 2002 Renaissance Blvd, Suite 110, King of Prussia, PA 19406, on behalf of Factory LLC, 315 Columbia Street, Bethlehem, PA 18015, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of groundwater contaminated with acetone, benzene, carbon disulfide, chloroform, cis-1,2-dichloroethene, 1,4-dioxane, toluene, and trichloroethene (TCE), and tetrachloroethene (PCE). The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: January 9, 2024.

**Rylee Well Pad, Primary Facility ID # 863851**, 1724 Fannon Muldoon Road, Meshoppen, PA 18630, Auburn Township, Susquehanna County, PA. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: January 11, 2024.

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

*Contact: Bill, 814-332-6671*

**Bessemer Site, Primary Facility ID # 625355**, 789 Bessemer Street, Meadville, PA 16335, City of Meadville, **Crawford County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Economic Progress Alliance of Crawford County, 798 Bessemer Street, Meadville, PA 16335, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with soil Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-

Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Fluorene, Phenanthrene, Anthracene, Pyrene, Chrysene, Benzo(a)anthracene, Benzo(b)fluoranthene, Benzo(a)pyrene, Benzo(g,h,i)perylene; in groundwater Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Phenanthrene, Pyrene, Chrysene. The Report demonstrated attainment of the site-specific standards. Approved: January 5, 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.*

**Standard Steel North Yard, Primary Facility ID # 869882**, Edwardtown Road, Burnham, PA 17009, Burnham Borough, **Mifflin County**. LaBella Associates, P.C., 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of SEDA-COG Joint Rail Authority, 201 Furnace Road, Lewisburg, PA 17837, submitted a Baseline Workplan concerning remediation of soil and groundwater contaminated with VOCs, SVOCs, Metals and PCBs. The Plan demonstrated attainment of the special industrial area provision of act 2. Approved: December 20, 2023.

**Former Elizabethtown Borough Maintenance Garage, Primary Facility ID # 870494**, 101 East Plum Street, Elizabethtown, PA 17022, Elizabethtown Borough, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Elizabethtown Borough, 600 South Hanover Street, Elizabethtown, PA 17022, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 3, 2024.

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

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

**River Pointe Parcel # 2, Primary Facility ID # 864477**, 75 East 4th Street, Bridgeport, PA 19405, Bridgeport Borough, **Montgomery County**. Jeffery K. Walsh, PG, Penn E&R, Inc., 400 Dublin Pike, Doylestown, PA 18901, on behalf of Anthony E. Maras, Esq., DPD-Brightview, LP, 740 Sansom Street, Suite 501, Philadelphia, PA 19106, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil contaminated with PAHs and metals. The Report demonstrated attainment of the site-specific standards. Approved: January 3, 2024.

**9345 Andover Road Transformer Oil Spill, Primary Facility ID # 869884**, 9345 Andover Road, Philadelphia, PA 19114, City of Philadelphia, **Philadelphia County**. Chris Zeliznak, PG, Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of George Horvat, PECO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103, submitted a Final Report concerning remediation of soil contaminated with 1,2,4-TMB, 1,3,5-TMB, PCB-1016, PCB-1221, PCB-1232, PCB-1242, PCB-1248, PCB-1254, PCB-1260. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 2, 2024.

**Penn Engineering and Manufacturing, Inc, Primary Facility ID # 620262**, 5190 Old Easton Road,

Danboro, PA 18916, Plumstead Township, **Bucks County**. George Seidman, Earth Data Northeast, Inc, 924 Springdale Drive, Exton, PA 19341, on behalf of Abhinnav Garikipati, Penn Engineering and Manufacturing, Inc., 5190 Old Easton Road, Danboro, PA 18916, submitted a Remedial Investigation Report concerning remediation of groundwater contaminated with chlorinated solvents. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: January 2, 2024.

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

**2630 West Girard Avenue, Primary Facility ID # 856445**, Southeast Corner of North 27th Street and West Girard Avenue, Philadelphia, PA 19130, City of Philadelphia, **Philadelphia County**. Kevin Davis, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Dan Bleznak, 27th and Girard Limited Partnership, c/o ADCO, American Development Company, 715 Montgomery Avenue, Suite 3, Narberth, PA 19072, submitted a Final Report concerning remediation of soil contaminated with mercury. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 3, 2024.

**114 Forrest Avenue, Primary Facility ID # 844211**, 114 Forrest Avenue, Narberth, PA 19072, Narberth Borough, **Montgomery County**. Richard D. Trimpi, P.G., Trimpi Associates, Inc, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Max Berger, Narberth Associates/123 Coulter Avenue Investors, 308 East Lancaster Avenue, Suite 205, Wynnewood, PA 19096, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with naphthalene, 1,2,4-TMB and 1,3,5-TMB. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: December 29, 2023.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

**39th & Foster Street Property, Primary Facility ID # 860332**, 32 39th and 3739 Foster Street, Pittsburgh, PA 15201, City of Pittsburgh, **Allegheny County**. PVE, LLC, 2000 Georgetown Drive, Suite 101, Sewickley, PA 15143, on behalf of Incheon Ventures, LLC, 1212 New York Avenue, Floor 10, Washington, DC 20005, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with benzo(a)anthracene, benzo(a)pyrene, benzo(a)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, arsenic, lead for soil; benzo(a)anthracene, benzo(a)pyrene, benzo(a)fluoranthene, benzo(g,h,i)fluoranthene, chrysene, dibenz(a,h)anthracene, and tetrachloroethylene for groundwater. The Report did not demonstrate attainment of the site-specific standards. Disapproved: January 8, 2024.

**Penneco Pettit # 6 Well Pad, Primary Facility ID # 870458**, 321 Shelleby Road, Holbrook, PA 15341, Richhill Township, **Greene County**. Woodard & Curran, 400 Penn Center Boulevard, Suite 600, Pittsburgh, PA 15235, on behalf of Penneco Oil Company, Inc., 6608 Route 22, Delmont, PA 15626, submitted a Final Report concerning remediation of soil contaminated with acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, 2-methyl-

phthalene, phenanthrene, pyrene, benzene, sec-butylbenzene, tert-butylbenzene, cyclohexane, ethylbenzene, isopropyl benzene (cumene), naphthalene, toluene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, xylene, and phenolics. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: December 26, 2023.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

##### 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

**JMT Environmental Technologies, Inc.**, P.O. Box 22044, Lehigh Valley, PA 18002. **License No. PA-AH 0648**. Application received: November 16, 2023. Effective January 10, 2024.

**WM Curbside, LLC**, 301 Stanhope Street, Pittsburgh, PA 15204. **License No. PA-AH 0793**. Application received: December 4, 2023. Effective January 10, 2024.

**Earth Smart Environmental Solutions, LLC**, 7937 Rhea County Hwy, Dayton, TN 37321. **License No. PA-AH 0833**. Application received: December 12, 2023. Effective January 10, 2024.

**Sharps Environmental Services, Inc.**, 1544 NE Loop, Carthage, TX 75633. **License No. PA-AH 0920**. Application received: November 29, 2023. Effective January 10, 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.

**Sharps Environmental Services, Inc.**, 1544 NE Loop, Carthage, TX 75633. **License No. PA-HC 0288**. Received on November 29, 2023. Effective January 10, 2024.

#### HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

**Action(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**



*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.*

**PAD002312791. AdvanSix Resins and Chemicals, LLC**, 2501 Margaret Street, Philadelphia, PA 19137, City of Philadelphia, **Philadelphia County**. This application is for the 10-year renewal of the existing RCRA Part B Permit to continue operation at the AdvanSix Resins and Chemicals, LLC (formerly Honeywell Resins & Chemicals)—Frankford Plant, a chemical manufacturing facility, located at 2501 Margaret Street in the City and County of Philadelphia. Application received: May 13, 2022. Re-issued: November 2, 2023.

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.

## AIR QUALITY

**Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

*CORRECTION—previously published on January 13, 2024.*

**GPA9-49-327J: Herndon Reload**, 386 Pennsylvania Avenue, Herndon, PA 17830, Herndon Borough, **Northumberland County**. The Department authorized the construction and temporary operation of a 470 bhp Cummins model QSM11-G4 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at the Herndon Reload facility. Application received: November 29, 2023. Authorized: December 21, 2023. Expiration date: December 20, 2028.

*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.*

**GP9-67-03190: Kinsley Construction, Inc.**, P.O. Box 2886, York, PA 17405, Manchester Township, **York County**. For a diesel-fired internal combustion engine under GP9, to power a portable concrete plant, at the Manchester Commerce Center. Application received: December 8, 2023. Issued: January 11, 2024.

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

**GP3-22-03115: Capital City Dumpsite, LLC**, 400 Frank S. Brown Blvd., Steelton, PA 17113, Steelton Borough, **Dauphin County**. For portable nonmetallic mineral processing equipment, under GP3, at the clean fill and recycling yard. Application received: December 13, 2023. Issued: January 9, 2024.

**GP9-22-03115: Capital City Dumpsite, LLC**, 400 Frank S. Brown Blvd., Steelton, PA 17113, Steelton Borough, **Dauphin County**. For two diesel engines, under GP9, to power portable nonmetallic mineral processing equipment, at the clean fill and recycling yard. Application received: December 13, 2023. Issued: January 9, 2024.

**Action(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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Shailesh Patel, New Source Review Chief, 570-826-2341.*

**66-00001N: The Procter and Gamble Paper Products Company**, P.O. Box 32, State Route 87 South, Mehoopany, PA 18629, Washington Township, **Wyoming County**. The plan approval was issued on January 3, 2023 for the installation and operation of low nitrogen oxides (NO<sub>x</sub>) emitting equipment on No. 1 Gas Boiler (Source ID 031), No. 2 Gas Boiler (Source ID 032A) and No. 4 Gas Boiler (Source ID 034A) and to incorporate case-by-case NO<sub>x</sub> emission limits to be used in accordance with the RACT III requirements of 25 Pa. Code §§ 129.111—129.115. Application received: May 31, 2023. Issued: January 3, 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.*

**67-05114C: BAE Systems Land & Armaments, Inc.**, 1100 Bairs Road, York, PA 17405, West Manchester Township, **York County**. For the installation of three new surface coating booths, two paint mixing rooms, and associated natural gas air make-up units at the armored vehicle production facility. Application received: August 9, 2023. Issued: January 11, 2024.

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

*Contact: James Beach, New Source Review Chief, 484-250-5920.*

**46-0045: PECO/W Conshohocken Gas Plant**, 300 Front St, Conshohocken, PA 19428-2723, West Conshohocken Borough, **Montgomery County**. An extension for the installation of four new Uniflux/Exotherm heaters to replace the five existing Vaporizers at their gas plant. Application received: December 11, 2023. Issued: January 5, 2024.

**23-0223: LCP Generation Partners, LP**, 800 E Lancaster Ave, Villanova, PA 19085-1603, Radnor Township, **Delaware County**. This action is for the extension of a plan approval that authorizes installation and temporary operation of a 2-MW Combined Heat and Power (CHP) System. Application received: December 22, 2023. Issued: January 4, 2024.

**09-0126D: Air Liquide Electronics/Morrisville Facility**, 19 Steel Rd W, Morrisville, PA 19067-3615, Falls Township, **Bucks County**. This plan approval is for the installation and operation of gas repackaging processes undergoing expansion facility. Sources consist of One (1) Dichlorosilane (DCS) Process (Chloride Gases) and One

(1) Silane Process (Pyrophoric Gases). Application received: July 28, 2023. Issued: January 5, 2024.

**09-0196N: Abington Reldan Metals, LLC**, 550 Old Bordentown Rd, Fairless Hills, PA 19030-4510, Falls Township, **Bucks County**. This action is for the extension of a plan approval for construction of new thermal destructor (Penn Ram 5) and associated controls. Application received: December 27, 2023. Issued: January 10, 2024.

**15-0077B: Heidelberg Materials NE/Downingtown Quarry**, 499 Quarry Rd, Downingtown, PA 19335-3447, East Caln Township, **Chester County**. This action is for the extension of a Plan Approval for the replacement of the primary and secondary equipment associated with the crushing plant at the location. Application received: January 8, 2024. Issued: January 11, 2024.

*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.*

**56-00323A: Rockwood Manufacturing Company**, 258 Beacon Street, Somerset, PA 15501, Somerset Borough, **Somerset County**. Plan Approval extension effective January 28, 2024 to extend the period of temporary operation of the North Somerset Facility located in Somerset Borough, Somerset County. The new expiration date is July 28, 2024. Application received: December 22, 2023. Issued: January 6, 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.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**18-00035A: Terreva Renewables, LLC**, 889 Howell Mill Road NW, Suite 4300, Atlanta, GA 30318, Wayne Township, **Clinton County**. The Department issued a plan approval revision for a change in the Permittee Name, Responsible Official, Permit Contact along with a nomenclature change to identify Control Device C101A as a thermal oxidizer instead of an enclosed flare for their renewable natural gas facility. Application received: December 7, 2023. Revised: December 20, 2023. Expiration date: March 4, 2024.

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

*Contact: David Balog, P.E., New Source Review Section Chief, 814-332-6328.*

**43-310H: NLMK Pennsylvania, LLC**, 15 Roemer Boulevard, Farrell, PA 16121, City of Farrell, **Mercer County**. Issued a 6-month plan approval extension to allow more time to conduct project stack testing. This extension expires June 30, 2024. Application received: November 30, 2023. Issued: December 28, 2023.

**03-00975D: Armstrong Power, LLC—South Bend Facility**, 2313 State Route 156, Shelcta, PA 15774, South Bend Township, **Armstrong County**. Issued a 6-month plan approval extension to allow more time for Department review of stack test reports. This extension

expires June 30, 2024. Application received: November 27, 2023. Issued: December 28, 2023.

**37-00300C: North American Forgemasters Company**, 710 Moravia Street, New Castle, PA 16101-3948, City of New Castle, **Lawrence County**. Issued a 6-month plan approval extension to allow the facility more time for shakedown activities. This extension expires June 30, 2024. Application received: November 30, 2023. Issued: December 28, 2023.

**37-008C: Ellwood City Forge**, 800 Commercial Avenue, Ellwood City, PA 16117-2354, Ellwood City Borough, **Lawrence County**. Issued a 6-month plan approval extension to allow the facility more time for stack testing of the project. This extension expires June 30, 2024. Application received: November 21, 2023. Issued: December 28, 2023.

**62-00181B: Ellwood National Forge Company—Warren Division**, 1045 4th Avenue, Warren, PA 16365, City of Warren, **Warren County**. Issued a 6-month plan approval extension to allow the facility more time for shakedown activities. This extension expires June 30, 2024. Application received: November 30, 2023. Issued: December 29, 2023.

**25-066J: Accuride Corporation—Erie Facility**, 1015 East 12th Street, Erie, PA 16503, City of Erie, **Erie County**. Issued a 1-year plan approval extension so the facility can continue legally operating certain constructed additions, while final compliance activities are being pursued. This extension expires December 31, 2024. Application received: December 29, 2023. Issued: December 29, 2023.

**24-012L: GrafTech USA LLC**, 800 Theresia Street, Saint Marys, PA 15857-1832, City of Saint Marys, **Elk County**. Issued a 6-month plan approval extension to allow the facility more time for stack testing. This extension expires March 31, 2024. Application received: August 28, 2023. Issued: September 29, 2023.

**37-00293A: Cemex Construction Materials Atlantic, LLC—Cemex Wampum Mine**, 201 Tony Ditko Road, Wampum, PA 16157, Shenango Township, **Lawrence County**. Issued an 18-month plan approval extension to allow additional time for project construction. This extension expires March 10, 2025. Application received: September 15, 2023. Issued: September 15, 2023.

**62-176B: Lignetics of New England, Inc.**, 1055 Matthews Run Road, Youngsville, PA 16371, Brokenstraw Township, **Warren County**. Issued a 6-month plan approval extension to allow time to sort out additional stack testing needs. This extension expires March 31, 2024. Application received: September 14, 2023. Issued: September 28, 2023.

**24-00131V: SGL Carbon, LLC**, 900 Theresia Street, Saint Marys, PA 15857-1832, City of Saint Marys, **Elk County**. Issued a 6-month plan approval extension to allow for additional time to stack test the new sources. This extension expires April 30, 2024. Application received: October 19, 2023. Issued: October 31, 2023.

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

*Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.*

**PA-65-00871A: OPCO, Inc.**, 205 Harrison Avenue, Latrobe, PA 15650, Latrobe Borough, **Westmoreland County**. For authorization for continued operation of the



regenerative thermal oxidizer at the OPCO Latrobe Plant. Application received: December 6, 2023. Issued: January 8, 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.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**19-00007: Transcontinental Gas Pipe Line Company, LLC**, P.O. Box 1396, Houston, TX 77251, Jackson Township, **Columbia County**. Was issued a revised Title V Operating Permit for their Compressor Station 517 to incorporate the applicable presumptive RACT 3 requirements of 25 Pa. Code §§ 129.111—129.115 for existing sources at the facility, including an alternate compliance schedule for two Solar Centaur combustion turbines. The revised Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: December 29, 2022. Issued: January 8, 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.*

**15-00105: Buckeye Pipe Line/Malvern Terminal**, 5002 Buckeye Rd, P.O. Box 368, Emmaus, PA 18049-5347, East Whiteland Township, **Chester County**. This action is for the renewal of the Title V permit 15-00105 for Buckeye Pipeline Malvern Station for their bulk storage and breakout terminal for gasoline, ethanol and petroleum distillates. Application received: August 9, 2022. Issued: January 10, 2024.

**Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

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

**60-00017: New Enterprise Stone & Lime Co.**, 3912 Brumbaugh Road, New Enterprise, PA 16664, Buffalo Township, **Union County**. The Department issued a renewal State Only (Synthetic Minor) Operating Permit for the Lewisburg Quarry facility. The State Only (Synthetic Minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations. Application received: January 9, 2023. Renewal issued: January 12, 2024. New expiration date: January 11, 2029.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Norm Frederick, 570-826-2409.*

**45-00001: PA State Sys of Higher Ed/East Stroudsburg Univ.**, 200 Prospect St, East Stroudsburg, PA 18301-2956, East Stroudsburg, **Monroe County**. The Department issued a renewal State-Only (Synthetic Minor) Permit

for the Colleges and Universities facility in East Stroudsburg Borough, Monroe County. The sources consist of boilers and emergency generators. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: March 17, 2023. Renewal issued: January 11, 2024.

**54-00098: MI Windows & Doors LLC, Hegins**, 79 Park Lane, Hegins, PA 17938-9089, Hegins Township, **Schuylkill County**. The Department issued a new State-Only (Natural Minor) Permit for the manufacturing of plastics products facility in Hegins Township, Schuylkill County. The sources consist of industrial solvents and sealants. The control devices are cyclones. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: March 20, 2023. Permit issued: January 16, 2024.

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

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

**67-03091: AMZ Manufacturing Corp.**, 2206 Pennsylvania Avenue, York, PA 17404-1790, City of York, **York County**. For the electroplating facility. The State-Only permit was renewed. Application received: December 23, 2022. Issued: January 9, 2024.

**01-03032: Carma Industrial Coatings, Inc.**, 45 Enterprise Drive, New Oxford, PA 17350-9253, Berwick Township, **Adams County**. For the automotive parts surface coating facility. The State-Only permit was renewed. Application received: May 15, 2023. Issued: January 9, 2024.

**28-03041: Spectrum Industrial Coatings, Inc.**, 9226 Mountain Brook Road, Saint Thomas, PA 17252-9778, Saint Thomas Township, **Franklin County**. For the surface coating facility. The State-Only permit was renewed. Application received: September 8, 2023. Issued: January 11, 2024.

**21-03021: Amsted Rail Company, Inc.**, 3420 Simpson Ferry Road, Camp Hill, PA 17011-6410, Lower Allen Township, **Cumberland County**. For the railcar coupling production and repair facility. The State-Only permit was renewed. Application received: September 20, 2023. Issued: January 12, 2024.

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

**06-03141: UGI LNG, Inc.**, 835 Knitting Mills Way, Reading, PA 19610-3078, Ontelaunee Township, **Berks County**. For the natural gas liquefaction facility. The State-Only permit was renewed. Application received: December 22, 2022. Issued: January 9, 2024.

**36-05090: Hershey Company**, 400 Running Pump Road, Lancaster, PA 17603-2269, East Hempfield Township, **Lancaster County**. For the candy manufacturing

facility. The State-Only permit was renewed. Application received: November 23, 2022. Issued: January 9, 2024.

**36-03056: Weaver Industries, Inc.**, 425 South 4th Street, Denver, PA 17517-1224, Denver Borough, **Lancaster County**. For the graphite products manufacturing facility. The State-Only permit was renewed. Application received: June 30, 2023. Issued: January 8, 2024.

**36-03021: J. Walter Miller Co.**, 411 East Chestnut Street, Lancaster, PA 17602-3016, City of Lancaster, **Lancaster County**. For the copper foundry. The State-Only permit was renewed. Application received: September 12, 2023. Issued: January 10, 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.*

**46-00181: Altamira Material Solutions**, 1600 Industry Rd, Hatfield, PA 19440-3251, Hatfield Township, **Montgomery County**. This action is for the renewal of a State Only Natural Minor Operating Permit for a facility that performs an etching process on PTFE materials using a sodium ammonia solution to prepare the PTFE materials for bonding to a metal, plastic, or other substrate. Application received: August 31, 2022. Issued: January 10, 2024.

**46-00008: Coopers Creek Chemical/Upper Merion Plant**, 884 River Rd, W Conshohocken, PA 19428-2699, Upper Merion Township, **Montgomery County**. This action is for the renewal of the Synthetic Minor Operating Permit for the manufacture of coal tar distillate and refined coal tar pitch, made from crude petroleum tar and crude bituminous, which also includes crude coal tar. Application received: February 14, 2023. Issued: December 11, 2023.

**23-00001: Sunoco LLC/Marcus Hook Terminal**, 100 Green St, Marcus Hook, PA 19061-4800, Marcus Hook Borough, **Delaware County**. This action is for an initial State Only Operating Permit for 2 loading racks and various petroleum storage tanks which service their race fuel blending operations. Application received: December 19, 2022. Issued: January 12, 2024.

**09-00132: McAdoo & Allen Manufacturing**, 201 S Helbertown Rd, Quakertown, PA 18951-1768, Quakertown Borough, **Bucks County**. A State Only Operating Permit renewal application for the manufacture of pigment dispersions for the automotive and industrial coatings markets and polymers and all components of the waterborne coatings for the architectural market. Application received: April 5, 2023. Issued: January 12, 2024.

*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.*

**65-01123: Pennsylvania Turnpike Commission/AKH Maintenance Facility**, 241 AKH Maintenance Lane, Jeanette, PA 15644, Hempfield Township, **Westmoreland County**. On January 16, 2024, the Department issued an initial natural minor State Only Operating Permit for a small electrical generating facility. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, record-keeping, reporting, and work practice standards requirements at the facility located in located in Hempfield Township, Westmoreland County. Application received: August 24, 2023. Permit issued: January 16, 2024.

---

### Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

---

*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.*

**48-00093: Oldcastle APG Northeast, Inc.**, 800 Uhler Road, Easton, PA 18040-6671, Forks Township, **Northampton County**. The amended Operating Permit was issued on January 3, 2023 for an administrative amendment to incorporate conditions from Plan Approval 48-00093B into Operating Permit No. 48-00093. The administrative Operating Permit amendment was issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. Application received: October 31, 2023. Issued: January 3, 2024.

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

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

**06-05061: Cambridge Lee Industries, LLC**, 86 Tube Drive, Reading, PA 19605-9274, Ontelaunee Township, **Berks County**. For the copper tubing manufacturing facility. The State-Only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05061B. Application received: June 21, 2023. Issued: January 3, 2024.

---

## ACTIONS ON COAL AND NONCOAL APPLICATIONS

---

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).** The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

---

### Coal Permits

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17131301. NPDES No. PA0235504. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Huston Township, **Clear-**



**field County.** Renewal of a permit for a bituminous surface coal mine and associated NPDES permit affecting 7.0 acres. Remaining mining activities consist only of operation and maintenance of a post-mining mine drainage water treatment system. Receiving stream(s): Horning Run and Bennetts Branch Watershed classified for the following use(s): CWF. Application received: May 9, 2023. Accepted: May 11, 2023. Issued: January 5, 2024.

**Mining Permit No. 17930103. NPDES No. PA0207241. Junior Coal Contracting, Inc.,** 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township and Woodward Township, **Clearfield County.** Permit renewal for continued mining of a bituminous surface coal mine and associated NPDES permit affecting 256.5 acres. Receiving stream(s): Beaver Run, Little Beaver Run and unnamed tributaries to Beaver Run and Little Beaver Run classified for the following use(s): CWF. Application received: March 2, 2023. Accepted: May 2, 2023. Issued: January 5, 2024.

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

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

**Mining Permit No. 26743202. NPDES No. PA0069736. Bute Coal Recovery LLC,** 195 Enterprise Dr, Connellsville, PA 15425, Dunbar Township, **Fayette County.** Renewal permit issued for continued mining to an existing coal refuse reprocessing site and associated NPDES permit, affecting 150.1 acres. Receiving streams: Rankin Run to Redstone Creek to Monongahela River; classified for the following use: WWF. Application received: March 11, 2021. Issued: January 9, 2024.

#### *Noncoal Permits*

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

*Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.*

**Mining Permit No. 4275SM20A. NPDES No. PA0125334. U.S. Silica Company,** 12942 Oriskany Road, Mapleton Depot, PA 17042, Brady Township, **Huntingdon County.** Renewal of a NPDES Permit affecting 370.6 acres. Receiving streams: unnamed tributary to Shaughnessy Run, Saddler Creek and unnamed tributary to Flush Run and Juniata River classified for the following uses: HQ—CWF, TSF & WWF. Application received: February 27, 2023. Renewal issued: January 16, 2024.

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

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

**Mining Permit No. 61232802. Ben Hal Mining, Inc.,** 389 Irishtown Road, Grove City, PA 16127, Clinton Township, **Venango County.** Commencement operation and restoration of a small industrial minerals mine. Application received: October 10, 2023. Issued: January 4, 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*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8101.*

**Permit No. 17244001. Austin Powder Company,** 1573 Troy-Hawk Run Hwy., Philipsburg, PA 16866, Chest Township, **Clearfield County.** Blasting Activity Permit for Contracting and Reclamation of GFCC Permit No. 17-23-01. Application received: January 9, 2024. Approved: January 12, 2024. Expiration date: December 31, 2025.

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

*Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.*

**Permit No. 02244101. Wampum Hardware Company,** 636 Paden Road, New Galilee, PA 16141, Moon Township, **Allegheny County.** Blasting Activity Permit issued for the construction of the Moon Township Sewer Line, with an expiration date of December 31, 2024. Application received: January 9, 2024. Issued: January 9, 2024.

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Permit No. 36244101. Maine Drilling & Blasting, Inc.,** P.O. Box 1140, Gardiner, MA 04345, Manheim Township, **Lancaster County.** Construction blasting for Westminster Presbyterian Church. Application received: January 4, 2024. Permit issued: January 8, 2024. Expiration date: January 3, 2025.

**Permit No. 54244101. Maine Drilling & Blasting, Inc.,** P.O. Box 1140, Gardiner, ME 04345, Frailey Township, **Schuylkill County.** Construction blasting for Rausch Creek Logistic Center. Application received: January 5, 2024. Permit issued: January 9, 2024. Expiration date: January 9, 2025.

#### **FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of

practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

*Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Jared Jacobini, Aquatic Biologist 1, 570-327-3707.*

**E4704223-003. Mahoning Township**, 849 Bloom Rd, Danville, PA 17821, Mahoning Township, **Montour County**. U.S. Army Corps of Engineers Baltimore District.

Mahoning Township will regrade and reshape 210 linear feet of Blizzards Run to remove accumulated sediment within the channel. The proposed work implies that the capacity of the channel is impaired and the project will alleviate nuisance flooding from the channel overtopping. The alternatives analysis states a no build option does not provide a more defined flood bench needed to eliminate secondary overflow channels occurring via erosion and not meet the goals of the project. No wetland impact will result from as a result of this project. Blizzards Run is designated under Chapter 93 as Cold Water-Migratory Fish. Latitude: 40° 58' 0", Longitude: -76° 36' 9". Application received: August 1, 2023. Issued: January 9, 2024.

*Contact: Pete Geanacopoulos, Project Manager, 570-327-3701.*

**E1904223-004. John C. Taylor**, 934 Oaks Lane, Watsonstown, PA 17777, Franklin Township, **Columbia County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a recreational pavilion within the floodway of South Branch Roaring Creek in Franklin Township, Columbia County. Latitude: 40° 53' 5.1", Longitude: -76° 30' 24.2". Application received: September 14, 2023. Accepted: September 28, 2023. Issued: January 10, 2024.

*Contact: Stephen Kardohely, Project Manager, 814-342-8216.*

**E17042223-004. Jordan Wooster**, 818 Quehanna Highway, Karthaus, PA 16845, Karthaus Township, **Clearfield County**. U.S. Army Corps of Engineers Baltimore District.

The Department has issued a Chapter 105 Small Projects permit to Jordan Wooster of Capital Improvements for the construction of a 360 foot-long by 10-foot high concrete retaining wall for expansion of their existing parking facility located in Karthaus Township. There are no anticipated adverse impacts to wetlands or waters of the U.S. or aquatic resources from this crossing project. The proposed project is located within the floodway of Dutch Hollow Run which is listed in the Pa. Code Chapter 93 designation use of High Quality—Cold Water Fishery (HQ-CWF). Latitude: 41° 8' 21.86"; Longitude: -78° 7' 53.25". Application received: July 20, 2023. Issued: December 28, 2023.

*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.*

**E4002223-014. Hunlock Township**, 33 Village Drive, Hunlock Creek, PA 18621, Hunlock Township, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Hunlock Township Park Project: 1) A stormwater outfall within the floodway of a UNT to Hunlock Creek (CWF, MF) consisting of a 2-foot wide, vegetated trapezoidal channel and a 20-ft long, 6-in deep earthen levee spreader. 2) A fill within the floodway of a UNT to Hunlock Creek (CWF, MF) consisting of a 10-ft wide, 30-ft long concrete pad and an 8-ft high chain link fence associated with a proposed baseball dugout. 3) A fill within the floodway of a UNT to Hunlock Creek (CWF, MF) consisting of a 40-ft long, 6-ft wide concrete walking path. 4) A fill within the floodway of a UNT to Hunlock Creek (CWF, MF) consisting of a 230-ft long, 6-ft tall chain link fence. This project will result in a net cut of 366 ft<sup>3</sup> within the floodway. The project is located at approximately 0.22 mile south of the intersection of Sunset Lake Road and Hunlock-Harveyville Road (Nanticoke, PA Quadrangle Latitude: 41° 13' 8"; Longitude: -76° 6' 38") in Hunlock Township, Luzerne County. Application received: June 21, 2023. Issued: January 16, 2024.

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: RA-EPWW-NWRO@pa.gov.*

**E2506223-004. Matthew Bauer**, 7382 McGill Road, Harborcreek, PA 16421, Harborcreek Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District.

Excavate and maintain the channel of a UNT Seven-mile Creek having a contributory drainage area less than 100 acres for the construction of a 4 acres impoundment of a non-jurisdictional dam permanently impacting approximately 410 linear feet of stream and associated floodway at 7382 McGill Road, Harborcreek, PA 16421. Latitude: 42.153806°, Longitude: -79.937449°. Application received: August 14, 2023. Issued: January 9, 2024.



*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**E0603223-001. Berks County Parks & Recreation Dept.**, 2083 Tulpehocken Road, Wyomissing, PA 19610, Robeson Township, **Berks County**. U.S. Army Corps of Engineers Baltimore District. To 1) operate and maintain a 4-foot wide earthen berm; 2) operate and maintain 162 linear feet of 6-inch diameter PVC pipe; and 3) operate and maintain a R-3 rip-rap rock outfall, resulting in 0.02 acre of permanent impact to an emergent wetland and 50 square feet of permanent floodway impact to Allegheny Creek (CWF, MF) all for the purposes of restoring and maintaining an existing aqueduct. The project is located within the watershed of Allegheny Creek (CWF, MF) along Old River Road and the Allegheny Aqueduct Historical Park in Robeson Township, Berks County (40.286136, -75.874719). Permanent wetland loss is less than 0.05 acre and replacement is not required. Application received: March 10, 2023. Issued: January 5, 2024.

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E5101222-011. Philadelphia Parks & Recreation**, 1515 Arch Street, 10th Floor, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

Philadelphia Parks and Recreation is proposing to perform the following-listed water obstruction and encroachment activities to rehabilitate, construct, and maintain the existing dragon boat dock which is located in and along the west bank of the Schuylkill River by installing a new 12' x 80' main floating dock, 12' x 40' gangway, 8' x 16' landing dock, a strut anchoring system connecting the main floating dock to two (2) anchor systems on land. The anchor systems will be comprised of two (2) 7.5' x 5' concrete foundations with four (4) anchor piles each. Each anchor system will be on each side of a 5' x 14' concrete landing. The Applicant may also repair and replace the existing functional floating dock in-kind and in-Place. The facility is located in West Fairmount Park, a.k.a. the Dragon Boat Dock (Philadelphia, PA, NJ USGS Map) in the City and County of Philadelphia, USACOE, Philadelphia District. Latitude: 39.98150°, Longitude: -75.20461°. Application received: July 21, 2022. Permit issued: January 9, 2024.

**E2301223-007. PECO Energy Company**, 2301 Market Street, N3-3, Philadelphia, PA 19103, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a retaining wall and fence along the southwest border of the MacDade Substation property along Muckinipattis Creek. Water obstruction and encroachment activities are as follows: 1) To excavate within top of bank of Muckinipattis Creek for installation of retaining wall and fence resulting in 167 linear feet (3,340 sq ft, 0.08 acre) of permanent watercourse impact. 2) To excavate within top of bank of Muckinipattis Creek for installation of retaining wall and fence resulting in 113 linear feet (2,260 sq ft, 0.05 acre) of permanent floodway impact. 3) To excavate within top of bank of Muckinipattis Creek for installation of retaining wall and fence resulting in 349 linear feet (6,980 sq ft, 0.16 acre) of temporary watercourse impact. 4) To excavate within top of bank of Muckinipattis Creek for installation of retain-

ing wall and fence resulting in 204 linear feet (20,400 sq ft, 0.47 acre) of temporary floodway impact. This project is located near 422 West Knowles Avenue, Glenolden, PA 19036, Glenolden Borough, Delaware County (USGS PA Lansdowne Quadrangle). Latitude: 39.901465°, Longitude: -75.296910°. Application received: August 15, 2023. Permit issued: January 8, 2024.

**E4601223-005. Borough of Hatboro**, 414 South York Road, Hatboro, PA 19040, Hatboro Borough, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the parking lot facility, underground infiltration basin, trail amenities, and landscaping, etc., within the floodplain of the UNT to Penny Pack Creek (TSF, MF) associated with improvements to Miller Meadow Park. The project will not result in a net fill and will have no adverse impact on the 100-year flood elevation. The site is located within Miller Meadow Park (USGS PA Quadrangle) in the Borough of Hatboro, Montgomery County. Latitude: 40.170917°, Longitude: -75.109861°. Application received: February 15, 2023. Permit issued: January 9, 2024.

**E4601223-029. 800 Schuylkill Owner, LLC**, 201 King of Prussia Road, Suite 501, Radnor, PA 19087, Upper Merion Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To remove the existing stream enclosure about 1,354 feet of 72-inch RCP and relocate/construct and maintain new about 1,286 LF of 72-inch x 96-inch RC box stream enclosure along a UNT to Matsunk Creek (WWF-MF) associated with the construction of two new warehouse/distribution centers. Additionally, this project involves the connection of the onsite stormwater management system to the existing piped UNT to Schuylkill River (WWF, MF). The project will include the loading docks, parking area, utilities, landscaping, and stormwater management necessary to support the project. Old existing structures within the area will be demolished and removed. The site is located at 800 River Road (Norristown, PA USGS Quadrangles) in Upper Merion Township, Montgomery County. Latitude: 40.089246°, Longitude: -75.324989°. Application received: September 18, 2023. Permit issued: January 12, 2024.

**EA0901223-001, WV0901223-001. Wrightstown Township**, 2203 2nd Street Pike, Wrightstown, PA 18940, Wrightstown Township, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District.

To restore and rehabilitate about 450 feet of an unnamed tributary to Mill Creek (WWF) associated with the applicant's request for 105.12(a)(16) waiver to conduct stream restoration and enhancement. The proposed rehabilitation will include: 1) Floodplain reconnection through the removal of legacy sediments. 2) Pockets of wetlands will be installed which will help offset the effects of the toe-protection along the streambanks. 3) Installation of a 3-tier riparian forest buffer. 4) Streambank Reinforcement: all streambanks within the project area will be regraded to a slope of 3:1 (horizontal: vertical). Geotextile and vegetation will be used to reinforce and stabilize the banks. 5) The toe-protection consists of 12-to-18-inch diameter, native stones placed below bank-full height. 6) The southern most meander shows a cut-bank of close to 8 feet in height. At this location, additional protection, vegetated soil lifts will be installed above the bank-full height to the 100-year storm elevation. No excavation within the stream channel is proposed and no wetlands were identified within the project area. Mill Creek does

not have special protection status. Given that the limit of disturbance associated with the project is less than one acre, the project does not require an individual NPDES Permit for Discharges of Stormwater Associated with Construction Activities. The project is located west of the intersection of Old Anchor Road and Second Street Pike (Lambertville, PA USGS Quadrangle) in Wrightstown Township, Bucks County. Latitude: 40.277173°, Longitude: -74.994803°. Application received: June 1, 2023. Permit issued: January 9, 2024.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Dana Drake, Program Manager.*

**E2605221-001. Ronald Whipkey**, 103 Lower Sandy Road, Greensboro, PA 15338, Saltlick Township, **Fayette County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: 1. Operate and maintain a gazebo (14-ft long x 12-ft wide) with grading around the gazebo (34-ft long x 32-ft wide) and a circular koi pond (50-ft in diameter), which have been constructed within the floodway to Indian Creek (HQ—CWF). 2. Operate and maintain a water intake structure that was constructed in Indian Creek for the purpose of maintaining water in the koi pond. 3. Construct and maintain an overflow pipe in Indian Creek to manage the water level in the pond. The project purpose is to create recreational facilities at a residence. The project will permanently affect 0.065 acre of the floodway to Indian Creek. The water intake will permanently impact 1 LF of Indian Creek, and the overflow pipe will permanently impact 1 LF of Indian Creek. The project is located at 707 Nebo Road Ext., Champion, PA 15622 (Seven Springs, PA USGS topographic quadrangle; Subbasin 19E; ACOE: Pittsburgh District), in Salt Lick Township, Fayette County. Latitude: 40° 03' 35", Longitude: -79° 22' 05". Application received: December 8, 2021. Issued: January 5, 2024.

#### ENVIRONMENTAL ASSESSMENTS

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

**EA0703221-001. US Fish and Wildlife Service**, 110 Radnor Road, Suite 101, State College, PA 16801, Freedom Township, **Blair County**. U.S. Army Corps of Engineers Baltimore District.

The project included installation of 9 log vane, structures, 270-feet of mudsill cribbing, stabilization and channel blocks to restore the stream alignment to historic location and dimension and stabilize channel. (WWF, MF). The Major Amendment proposes the addition of 650 linear feet of restoration activities within and along a receiving tributary, McDonald Run, that includes the installation and maintenance of seven log vanes, resulting in 285 linear feet of permanent impact, the installation and maintenance of mudsill cribbing, resulting in 40 linear feet of permanent impact, the excavation and maintenance within the stream channel to remove an existing gravel bar, resulting in 70 linear feet of permanent impact to McDonald Run (WWF, MF), and the installation and maintenance of riparian plantings. The project is located near 120 Standish Lane, approximately 0.4-mile East of intersection with Dunnings Highway. (Hollidaysburg, PA Quadrangle, Latitude: 40.374932; Lon-

gitude: -78.426349) in Freedom Township, Blair County. Application received: February 14, 2023. Issued: January 13, 2024.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

*Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.*

*Contact: RA-EPEASTERNOGPRG@pa.gov.*

ESCGP # 3 **ESG295823026-00**

Applicant Name **Williams Field Services Co, LLC**

Contact Person Barry Mahar

Address 30351 Route 6

City, State, Zip Wysox, PA 18854

Township(s) Lathrop Township and Springville Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) Unnamed Tributary to Horton Creek (CWF, MF)

Application received: November 15, 2023

Issued: January 8, 2024

ESCGP # 3 **ESG290823014-00**

Applicant Name **Repsol Oil & Gas USA, LLC**

Contact Person Jonathan Frank

Address 337 Daniel Zenker Drive

City, State, Zip Horseheads, NY 14845-1008

Township(s) Warren Township

County **Bradford County**

Receiving Stream(s) and Classification(s) UNT to Pendleton Creek (CWF, MF)

Application received: September 6, 2023

Issued: January 10, 2024

ESCGP # 3 **ESG295823028-00**

Applicant Name **Williams Field Services Co, LLC**

Contact Person Jayme Stotka

Address 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275  
 Township(s) Dimock Township  
 County **Susquehanna County**  
 Receiving Stream(s) and Classification(s) UNT to White  
 Creek # 8605 (CWF)  
 Application received: December 15, 2023  
 Issued: January 11, 2024

*Northwest Region: Oil and Gas Management Program,  
 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-  
 6945.*

*Contact: Kate Hogue Clerical Supervisor, 814-332-6868.*

ESCGP # 3 **ESG081023005-00**  
 Applicant Name **LOLA Energy PetroCo, LLC**  
 Contact Person Jayson Johnson  
 Address P.O. Box 360  
 City, State, Zip Canonsburg, PA 15317-0360  
 Township(s) Allegheny Township  
 County **Butler County**  
 Receiving Stream(s) and Classification(s) North Branch  
 Bear Creek (CWF); UNT to North Branch Bear Creek  
 (CWF)  
 Application received: August 21, 2023  
 Approved: January 8, 2024

ESCGP # 3 **ESG084323001-00**  
 Applicant Name **Pin Oak Energy Partners, LLC**  
 Contact Person Christine L. Shepard-Desal  
 Address 388 S Main Street, Suite 401  
 City, State, Zip Akron, OH 44311  
 Township(s) Perry Township  
 County **Mercer County**  
 Receiving Stream(s) and Classification(s) Little Shenango  
 River (TSF)  
 Application received: October 23, 2023  
 Approved: January 11, 2024

ESCGP # 3 **ESG080323012-00**  
 Applicant Name **Snyder Bros, Inc.**  
 Contact Person Carl Rose  
 Address P.O. Box 1022  
 City, State, Zip Kittanning, PA 16201  
 Township(s) East Franklin Township  
 County **Armstrong County**  
 Receiving Stream(s) and Classification(s) Glade Run/UNT  
 to Glade Run (TSF)  
 Application received: November 21, 2023  
 Approved: January 11, 2024

ESCGP # 3 **ESX180050008-01/Crytzer Project**  
 Applicant Name **Snyder Bros, Inc.**  
 Contact Person Carl Rose  
 Address P.O. Box 1022  
 City, State, Zip Kittanning, PA 16201  
 Township(s) Rayburn and Valley Townships  
 County **Armstrong County**  
 Receiving Stream(s) and Classification(s) Trib 46996 to  
 Cowanshannock Creek (WWF) Trib 46997 to Cowanshannock  
 Creek (WWF)  
 Application received: October 5, 2023  
 Renewal issued: January 11, 2024

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

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

ESCGP # 3 **ESG070223009-00**  
 Applicant Name **Superior Midstream Appalachian,  
 LLC—Sun Mine Well Connect**  
 Contact Person Arthur Smith, Senior Vice President  
 (724) 338-2524, art.smith@superiorpipeline.com

Address 0.21 Mile north of Sun Mine Road and Callen  
 Road

City, State, Zip Tarentum, PA 15084  
 Township(s) Fawn Township, Clinton Township  
 County **Allegheny County and Butler County**  
 Receiving Stream(s) and Classification(s) 001. Lat  
 40.67056, Long -79.81226, unnamed tributary to Bull  
 Creek, Ch 93 class TSF 002. Lat 40.67121, Long  
 -79.81127, unnamed tributary to Bull Creek, Ch 93  
 class TSF 003. Lat 40.67162, Long -79.80914, unnamed  
 tributary to Lardintown Run, Ch 93 class TSF 004. Lat  
 40.67119, Long -79.80682, unnamed tributary to  
 Lardintown Run, Ch 93 class TSF  
 Application received: November 15, 2023  
 Issued: January 10, 2024

ESCP # **ESP07652300200E**  
 Applicant Name **Olympus Energy, LLC—Artemis Well  
 Pad**  
 Contact Person Brian Dillemath, (724) 754-0110  
 bdillemath@olympusenergy.com  
 Address 1.4 miles west of Seventh Street and Merwin  
 Road

City, State, Zip New Kensington, PA 15068  
 Township(s) Upper Burrell Township  
 County **Westmoreland County**  
 Receiving Stream(s) and Classification(s) 001. Lat  
 40.53466, Long -79.66740, Trib 42418 of Pucketa Creek,  
 Ch 93 Class TSF 002. Lat 40.53266, Long -79.66417,  
 Trib 42426 of Pucketa Creek, Ch 93 Class TSF 003. Lat  
 40.53126, Long -79.66323, Trib 42426 of Pucketa Creek,  
 Ch 93 Class TSF 004. Lat 40.52958, Long -79.66476,  
 Trib 42423 of Pucketa Creek, Ch 93 Class TSF 005. Lat  
 40.53310, Long -79.66678, Trib 42424 of Pucketa Creek,  
 Ch 93 Class TSF  
 Application received: August 3, 2023  
 Issued: January 12, 2024

ESCGP # 3 **ESG076319040-03**  
 Applicant Name **EQM Gathering OPCO, LLC—  
 Niam-S005 Pipeline Project**  
 Contact Person Thomas Glisson, (412)-295-1697  
 TGlisson@equitransmidstream.com  
 Address Pie Ridge Road, 0.5 mile north of Grove Road  
 City, State, Zip Prosperity, PA 15329  
 Township(s) Morris Township, Amwell Township  
 County **Washington County**  
 Receiving Stream(s) and Classification(s) Ch 93 class TSF  
 for: Home Run Stream Unnamed Tributaries to Home  
 Run Bane Creek Tributary 40888 to Bane Creek Un-  
 named Tributary to Bane Creek Fork of Bane Creek  
 Tributary 40877 to Fork of Bane Creek Pleasant Valley  
 Run Unnamed Tributaries to Pleasant Valley Run  
 Unnamed Tributaries to Fork of Bane Creek.  
 Application received: October 10, 2023  
 Issued: January 16, 2024

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

**The Following Storage Tank Site-Specific Installation Permit(s), Under the Authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and Under 25 Pa. Code Chapter 245, Subchapter C, Have Been Issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.**



SSIP Application No. **23006**  
 Applicant Name **UPMC**  
 Address 200 Lothrop St.  
 City, State, Zip Pittsburgh, PA 15243  
 County **Allegheny County**  
 Municipality City of Pittsburgh  
 Tank Type One AST storing diesel fuel  
 Tank Capacity 28,000 gallons  
 Application Received November 2, 2023  
 Permit Issued January 12, 2024

**CORRECTIVE ACTION UNDER  
 ACT 32, 1989  
 PREAMBLE 2**

**The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

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

DEP has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Parker Oil**, Storage Tank Facility ID # **45-50013**, 320 North 9th Street, Stroudsburg, PA 18360, Stroudsburg Borough, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Parker Oil Company, 311 Strawberry Hill Road, Saylorsburg, PA 18353, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting Statewide health standards.

**Gas N Goods**, Storage Tank Facility ID # **45-12376**, 5677 Hamilton South, Sciota, PA 18354, Hamilton Township, **Monroe County**. MEA, 1365 Ackermanville Road,

Bangor, PA 18013, on behalf of Gas N Goods, Inc., P.O. Box 342, Sciota, PA 18354, 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.

**136 Verma**, Storage Tank Facility ID # **48-51086**, 136 East Lawn Road, Nazareth, PA 18064, Upper Nazareth Township, **Northampton County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of PALGC UST I, LLC, 645 Hamilton Street, Suite 500, Allentown, PA 18101, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health standards.

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

*Contact: Bill, 814-332-6671.*

**United Ref**, Storage Tank Facility ID # **62-90266**, 15 Bradley Street, Warren, PA 16365, Warren Township, **Warren County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company, 814 Lexington Avenue, P.O. Box 688, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

*Contact: Robin L. Yerger, LPG, 717-705-4705.*

**Nettles Auto Service**, Storage Tank Facility ID # **21-61054**, 1415 Lowther Road, Camp Hill, PA 17011, Lower Allen Township, **Cumberland County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Nettles Auto Service, 1415 Lowther Road, Camp Hill, PA 17011, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document the remedial actions for meeting nonresidential site-specific standards.

**M & R Equipment**, Storage Tank Facility ID # **67-13853**, 451 Marsteller Road, New Park, PA 17352, Fawn Township, **York County**. Nutshell Environmental, 15 Allegheny Avenue, Towson, MD 21204, on behalf of Mr. Chris and Ms. Sandy Biernazki, 451 Marsteller Road, New Park, PA 17352, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**7 Eleven #40273**, Storage Tank Facility ID # **56-81235**, 169 North Plaza Access Road, Somerset, PA 15501,



Somerset Township, **Somerset County**. AECOM Technical Services, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box # 711, Dallas, TX 75221, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential and nonresidential Statewide health and site-specific standards.

**7 Eleven # 40481**, Storage Tank Facility ID # **65-24183**, 140 West Pittsburgh Street, Greensburg, PA 15601, City of Greensburg, **Westmoreland County**. AECOM Technical Services, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box # 711, Dallas, TX 75221, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

#### **Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

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

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

DEP has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Al's Quick Stop PA0022 Dunmore**, Storage Tank Facility ID # **35-01861**, 1220 Wheeler Avenue, Dunmore, PA 18512, Dunmore Borough, **Lackawanna County**.

MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Store 942 Real Estate, LLC, 1010 East Drinker Street, Dunmore, PA 18512, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with diesel. The report demonstrated attainment of the site-specific standards and was approved by DEP on January 8, 2024.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Robinson Township Municipal Garage**, Storage Tank Facility ID # **02-00797**, 5001 Leona Lane, Coraopolis, PA 15108, Robinson Township, **Allegheny County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Robinson Township, 5001 Leona Lane, Coraopolis, PA 15108, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with waste oil. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on January 3, 2024.

**DeBaldo Sales and Service**, Storage Tank Facility ID # **02-80057**, 3451 Harts Run Road, Glenshaw, PA 15116, Indiana Township, **Allegheny County**. Environmental Geo-Services, 40 Callahan Road, Greenville, PA 16125, on behalf of Orlando DeBaldo, 3451 Harts Run Road, Glenshaw, PA 15116, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report nonresidential did not demonstrate attainment of the Statewide health standards and was disapproved by DEP on January 4, 2024.

**Tomazich Service Station**, Storage Tank Facility ID # **02-11951**, 301 West Allegheny Road, Imperial, PA 15126, North Fayette Township, **Allegheny County**. AECOM Technical Services, 707 Grant Street, Floor 5, Pittsburgh, PA 15219, on behalf of Tomazich Service Station, 301 West Allegheny Road, Imperial, PA 15126, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on December 29, 2023.

**Pilot Travel Center # 348**, Storage Tank Facility ID # **63-09737**, 205 Wilson Road, Bentleyville, PA 15314, Bentleyville Borough, **Washington County**. Atlas Technical Consultants, LLC, 270 William Pitt Way, Suite A3, Pittsburgh, PA 15238, on behalf of Pilot Travel Centers, LLC, 5508 Lonas Drive, Knoxville, TN 37909, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with diesel fuel and unleaded gasoline. The plan nonresidential was not acceptable to meet the Statewide health standards and was disapproved by DEP on January 4, 2024.

---

## SPECIAL NOTICES

---

### WATER PROGRAMS

---

#### **Application for National Pollutant Discharge Elimination System (NPDES) Permit under the Clean Streams Law and Federal Clean Water Act.**

---

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

*Contact: Angela Rohrer, 412-442-4069.*

The Department of Environmental Protection (DEP) has received an application for a General NPDES Permit from the applicant named as follows to authorize existing discharges of Industrial Stormwater from the project site named as follows to surface waters of the Commonwealth.

*Applicant: David Norris*

*Applicant Address: 6375 A.V.R.R  
Pittsburgh, PA 15206-2113*

*Application Number: PAG036517 (PAR606154-A1)*

*Project Site Name: D & D Auto Salvage, LLC*

*Municipality/County: Pittsburgh City, Allegheny County*

*Surface Waters Receiving Discharges: Allegheny River (WWF)*

*Project Description: Activities at the Facility include vehicle crushing and compaction, parts removal from vehicles, liquids removal from vehicles, as well as acceptance and storage of scrap metal from private citizens and businesses.*

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 412-442-4284.

---

### ACTIVE AND ABANDONED MINE OPERATIONS

---

#### **January 12, 2024 Act 181 Solicitation Notice.**

---

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

*Contact: Melanie Ford-Wigfield, 814-472-1900, RA-EPCAMBRIA@pa.gov.*

**Act 181 Notification:** Operation and Maintenance of Mine Drainage Treatment Sites in Cambria, Indiana, Somerset, and Bedford Counties. This work will include operation and maintenance of both passive and active treatment facilities on forfeited coal mine sites. Letters of interest can be sent to: DEP, Attn: Daniel Chverchko, 286 Industrial Park Road, Ebensburg, 15931 or by email at dchverchko@pa.gov. Letters must be received by no later than February 7, 2024.

### WASTE, AIR, RADIATION AND REMEDIATION

---

#### **Notice of Certification to Perform Radon-Related Activities in Pennsylvania.**

---

*Central Office: Radiation Protection Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.*

*Contact: Austyn Shank, 717-783-3594.*

In the month of December 2023, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Alpha Radon, LLC	121 Cottonwood Drive Aliquippa, PA 15001-9456	Mitigation Firm
Johnathan Helman	189 Valley View Drive Rostraver Twp, PA 150121	Testing Individual
Joseph Cline	P.O. Box 1145 Mechanicsburg, PA 17055-1145	Testing Individual
Joseph Batten, Jr.	346 Pottstown Pike Exton, PA 19341-2220	Testing Individual
Joseph Batten, Jr.	346 Pottstown Pike Exton, PA 19341-2220	Mitigation Individual
Jeffery Shlaline	800 Locust Grove Road York, PA 17402-4532	Mitigation Individual

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Absolute RN Mitigation, LLC	800 Locust Grove Road York, PA 17402-4532	Mitigation Firm
Joseph Donnelly, III	2 Waterview Road Apt. G9 West Chester, PA 19380-6358	Testing Individual
Tom Berardelli	1639 Newton Ransom Blvd Clarks Summit, PA 18411-9634	Testing Individual
Berardelli Home Inspections	1639 Newton Ransom Blvd Clarks Summit, PA 18411-9634	Testing Firm
Amanda Turner	3322 Route 22 West Suite 907 Branchburg, NJ 08876	Testing Individual
Harold Henry	2103 Rudolph Avenue Erie, PA 16502-1928	Testing Individual
Dwayne Ott	311 Bell Tip Road Tyrone, PA 16686-7226	Testing Individual
Gregory Hancock	P.O. Box 110 Woolrich, PA 17779-0110	Testing Individual
Joshua McClain	1921 Round Top Road Montoursville, PA 17754-9616	Testing Individual
Rick Siess	259 Meadowview Drive Canonsburg, PA 15317-2315	Certification Suspended

## WASTE, AIR, RADIATION AND REMEDIATION

### Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permit 03-00027.

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

*Contact: Matthew Williams, Phone Number 814-332-6131.*

Approval of a Reasonably Available Control Technology (RACT 2) plan for Keystone-Conemaugh Projects, LLC Keystone Station located in Plumcreek Township, Armstrong County.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan and an amendment to the State Implementation Plan (SIP) for the Keystone Station owned and operated by **Keystone-Conemaugh Projects, LLC** in Plumcreek Township, **Armstrong County**.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT 2 determinations, if approved, will be incorporated into a revised operating permit (03-00027) for the facility. The relevant RACT 2 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 2 determinations will be excluded from the SIP submittal.

The following is a summary of the proposed amendments to the RACT 2 determination for this operation that will be submitted to the EPA as a SIP revision:

- The total combined NO<sub>x</sub> emissions from Boilers 1 and 2 shall not exceed 0.075 lb/MMBtu on a 30-operating day rolling average.

- Daily NO<sub>x</sub> emissions from Boiler 1 shall not exceed 15,691 lb per unit operating day.

- Daily NO<sub>x</sub> emissions from Boiler 2 shall not exceed 15,691 lb per unit operating day.

- The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits: (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR parts 60 and 75, appendix F, Procedure 1; (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR part 75; and (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C.

- The permittee shall: (a) Operate the SCR systems associated with Boiler 1 and/or 2 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler. (b) Utilize reagent in the SCR systems at a rate that is optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and (c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions.

- The permittee shall create and maintain records of: (a) the hourly heat input for each unit; (b) The specific hourly ammonia injection amounts for each unit; and (c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years.

- The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month



reporting period. The periodic report shall contain data for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility.

- Boilers 1 and 2 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065.

In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department proposes to add a requirement to make the previously identified shutdown date on or before December 31, 2028 for Source 031 and Source 032 (Boiler 1 and 2) Federally enforceable and permanent.

*Public hearing.* A public hearing will be held if requested by February 21, 2024 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on February 28, 2024, at 10:30 AM at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be February 21, 2024. If we do not receive any pre-registered speakers by this date, 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/NorthwestRegion/Community-Information/Pages/default.aspx>. We ask that you contact Tom Decker at 814-332-6615 or monitor the Web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Tom Decker at 814-332-6615 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from the date of this notice 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 RACT 2 Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 813-332-6078 or by email submitted to [ra-epnwinformfiler@pa.gov](mailto:ra-epnwinformfiler@pa.gov). The review memo and draft permit modification will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Tom Decker at 814-332-6615 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

---

**Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permit 32-00059.**

---

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

*Contact: Matthew Williams Phone Number, 814-332-6131.*

Approval of a Reasonably Available Control Technology (RACT 2) plan for Keystone-Conemaugh Projects, LLC Conemaugh Station located in West Wheatfield Township, Indiana County.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan and an amendment to the State Implementation Plan (SIP) for the Conemaugh Station owned and operated by **Keystone-Conemaugh Projects, LLC** in West Wheatfield Township, **Indiana County**.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT 2 determinations, if approved, will be incorporated into a revised operating permit (32-00059) for the facility. The relevant RACT 2 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 2 determinations will be excluded from the SIP submittal.

The following is a summary of the proposed amendments to the RACT 2 determination for this operation that will be submitted to the EPA as a SIP revision:

- The total combined NO<sub>x</sub> emissions from Boilers 1 and 2 shall not exceed 0.072 lb/MMBtu on a 30-operating day rolling average.



- Daily NO<sub>x</sub> emissions from Boiler 1 shall not exceed 14,308 lb per unit operating day.

- Daily NO<sub>x</sub> emissions from Boiler 2 shall not exceed 14,308 lb per unit operating day.

- The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits: (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR parts 60 and 75, appendix F, Procedure 1; (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR part 75; and (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C.

- The permittee shall: (a) Operate the SCR systems associated with Boiler 1 and/or 2 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler. (b) Utilize reagent in the SCR systems at a rate that is optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and (c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions.

- The permittee shall create and maintain records of: (a) the hourly heat input for each unit; (b) The specific hourly ammonia injection amounts for each unit; and (c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years.

- The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month reporting period. The periodic report shall contain data for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility.

- Boilers 1 and 2 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065.

In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department proposes to add a requirement to make the previously identified shutdown date on or before December 31, 2028 for Source 031 and Source 032 (Boiler 1 and 2) Federally enforceable and permanent.

*Public hearing.* A public hearing will be held if requested by February 21, 2024 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on February 28, 2024, at 9:00 AM at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be

February 21, 2024. If we do not receive any pre-registered speakers by this date, 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/NorthwestRegion/Community-Information/Pages/default.aspx>. We ask that you contact Tom Decker at 814-332-6615 or monitor the Web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Tom Decker at 814-332-6615 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from the date of this notice 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 RACT 2 Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 813-332-6078 or by email submitted to [ra-epnwinformfilere@pa.gov](mailto:ra-epnwinformfilere@pa.gov). The review memo and draft permit modification will be posted at: <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Tom Decker at 814-332-6615 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

---

**Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permit 32-00055.**

---

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

*Contact: Matthew Williams, 814-332-6131.*

Approval of a Reasonably Available Control Technology (RACT 2) plan for Homer City Generation LP located in Center Township, Indiana County.

In accordance with 25 Pa. Code Sections 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan and an amendment to the State Implementation Plan (SIP) for the Homer City Generation LP Station owned and operated by **Homer City Generation LP** in Center Township, **Indiana County**.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT 2 determinations, if approved, will be incorporated into a revised operating permit (32-00055) for the facility. The relevant RACT 2 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 2 determinations will be excluded from the SIP submittal.

The following is a summary of the proposed amendments to the RACT 2 determination for this operation that will be submitted to the EPA as a SIP revision:

- The total combined NO<sub>x</sub> emissions from Boilers 1—3 shall not exceed 0.096 lb/MMBtu on a 30-operating day rolling average.

- Daily NO<sub>x</sub> emissions from Boiler 1 shall not exceed 15,649 lb per unit operating day.

- Daily NO<sub>x</sub> emissions from Boiler 2 shall not exceed 15,649 lb per unit operating day.

- Daily NO<sub>x</sub> emissions from Boiler 3 shall not exceed 16,727 lb per unit operating day.

- The permittee shall utilize the following methods when determining compliance with the NO<sub>x</sub> RACT emission limits: (a) For 30-operating day rolling average NO<sub>x</sub> emission limit, 40 CFR parts 60 and 75, appendix F, Procedure 1; (b) For the Unit-specific Daily NO<sub>x</sub> Mass Emission Limits, 40 CFR part 75; and (c) All monitoring and testing shall be conducted in accordance with 25 Pa. Code Chapter 139, Subchapter C.

- The permittee shall: (a) Operate the SCR systems associated with Boilers 1—3 at all times the source is in operation and it is technically feasible to do so in accordance with manufacturer specifications for the SCR systems and sound engineering principles. This requirement applies regardless of the fuel type being combusted in the boiler. (b) Utilize reagent in the SCR systems at a rate that is optimized to maximize the degree of NO<sub>x</sub> control while minimizing ammonia slip, and (c) Operate and maintain the SCR systems in accordance with manufacturer specifications and good operating practices for the control of the NO<sub>x</sub> emissions.

- The permittee shall create and maintain records of: (a) the hourly heat input for each unit; (b) The specific hourly ammonia injection amounts for each unit; and (c) The specific hourly NO<sub>x</sub> emission rate for each unit. Records shall be retained for at least five years.

- The permittee shall electronically submit a periodic report, within thirty days after the end of each six-month reporting period. The periodic report shall contain data

for each Operating Day during the reporting period, including, but not limited to: Facility ID; Facility name; Unit ID; Date; Unit-specific total Daily Operating Time; Unit-specific Daily NO<sub>x</sub> Mass Emissions; Unit-specific total Daily Heat Input; Unit-specific Daily NO<sub>x</sub> Emission Rate; Facility-wide 30-Day Rolling Average NO<sub>x</sub> Emission Rate; Owner; Operator; and Representative (Primary and Secondary). The periodic report shall be certified by the Responsible Official for the facility.

- Boilers 1—3 are also subject to a Federal Implementation Plan for NO<sub>x</sub> RACT 2, which is codified in 40 CFR 52.2065.

In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department proposes to add a requirement to make the previously identified shutdown date of on or before June 30, 2023 for Source 031—033 (Boilers 1—3) Federally enforceable and permanent.

*Public hearing.* A public hearing will be held if requested by February 21, 2024 to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on February 28, 2024, at 1:00 PM at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be February 21, 2024. If we do not receive any pre-registered speakers by this date, 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/NorthwestRegion/Community-Information/Pages/default.aspx>. We ask that you contact Tom Decker at 814-332-6615 or monitor the Web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Tom Decker at 814-332-6615 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Eric Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment

period from the date of this notice 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 RACT 2 Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT 2 Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 813-332-6078 or by email submitted to ra-epnwinformfilere@pa.gov. The review memo and draft permit modification will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Tom Decker at 814-332-6615 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

[Pa.B. Doc. No. 24-110. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Suspension of Enforcement of Initial Annual Reports

The Department of Environmental Protection (Department) announces that beginning December 2, 2023, the Department suspended enforcement of 25 Pa. Code §§ 129.130(k)(1) and 129.140(k)(1) (relating to record-keeping and reporting). The initial annual report submission for owners and operators of conventional oil and natural gas sources was due on December 2, 2023, addressing the time period of December 2, 2022, through December 31, 2022. The initial annual report submission for owners and operators of unconventional oil and natural gas sources was due on December 10, 2023, addressing the time period of December 10, 2022, through December 31, 2022. The Department is providing this notice that it is suspending the enforcement of the initial annual report submission under 25 Pa. Code §§ 129.130(k)(1) and 129.140(k)(1) until June 1, 2024, the date when the second report is due. That report will cover the full 2023 calendar year. The Department's exercise of enforcement discretion does not protect an owner or operator of subject equipment from the possibility of legal challenge by third persons under 25 Pa. Code §§ 129.130(k)(1) and 129.140(k)(1).

For more information or questions concerning the requirements of these sections, contact Susan Foster, Division of Compliance and Enforcement, Bureau of Air Quality, at [sufoster@pa.gov](mailto:sufoster@pa.gov) or (717) 772-3369.

JESSICA SHIRLEY,  
Interim Acting Secretary

[Pa.B. Doc. No. 24-111. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Withdrawal of Technical Guidance

The Department of Environmental Protection (Department) announces the withdrawal of the technical guidance documents (TGD) listed in this notice. TGDs are available on the Department's web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

#### Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### Draft TGD: Withdrawal

*DEP ID: 273-4110-002. Title: Air Quality Program Guidance for Determination of Significant Figures and Timeliness of Report Submittal for Evaluation of Air Contaminant Emissions and Concentrations. Description:* This draft TGD was intended to establish conventions for rounding, truncation and determination of significant figures for determining air contaminant emissions and ambient concentrations and timeliness criteria for demonstrations and determinations of compliance. The Department published this draft TGD for public comment on September 8, 2012. The Department found that this topic became too broad in scope to be covered uniformly in one universal document. Other guidance regarding rounding, truncation and determination of significant figures already exists in individual reference methods, rules, regulations and other documents. The procedures in these various documents are not all consistent. Rather than attempting to create a universal TGD to cover all situations, the Department intends to follow existing guidance as appropriate. Special circumstances requiring specific instructions will be memorialized in the respective applicable documents.

*Contact:* Questions regarding this TGD should be directed to Douglas Haulik at [dhaulik@pa.gov](mailto:dhaulik@pa.gov) or (717) 772-4482.

*Effective Date:* January 27, 2024

#### Draft TGD: Withdrawal

*DEP ID: 261-0300-101. Title: Appendix II-A: The Use of Caps as Activity and Use Limitations. Description:* This guidance has been incorporated into the Land Recycling Program Technical Guidance Manual and is no longer needed as a separate TGD.



*Contact:* Questions regarding this TGD can be directed to Michael Maddigan at (717) 772-3609 or by e-mail to mmaddigan@pa.gov.

*Effective Date:* January 27, 2024

*Draft TGD: Withdrawal*

*DEP ID:* 263-4500-601. *Title:* Closure Requirements for Underground Storage Tank Systems. *Description:* The Department has worked with the Storage Tank Advisory Committee to begin drafting a new version of the TGD which differs from this document. The Department will provide this guidance through a revised version of the TGD with additional changes incorporated.

*Contact:* Questions regarding this TGD can be directed to Randy Martin at (717) 772-5828 or by e-mail to ramartin@pa.gov.

*Effective Date:* January 27, 2024

*Draft TGD: Withdrawal*

*DEP ID:* 385-0820-001. *Title:* Designation Criteria for Regulated Small Municipal Separate Storm Sewer Systems (MS4). *Description:* This TGD set forth the criteria that the Department uses to designate a regulated small MS4. The Department published this TGD as draft for public comment at 45 Pa.B. 77 (January 3, 2015). Upon further consideration, the Department is withdrawing this draft TGD because, according to the Department's Policy for Development and Publication of Technical Guidance (DEP ID: 012-0900-001), TGDs provide methods, practices, procedures or other relevant information to assist Department program staff, the public and the regulated community regarding compliance with environmental statutes and regulations. The information in this draft TGD provides information on how the Department designates which MS4s are regulated as small MS4s, not information on how those MS4s can comply with environmental statutes and regulations. As such, the Department believes a TGD is not the appropriate format for the information in this draft TGD. Upon withdrawal of this draft TGD, the Department will post information on the Department's designation criteria for small MS4s on the Department's MS4 webpage at [www.dep.pa.gov/MS4](http://www.dep.pa.gov/MS4).

*Contact:* Questions regarding this TGD can be directed to Sean Furjanic at [sefurjanic@pa.gov](mailto:sefurjanic@pa.gov) or (717) 787-2137.

*Effective Date:* January 27, 2024

*Draft TGD: Withdrawal*

*DEP ID:* 382-5511-014. *Title:* Disadvantaged Business Enterprise (DBE) Firm Solicitation Guidance. *Description:* This draft TGD was intended to provide guidance to recipients of Federal grant or loan funds under the State Revolving Loan Fund and the Special Appropriation Act Programs to ensure compliance with Disadvantage Business Enterprise Program contract administration requirements. Guidance and information on compliance with these requirements is available on the Department's Bureau of Clean Water Infrastructure Finance DBE webpage at <https://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/DisadvantagedBusiness.aspx>. With the information available on that webpage, the Department has determined that this TGD is no longer necessary.

*Contact:* Questions regarding this TGD can be directed to Richard Wright, PE, at (717) 772-4059 or by e-mail to riwright@pa.gov.

*Effective Date:* January 27, 2024

*Interim Final TGD: Withdrawal*

*DEP ID:* 381-5511-014. *Title:* DBE Firm Solicitation Guidance. *Description:* This interim final TGD was intended to provide guidance to recipients of Federal grant or loan funds under the State Revolving Loan Fund and the Special Appropriation Act Programs to ensure compliance with DBE Program contract administration requirements. Guidance and information on compliance with these requirements is available on the Department's Bureau of Clean Water Infrastructure Finance DBE webpage at <https://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/DisadvantagedBusiness.aspx>. With the information available on that webpage, the Department has determined that this TGD is no longer necessary.

*Contact:* Questions regarding this TGD can be directed to Richard Wright, PE, at (717) 772-4059 or by e-mail to riwright@pa.gov.

*Effective Date:* January 27, 2024

*Draft TGD: Withdrawal*

*DEP ID:* 383-4200-001. *Title:* Water Management for Agricultural High Tunnels. *Description:* This TGD was intended to provide the Department's interpretation regarding the applicability of The Pennsylvania Clean Streams Law (35 P.S. §§ 691.1—691.1001), Dam Safety and Encroachment Act (32 P.S. §§ 693.1—693.27) and the Storm Water Management Act (32 P.S. §§ 680.1—680.17) requirements to high tunnel structures used to carry out agricultural activities. Since this TGD largely mirrored language in Act 15 of 2018, the Department has determined that this TGD is no longer necessary.

*Contact:* Questions regarding this TGD can be directed to Sean Furjanic at (717) 787-2137 or by e-mail to [sefurjanic@pa.gov](mailto:sefurjanic@pa.gov).

*Effective Date:* January 27, 2024

*Draft TGD: Withdrawal*

*DEP ID:* 393-3301-008. *Title:* Water Quality Parameter Reporting Instructions for the Lead and Copper Rule. *Description:* This TGD was intended to establish uniform instructions and protocol for implementing the drinking water reporting requirements for water quality parameters under the lead and copper rule. The Department will be providing these instructions and protocol through form instructions rather than a TGD.

*Contact:* Questions regarding this TGD can be directed to Kim Snook at (717) 787-0123 or by e-mail to [ksnook@pa.gov](mailto:ksnook@pa.gov).

*Effective Date:* January 27, 2024

*Draft TGD: Withdrawal*

*DEP ID:* 393-3301-001. *Title:* Laboratory Reporting Instructions for Total Coliform and E. coli Bacteria in Public Water Systems. *Description:* This TGD was intended to establish uniform instructions and protocol for implementing the drinking water reporting requirements for Total Coliform and E. coli bacteria analytical data. The Department will be providing these instructions and protocol through form instructions rather than a TGD.

*Contact:* Questions regarding this TGD can be directed to Kim Snook at (717) 787-0123 or by e-mail to [ksnook@pa.gov](mailto:ksnook@pa.gov).

*Effective Date:* January 27, 2024



*Draft TGD: Withdrawal*

**DEP ID:** 563-0300-191. **Title:** Engineering Manual for Surface Mining Operations. **Description:** This manual was meant to assist coal and noncoal surface mine operators with implementation of certain engineering requirements in 25 Pa. Code Chapters 77, 86, 87, 88, 92a, 102 and 105. With the large number of public comments and their subject matter, the Department has decided to not continue with the revising of this document and will pursue options to distribute technical information on mine site engineering through application and form changes, web information and standard operating procedures. The existing technical guidance document will remain until sufficient replacement material is made available to the public.

**Contact:** Questions regarding this TGD should be directed to Gregory Shuler at (717) 783-1199 or by e-mail to gshuler@pa.gov.

**Effective Date:** January 27, 2024

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-112. Filed for public inspection January 26, 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 § 204.4(a) (relating to basement):

The Williamsport Home  
1900 Ravine Road  
Williamsport, PA 17701  
FAC ID # 491902

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

Pleasant Ridge Manor—West  
8300 West Ridge Road  
Girard, PA 16417  
FAC ID # 311002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a) (relating to utility room):

Preston Residence  
200 Sycamore Drive  
West Grove, PA 19390  
FAC ID # 15700201

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.12(f.1)(4) and (5) (relating to nursing services):

Kadima Rehabilitation and Nursing at Luzerne  
463 North Hunter Highway  
Drums, PA 18222  
FAC ID # 283802

Kadima Rehabilitation and Nursing at Pottstown  
3031 Chestnut Hill Road  
Pottstown, PA 19465  
FAC ID # 034202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-113. Filed for public inspection January 26, 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 Wednesday, February 21, 2024, from 10 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 720 356 264#.

The purpose of the meeting is to review the work of the Committee and to discuss the process used to review spinal cord research 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://www.health.pa.gov/topics/Research/CURE/Pages/Spinal-Cord.aspx> for any changes to this public meeting.

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-114. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Title V Maternal and Child Health Five-Year Needs and Capacity Assessment Regional Prioritization Public Meetings Schedule

Every 5 years, the Department of Health's Title V Maternal and Child Health Services Block Grant requires that the Bureau of Family Health (Bureau) conduct a State-level, comprehensive assessment of the health needs and status of women, birthing people, children, adolescents and children and youth with special health care needs to identify the priority health needs that will guide State and local public health work funded by Title V. During this assessment, the Bureau also evaluates its capacity to serve the maternal and child health populations. The results from the assessment will be used to identify 7 to 10 specific priorities that can be positively impacted by strategic public health work over the next 5 years. State and local Title V staff will identify and implement evidence-based strategies with the goal of making a positive impact on the selected priorities and the health of the maternal and child health populations.

The Bureau will hold public meetings for providers and families across this Commonwealth to share input on the potential priorities that will guide the issues the Commonwealth's Title V programs will address over the next 5 years. Those public meetings will be held at the following places and times:

- Tuesday, January 30, 2024, at 10 a.m. at The Penn Stater Hotel and Conference Center, 215 Innovation Boulevard, State College, PA 16803.
- Tuesday, February 13, 2024, at 10 a.m. at the Community Center at Camp Hill Giant, 3301 Trindle Road, Camp Hill, PA 17011.
- Thursday, March 7, 2024, at 3 p.m. at The Woodlands Inn, 1073 Highway 315, Wilkes-Barre, PA 18702.
- Thursday, March 14, 2024, at 3 p.m. at the Community Center at Willow Grove Giant, 315 York Road, Willow Grove, PA 19090.
- Tuesday, March 26, 2024, at 3 p.m. at the Kovalchick Convention and Athletic Complex, 711 Pratt Drive, Indiana, PA 15705.
- Wednesday, March 27, 2024, at 3 p.m. at the Ambassador Banquet and Conference Center, 7794 Peach Street, Erie, PA 16509.

For additional information or for persons with a disability who wish to attend the meetings and require an auxiliary aid, service or other accommodation to do so, contact Morgan Williams-Fake, Health and Welfare Building, 625 Forster Street, 7th Floor East, Harrisburg, PA 17120, (717) 346-3000, 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).

These meetings are subject to cancellation without notice.

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-115. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Vehicle, Equipment and Supply Requirements for Emergency Medical Services; Corrected Notice

This corrected notice replaces, in its entirety, the notice that was previously published at 53 Pa.B. 8152 (December 30, 2023).

Under 28 Pa. Code § 1027.3(c) (relating to licensure and general operating standards), the Department of Health (Department) has the authority to publish in the *Pennsylvania Bulletin*, and update as necessary, vehicle construction and equipment and supply requirements for emergency medical services (EMS) agencies based upon the types of services they provide and the EMS vehicles they operate. An EMS agency that is licensed to operate as a quick response service (QRS), basic life support ambulance, intermediate life support ambulance, advanced life support ambulance, critical care ambulance, air ambulance, basic life support squad, intermediate life support squad and advanced life support squad service by the Department under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies), shall maintain and have readily available in working order the following vehicle, equipment and supply requirements.

#### A. Ground Ambulance Requirements

*Ground Ambulances:* QRS/Basic Life Support/Intermediate Life Support/Advanced Life Support/Critical Care Transport/Basic Life Support Squad/Intermediate Life Support Squad/Advanced Life Support Squad

1. The ambulance must meet the requirements of Federal Specifications KKK 1822 and Ambulance Manufacturers Division (AMD) Standards in effect at the time of the vehicles manufacture. (Does not apply to a Squad Vehicle.)

2. The ambulance must meet the requirements in 75 Pa.C.S. (relating to Vehicle Code) for vehicle registration, annual safety inspection and liability insurance, and the requirements of all Department of Transportation regulations relating to flashing and revolving lights, including intersection lights.

3. Emblems and markings must be affixed to the ambulance exterior as follows:

a. The word "AMBULANCE" shall be mirror imaged in letters not less than 4" high, centered above the grill. The placement of the word "AMBULANCE" shall be on the rear of the vehicle and the curved surface of the hood or can be placed on a flat bug screen. (Does not apply to a Squad Vehicle or QRS Vehicle.)

b. The words "EMS SQUAD," "PARAMEDIC," "ALS SQUAD," "BLS SQUAD" or "PARAMEDIC RESCUE," shall be mirror imaged in letters not less than 4" high, centered above the grill. The placement of the wording identified in this section shall be on the rear of the vehicle and the curved surface of the hood, front bumper or can be placed on a flat bug screen. (Does not apply to ambulances, Fire Apparatus (for example, Rescue, Engine, Ladder, Tower and the like) that is primarily used for fire suppression or QRS Vehicle.)

c. "Star of Life" shall appear on the ambulance in the following sizes and numbers

\* Two 3" size "Stars of Life" on each side of the word "AMBULANCE" on the hood of the vehicle or on a bug screen.

\* Two 16" size "Stars of Life" on the right and left side panels.

\* Two 12" size "Star of Life" on the rear of the vehicle.

\* One 32" size "Star of Life" on the vehicle rooftop.

*Note:* Squad units must have at least 3" size "Stars of Life," one on each side, and two in front and two on the rear of the vehicle. (Does not apply to QRS Vehicles.)

d. The Department issued licensure decal must be applied to right and left exterior sides of the vehicle in a conspicuous place.

e. A reflective chevron is not required. If used, a reflective chevron may be placed on the rear vertical surface of the exterior of the vehicle. The chevron pattern shall slant downward on both sides of the vehicle at an angle of 45° pointing in the direction of the bottom rear corner of the tailboard. The pattern shall resemble an inverted V with the point at the top center of the vehicle. The chevron shall use an alternating color pattern. The vertical panels shall be 8" to 12" wide and at least 24" in height and consist of alternating color retro-reflective stripes at least 4" in width. If the panel height is greater than 36" the stripes shall be 6" wide, shall slope down at 45° and have a minimum of 270 square inches of retro-reflective area facing traffic.

4. The name of the EMS agency or its registered fictitious name in letters at least 3" in size must appear on both the right and left exterior sides of the vehicle. The name must be the dominant lettering. Reference the Agency Name and Fictitious Name FAQ published on January 20, 2017.

a. The word "Ambulance" or words such as "Emergency Medical Services," "EMS" and "Rescue" must also appear on both exterior sides and rear of the vehicle. (Does not apply to Squad Vehicle.)

5. The EMS vehicle must be equipped with an electronically operated audible warning device with a 100-watt or higher watt speaker.

6. The ambulance must have overhead interior lighting that illuminates the entire top surface of the patient litter, stair-well lighting and courtesy lights that must illuminate the ambulance's controls. (Does not apply to a Squad Vehicle or QRS Vehicle.)

7. The ambulance must have a dual battery system. (Does not apply to Squad Vehicle or QRS Vehicle.)

8. The ambulance must have two minimum 5 pound unit fire extinguishers (ABC dry chemical or carbon dioxide) in a quick-release bracket, one in the driver/cab compartment or in the body of the ambulance reachable from outside the vehicle and one in the patient compartment. When located in either the driver or patient compartment the mounting bracket shall be of a stable design. Each fire extinguisher must be intact with a safety seal, have been inspected within the previous 12 calendar months and have the appropriate completed inspection tag attached. (Squad and QRS Vehicles are only required to have one.)

9. The ambulance must have a power supply to generate sufficient current to operate all accessories without excessive demand on the generating system. Exterior and interior lighting and onboard equipment shall be able to run for at least 5 minutes without placing a demand on the engine.

10. The ambulance must have a nonskid floor that is flat, reasonably unencumbered, free of equipment in the

walk-through areas and well maintained. (Does not apply to a Squad Vehicle or QRS Vehicle.)

11. The finished floor (loading) height shall be compatible with the litter fastener assembly system specified for the cot system. (Does not apply to a Squad Vehicle or QRS Vehicle.)

12. The ambulance must have a patient partition to separate the patient area from the driver area. (Does not apply to a Squad Vehicle or QRS Vehicle.)

13. The ambulance must have storage cabinets with sliding doors or with latches or have a cargo-type netting or other means to ensure against opening during vehicle movement. (Does not apply to a Squad Vehicle or QRS Vehicle.)

14. Bulky items such as portable radios and AEDs, oxygen equipment and jump bags must be secured at all times during patient transport to prevent them from falling on patients or crew or becoming projectiles if the vehicle is involved in an accident. Equipment on a Squad Vehicle or QRS must be in cabinets or otherwise secured at all times.

15. The ambulance must have two IV hangers mounted flush with the ceiling. (Does not apply to a Squad Vehicle or QRS Vehicle.)

16. The ambulance must have a litter for transporting a patient and at least four or five patient restraint straps (which includes a minimum of two shoulder restraint straps) in good operating condition that are secured to the litter based upon manufacturers' specifications. (Does not apply to a Squad Vehicle or QRS Vehicle.)

17. The ambulance must have a stair chair designed for patient extrication.

18. The ambulance must have a pediatric safe transport device. (Does not apply to a Squad Vehicle or QRS Vehicle.)

19. The ambulance must have doors that function properly with door seals that are not cracked, broken or missing pieces, and are otherwise in good condition.

20. The ambulance must have both "No Smoking Oxygen Equipped" and "Fasten Seat Belts" signs (in English) in both the driver and the patient compartment. A Squad and QRS Vehicle is required to have these signs in the driver compartment.

21. The ambulance must have operational heating, cooling and ventilation equipment meeting GSA KKK-1822 Standard. Must be capable of maintaining patient compartment temperature of 68°F to 78°F.

22. Required equipment and supplies shall be carried and readily available in working order and maintained in accordance with manufactures recommended/required operating standards.

23. The EMS vehicle must have current vehicle inspection validation issued by the state where the vehicle is registered.

24. The EMS vehicle must have communication equipment that is in compliance with the regional communication plan. This equipment shall allow for direct communication with a public safety answering point (PSAP) and hospitals in the agency response/service areas. A cellular phone may be used as a backup means of communication and not as the primary means of communication.

25. The ambulance must have an installed, onboard oxygen system with the following: (Does not apply to a Squad Vehicle or QRS Vehicle.)



a. At least 122 cubic feet supply of oxygen in a cylinder that is secured to provide maximum safety for patients and personnel. The oxygen cylinders shall be mounted with restraining devices, as required for the crashworthiness tests of AMD Standard 003, Oxygen Tank Retention System. A liquid oxygen system that provides the same volume of oxygen and meets AMD Standard 003 is also acceptable. Critical Care Transport ambulance must have onboard oxygen system with a capacity of a minimum of 6,800 liters.

b. The cylinder must have more than 500 liters of oxygen at all times (Critical Care Transport ambulance must have more than 1,750 liters of oxygen at all times.) and be secured with at least three metal or nylon brackets while in the compartment.

c. The unit must be equipped with a reducing valve (from 2,000 psi to 50 psi line pressure).

d. The unit must be equipped with one flow meter with a range of 0—25 lpm delivery.

26. The ambulance must have an installed onboard suctioning system with the following components or capabilities, or both: (Does not apply to Squad Vehicle.)

a. It is fitted with a large bore, nonkinking tubing.

b. It has power enough to provide within 4 seconds a vacuum of over 300 mm/Hg or 11.8 inches of water when the tube is clamped.

c. It is controllable for use on children and intubated patients. The vacuum gauge, when attached to the tubing, must be adjustable to the amount of vacuum needed to ensure that the unit can maintain vacuum levels without requiring continuous increase in control.

d. It is equipped with a lateral opening between the suction tube and the suction source.

*B. Air (Rotorcraft) Ambulance Requirements*

The following will apply to all air ambulances. The air ambulance must have:

1. The name of the air ambulance service or its registered fictitious name prominently displayed on the exterior of the aircraft. Reference the Agency Name and Fictitious Name FAQ published on January 20, 2017.

2. Exterior lighting that illuminates the tail rotor and pilot controllable search/spot/landing lights.

3. An “Air Worthiness Certificate” from the Federal Aviation Administration (FAA).

4. A patient litter capable of carrying one adult in the supine position and capable of being secured according to FAA requirements.

5. An FAA Form 337 with items 1 (which identifies the aircraft), 2 (which identifies the aircraft owner) and 7 (which shows that the aircraft is approved to “Return to Service”) completed and signed by the appropriate FAA official.

6. Climate controls for maintaining an ambient cabin temperature of between 60°—85° during flight.

7. Sufficient interior lighting to allow for close observation of patients.

8. A physical barrier between the pilot, throttle, flight controls and radios and the patients.

9. Patient litter with manufacture approved straps.

10. A 110-volt electrical outlet for each patient transported.

11. Two-way radio communications for the pilot to be able to communicate with hospitals, PSAPs and ground ambulances in areas to which the air ambulance routinely provides service.

12. At least one headset per crew member with built in communication among the crew when the aircraft is operating and noise levels prevent normal conversation.

13. One fully charged fire extinguisher rated at least 5 B:C securely mounted where it can be reached by the pilot or crewmembers. The fire extinguisher must be intact with safety seal, have been inspected within the previous 12 calendar months and have the appropriate inspection tag attached.

14. Installed onboard suctioning equipment that meets the same requirements as a transporting ground ambulance. (See requirements under Ground Ambulances.)

15. Must have a pediatric safe transport device.

16. An onboard oxygen system with the following:

a. Cylinders with a capacity of 1,200 liters.

b. The cylinders must have at least 1,650 psi at the time of inspection.

c. If a liquid oxygen system is used, manufacturer documentation must be provided that the system has at least a 1,200-liter capacity.

d. A flow meter with a range of 0—25 lpm delivery.

<i>Equipment /Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Portable Suction Unit with wide-bore tubing. Must achieve 300 mm/HG or 11.8” in 4 seconds	X	X	X	X	X	X	X	X	X
<i>Suction catheters, pharyngeal: (Must be sterile) Size is FR:</i>									
Rigid (2)	X	X	X	X	X	X	X	X	X
Flexible 6 and 8 (1 each)		X	X	X	X	X	X	X	X
Flexible 10 or 12 (2)		X	X	X	X	X	X	X	X
Flexible 14 or 16 (2)		X	X	X	X	X	X	X	X



<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
<i>Airways:</i>									
Nasopharyngeal (5 different sizes—1 each size—Size 16, Size 24, Size 26, Size 32, Size 34)	X	X	X	X	X	X	X	X	X
Oropharyngeal (6 different sizes—1 each size—Size 0, Size 1, Size 2, Size 3, Size 4, Size 5)	X	X	X	X	X	X	X	X	X
<i>Assessment:</i>									
Sphygmomanometer Child, Adult, Thigh (large)—1 each—interchangeable gauges are permitted	X	X	X	X	X	X	X	X	X
Stethoscope (1) Adult and (1) Pediatric or (1) Double bell with adult and pediatric bell	X	X	X	X	X	X	X	X	X
Stethoscope Doppler								X	X
Penlight (1)	X	X	X	X	X	X	X	X	X
<i>Portable Oxygen Unit:</i>									
Cylinder capacity of at least 300 Liters (D Size), with 500 psi Yoke Cylinder with a minimum total pressure of 500 psi	X	X	X	X	X	X	X	X	X
Nonsparking wrench/tank opening device	X	X	X	X	X	X	X	X	X
Gauge/flow meter not gravity dependent and can deliver 0—25 liter per minute	X	X	X	X	X	X	X	X	X
Full spare cylinder with at least 300-liter capacity	X	X	X	X	X	X	X	X	X
Cylinders must always be secured in the vehicle	X	X	X	X	X	X	X	X	X
Folding Litter/Collapsible Device (1)		X		X		X		X	
<i>Oxygen Delivery:</i>									
Nasal Cannulas adult/pediatric—1 each	X	X	X	X	X	X	X	X	X
High concentration mask capable of providing 80% or greater concentration adult, pediatric, infant—1 each	X	X	X	X	X	X	X	X	X
Humidifier bottle—(1)		X		X		X		X	
Adhesive Tape (4 rolls assorted)—1 roll must be hypoallergenic	X	X	X	X	X	X	X	X	X
<i>Dressings:</i>									
Multi Trauma (10 × 30) (4)	X	X	X	X	X	X	X	X	X
Occlusive (3 × 4) (4)	X	X	X	X	X	X	X	X	X
Sterile Gauze Pads (4 × 4) (25)	X	X	X	X	X	X	X	X	X
Soft self-adhering (6 rolls)	X	X	X	X	X	X	X	X	X

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Bandage Shears (1)	X	X	X	X	X	X	X	X	X
<i>Immobilization Devices:</i>									
Cervical spine device (1)		X		X		X		X	
Long spine board (1)		X		X		X		X	
Rigid/Semi-rigid neck immobilizer S, M, L, pediatric (1 each). Multi-size are permitted for S, M, L (3 each).		X	X	X	X	X	X	X	X
<i>Bag-Valve-Mask Devices:</i>									
Hand operated infant/pediatric (450—700 cc) (1). Must be capable of high concentration oxygen delivery with adult and pediatric masks to include neonatal, infant and child sizes.	X	X	X	X	X	X	X	X	X
Pediatric length-based Drug Dosing/Equipment Sizing Tape—most current version				X	X	X	X	X	X
Straps—must have one of the following: 9' straps (5) or Spider Straps (1) and 9' Straps (2) or Speed clip straps (4) and 9' Straps (2)		X		X		X		X	
<i>Splinting Devices:</i>									
Lower extremity mechanical traction splint adult and pediatric (1 each or combination)		X		X		X		X	
Upper and lower extremity splints (2 each)		X		X		X		X	
Sterile Water/Normal Saline (2 liters)		X	X	X	X	X	X	X	X
Sterile Burn Sheet (4' × 4") (2)	X	X	X	X	X	X	X	X	X
Cold packs, Chemical (4)		X	X	X	X	X	X	X	X
Heat packs, Chemical (4)		X	X	X	X	X	X	X	X
Triangular Bandages (8)	X	X	X	X	X	X	X	X	X
Sterile OB Kits (2) (Air 1)		X	X	X	X	X	X	X	X
Separate Bulb Syringe (1) Sterile		X	X	X	X	X	X	X	X
Sterile Thermal Blanket (Silver Swaddle) (1) or 1 roll of sterile aluminum foil		X	X	X	X	X	X	X	X
Blankets (2)	X	X	X	X	X	X	X	X	X
Sheets (4)		X		X		X		X	
Pillowcases (2)		X		X		X		X	
Pillow (1)		X		X		X		X	
Towels (4)		X		X		X		X	

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Appropriate patient coverings capable of maintaining body temperature based on anticipated weather conditions									X
Disposable Tissues (1 box)		X		X		X		X	
Emesis Container (1)		X		X		X		X	
Urinal (1)		X		X		X		X	
Bed Pan (1)		X		X		X		X	
Disposable Paper Drinking Cups (3 oz.) (4)		X		X		X		X	
Regional Approved Triage Tags (20)	X	X	X	X	X	X	X	X	
Hand-lights (2)	X	X	X	X	X	X	X	X	
Hazard Warning Device (3)		X	X	X	X	X	X	X	
Emergency BLS/advanced life support (ALS) Jump Kit (1)	X	X	X	X	X	X	X	X	
Survival Bag									X
Emergency Response Guidebook (1) Current edition	X	X	X	X	X	X	X	X	
Thermometer—electronic digital, non-tympanic		X	X	X	X	X	X	X	X
Sharps Receptacle—Secured		X		X		X		X	
Instant Glucose (40% dextrose-d-glucose gel) or food grade substitute (for example, cake frosting) 45 grams		X	X	X	X	X	X	X	X
Personal Protective Equipment (PPE) helmet, eye protection, gloves and high visibility safety apparel (1 per crew member)	X	X	X	X	X	X	X	X	X
Flight Helmet (1 per crew member)									X
<i>Personal Infection Control Kit, which includes the following:</i>									
Eye protection, clear, disposable (1 per crew member)	X	X	X	X	X	X	X	X	X
Gown/coat (1 per crew member)	X	X	X	X	X	X	X	X	X
Surgical Cap/foot coverings, disposable (1 set per crew member)	X	X	X	X	X	X	X	X	X
Exam gloves (1 set per crew member)	X	X	X	X	X	X	X	X	X
Sharps Containers and Red Bags per Infectious Control Plan	X	X	X	X	X	X	X	X	X

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
N95 respirator (1 per crew member)	X	X	X	X	X	X	X	X	X
Hand Disinfectant— Nonwater hand disinfectant (1 container)	X	X	X	X	X	X	X	X	X
Sponges, Alcohol, Prep (10)		X	X	X	X	X	X	X	X
<i>Endotracheal Tubes Sizes / Quantities:</i>									
2.5 mm or 3.0 mm (2 uncuffed)						X	X	X	X
3.5 mm or 4.0 mm (2 uncuffed)						X	X	X	X
4.5 mm or 5.0 mm (2)						X	X	X	X
5.5 mm or 6.0 mm (2)						X	X	X	X
6.5 mm or 7.0 mm (2)						X	X	X	X
7.5 mm or 8.0 mm (2)						X	X	X	X
(3) King LT™ Size 3, 4 and 5 or (3) i-gel® Size 3, 4 and 5 or (2) Combi tubes™ Size 37 Fr and 41 Fr				X	X	X	X	X	X
Electronic Wave-Form Capnography				X	X	X	X	X	X
<i>Laryngoscope handle with batteries and spare batteries and bulbs and the following blades. (May be disposable):</i>									
<i>Straight</i>									
# 1 (S)						X	X	X	X
# 2 (M)						X	X	X	X
# 3 (L)						X	X	X	X
<i>Curved</i>									
# 3						X	X	X	X
# 4						X	X	X	X
Lubrication (2 cc or larger tubes) sterile water soluble	X	X	X	X	X	X	X	X	X
Forceps, Magill (adult/pediatric) (1 each)						X	X	X	X
<i>Medication and Supplies:</i>									
Per Statewide protocols, approved medications that must be kept within expiration dates		X	X	X	X	X	X	X	X
Nebulizer System (1)				X	X	X	X	X	X
<i>Hypodermic needles:</i>									
16—18 gauge (4), 20—22 gauge (4), 23—25 gauge (4). Total of 12 and each must be individually wrapped and sterile. Two syringes of assorted sizes, including at least one with a 1 mL volume.				X	X	X	X	X	X



<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
<i>Defibrillator / Monitor: (FDA approved):</i>									
Higher than intermediate advanced life support (IALS) only: Battery powered, monophasic or biphasic, energy dose range capable of treating adult and pediatric patients, paper readout, 12 lead electrocardiogram with immediate transmit capabilities and pediatric/adult pads with pacing capabilities						X	X	X	X
<i>12-Lead ECG:</i>									
Battery powered, 12 lead electrocardiogram with paper printout and immediate transmit capabilities (optional for BLS ambulance and BLS squad)				X*	X*				
<i>Defibrillator / Monitor Supplies:<sup>1,2</sup></i>									
Defibrillator pads, (1) set of adult and (1) set of pediatric, electrodes (ECG, adult and pediatric sizes—12 each)				X	X	X	X	X	X
Automated External with pads, (1) set adult and (1) set of pediatric pads	X	X	X	X*	X*				
CPAP Ventilation—portable equipment with (2) disposable masks (optional for BLS ambulance and BLS squad)				X	X	X	X	X	X
Stylette, Malleable adult (1) must be sterile						X	X	X	X
Phlebotomy Equipment (per protocols)						X	X	X	
Pulse Oximetry		X	X	X	X	X	X	X	X
Electronic Glucose Meter (Optional for BLS ambulance and BLS squad)				X	X	X	X	X	X
“IV” fluid Therapy Supplies Catheters over the Needle sized 14, 16, 18, 20, 22 (4 each) and 24 (2)				X	X	X	X	X	X
Micro drip 50—60 drops/ml (2)						X	X	X	X
Macro drip 10—20 drops/ml (2)				X	X	X	X	X	X
IV solutions (2,000) ml total per Statewide protocols				X	X	X	X	X	X
Tourniquets for IV (2)				X	X	X	X	X	X

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Intraosseous Needle 14—18 gauge (1 of each)				X	X	X	X	X	X
Commercial “Tactical” Tourniquet (2)	X	X	X	X	X	X	X	X	X
Copy of most current version of Statewide EMS protocols	X	X	X	X	X	X	X	X	X
Aspirin, chewable, one small bottle		X	X	X	X	X	X	X	X
Bougie endotracheal tube introducer (1)								X	X
Video capable laryngoscope with appropriately sized blades (1)								X	X
Electronic wave-form capnography, nonintubated patient, capable of waveform display (1)								X	X
Electronic waveform capnograph, including gas sampler for intubated patient, capable of waveform display (1)				X	X	X	X	X	X
Portable transport ventilator which must have the capabilities that include, but are not limited to, controlling rate, volume, FiO <sub>2</sub> , I:E Ratio, PEEP and volume control, pressure control, SIMV and NPPV modes. Device must have both volume and pressure modes and low/high pressure warning alarms (1).								X	X
Portable transport ventilator circuits appropriately sized for patient being transported (2)								X	X
3 1/4" over the needle catheter in 10, 12 or 14 gauge (2)						X	X	X	X
Automated noninvasive blood pressure monitoring device (1)								X	X
Endotracheal cuff pressure manometer (1)								X	X
Invasive pressure monitoring, electronic waveform, two-channel capability (1)								X	X
Portable Doppler (1)								X	X
Pelvic stabilization device (1)								X	X
Blood administration sets only if agency provides or maintains blood products (2)								X	X

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Intravenous infusion pumps or one multi-channel unit capable of managing three simultaneous infusions (3)								X	X
Onboard oxygen with a capacity of a minimum of 6,800 liters								X	
Portable oxygen with a capacity of a minimum of 1,800 liters								X	
Inverter or generator capability of supporting all required equipment electrical needs								X	

\*IALS vehicles must be capable of obtaining and transmitting a 12-lead ECG and have an AED. To meet this requirement the AED and 12-Lead ECG can be met with a single device or by having two separate devices.

<sup>1</sup> Dual function adult and pediatric AED is acceptable. Key to change from adult to pediatric must be kept with the AED case and readily available.

<sup>2</sup> Follow manufacturers’ instructions for battery life span recommendations.

QRS, basic life support, IALS, and ALS ambulances services, which also includes air (rotorcraft) agencies that are licensed to operate in this Commonwealth, shall collect, maintain and report accurate and reliable patient data and information for calls of assistance in the format prescribed using electronic forms provided or approved by the Department. An EMS agency shall file the report for any call to which it responds that results in patient care, assessment or refusal of the patient to be assessed. The report shall be made by completing an EMS patient care report and filing it, within 30 days, with the regional EMS council that is assigned responsibilities for the region in which the ambulance is based. It shall contain information specified by the Department. The Department will publish a list of the data elements and the form specifications for the EMS patient care report form in a notice in the *Pennsylvania Bulletin* and on the Department’s web site. Electronic reporting shall conform with the requirements published in the *Pennsylvania Bulletin* notice. NEMSIS approved software is accepted in this Commonwealth.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Jenni Hoffman, Department of Health, Bureau of Emergency Medical Services, 1310 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740. Persons with a speech or hearing impairment may use V/TT (717) 783-6154 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-116. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Nursing Facility Assessment Program for Fiscal Year 2023-2024

The Department of Human Services (Department) is providing final notice of the assessment amount, the assessment methodology and the estimated aggregate impact on nursing facilities that will be subject to the assessment under the Nursing Facility Assessment Program (Assessment Program) for Fiscal Year (FY) 2023-2024.

#### Background

Article VIII-A of the Human Services Code (code) (62 P.S. §§ 801-A—815-A) authorizes the Department to impose an annual monetary assessment on nonpublic and county nursing facilities in this Commonwealth. See 62 P.S. §§ 803-A and 815-A.<sup>1</sup>

<sup>1</sup> Act 54 of 2022, § 16 amended the Commonwealth’s Fiscal Code to reauthorize the assessment under Article VIII-A through June 30, 2026. See 72 P.S. § 1606-T.

Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Centers for Medicare & Medicaid Services (CMS), if necessary, to implement the Assessment Program. See 62 P.S. § 812-A. CMS approved the Department’s waiver request on January 17, 2024.

For each fiscal year that the Assessment Program is implemented, the Secretary of the Department (Secretary) determines the aggregate amount of the assessment and the annual assessment rates in consultation with the Secretary of the Budget. See 62 P.S. § 804-A. The annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that qualifies for FFP. See 62 P.S. § 804-A.

Before imposing an annual assessment for a fiscal year, the Secretary must publish a notice in the *Pennsylvania Bulletin*. The notice must specify the amount of the

assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P.S. § 805-A.

After consideration of any comments received during the 30-day comment period, the Secretary must publish a second notice announcing the rate of assessment for the fiscal year. See 62 P.S. § 805-A. The annual aggregate assessment amount and assessment rate for the fiscal year must be approved by the Governor. See 62 P.S. § 804-A.

The Secretary published a notice at 53 Pa.B. 3384 (June 24, 2023) announcing the proposed assessment rates, the aggregate amount and the impact for FY 2023-2024. No comments were received by the Department in response to the proposed rates notice.

#### *Assessment Methodology and Rates*

The following nursing facilities will continue to be exempt from the Assessment Program in FY 2023-2024:

- (1) State-owned and operated nursing facilities.
- (2) Veterans Administration nursing facilities.
- (3) Nursing facilities that provide nursing facility services free of charge to all residents.
- (4) Nursing facilities that have not been licensed and operated by either the current or a previous owner for the full calendar quarter prior to the calendar quarter for which an assessment is collected.

For FY 2023-2024, the Department will continue to assess nonexempt nursing facilities at two rates. An assessment rate of \$9.32 will continue to apply to the following five categories of nursing facilities:

- County nursing facilities.
- Nursing facilities that have 44 or fewer licensed beds.
- Certain continuing care retirement community (CCRC) nursing facilities (see 40 Pa.B. 7297 (December 18, 2010)).
- Nursing facilities with an MA occupancy rate of at least 94% based on Calendar Year (CY) 2021 resident days as of July 19, 2022. For the purpose of qualifying for the lower assessment rate, a nursing facility's MA occupancy rate will be calculated as follows: MA Occupancy Rate = Sum of Total PA MA Days from the CY 2021 resident days data ÷ of Total Resident Days from the CY 2021 resident days data, rounded to two decimals (nearest whole percent).
- Nursing facilities with at least 80,000 MA days based on the CY 2021 resident days as of July 19, 2022.

For all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010, an assessment rate of \$33.41 will continue to apply.

#### *Aggregate Assessment Amounts and Fiscal Impact*

The Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$458.294 million. The Department will use the State revenue derived from the assessment fees and any associated FFP to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1606. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is -\$458,294,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$0; (4) 2022-23 Program—\$4,460,046,000; 2021-22 Program—\$4,057,184,000; 2020-21 Program—\$3,165,550,000; (7) Community HealthChoices; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-117. Filed for public inspection January 26, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Annual Inflation Adjustment for Distributions to Counties and Municipalities; Pennsylvania Gaming Cash Flow Management

In accordance with 61 Pa. Code § 1001.8 (relating to State Gaming Fund transfers), the Secretary of Revenue announces that, for the year beginning January 1, 2024, the Annual Inflation Adjustment as provided in 4 Pa.C.S. § 1403(d) (relating to establishment of State Gaming Fund and net slot machine revenue distribution) is 3.9%.

Section 1403(c) of 4 Pa.C.S. requires the Department of Revenue (Department) to utilize the most recent Consumer Price Index effective immediately prior to the date the adjustment is due to take effect to calculate the quarterly distributions from the State Gaming Fund to the counties or municipalities. This adjustment was published by the United States Department of Labor, Bureau of Labor Statistics on January 11, 2024. Therefore, the Department is publishing notice of the Annual Inflation Adjustment.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-118. Filed for public inspection January 26, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Gerald Fils; Doc. No. SC24-01-014

Notice is hereby given of the Order to Show Cause issued on January 17, 2024, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violations of the following are alleged: sections 611-A(1) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1) and (20) and 310.78(a)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.



Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

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, Agency ADA Coordinator, jkorman@pa.gov, (717) 787-4429.

MICHAEL HUMPHREYS,  
Insurance Commissioner

[Pa.B. Doc. No. 24-119. Filed for public inspection January 26, 2024, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Act 13 of 2012; Producer Fees for Calendar Year 2023**

Average Annual Price of Natural Gas for Calendar Year 2023:<sup>(1)</sup> \$2.737

Consumer Price Index, Urban Consumers, PA, NJ, DE and MD:<sup>(2)</sup> 3.9%

**Number of Spud Wells for  
Calendar Years 2022 and 2023**

	2022	2023
Number of wells spud	575	423

CPI adjustment to spud well fees is not applicable for 2023. See 58 Pa.C.S. § 2302(c) (relating to unconventional gas well fee).

**Unconventional Gas Well Fees for  
Calendar Year 2023**

Year of Well <sup>(3)</sup>	Horizontal	Vertical—Producing
Year 1	\$51,800	\$10,400
Year 2	\$40,200	\$8,000
Year 3	\$34,500	\$6,900
Year 4—10	\$17,200	\$3,400
Year 11—15	\$5,600	N/A

<sup>(1)</sup> Source: <https://www.nrg.com>

<sup>(2)</sup> Source: [www.bls.gov](http://www.bls.gov)

<sup>(3)</sup> Horizontal unconventional gas wells pay the yearly fee upon spudding plus 2 subsequent years. Fees after the first 3 years are based on production levels as defined in 58 Pa.C.S. § 2302(b.1). Vertical wells producing gas levels above a 90,000 cubic feet average in any one given month during the current reporting year are subject to 20% of the applicable horizontal well fee rounded to the nearest \$100. Active vertical wells are assessed a fee for 10 years.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-120. Filed for public inspection January 26, 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 February 12, 2024. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by February 12, 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 listed 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-2023-3044526. Dueck’s on the Road Again, LLC** (94 Summerlyn Drive, Ephrata, Lancaster County, PA 17522) to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

**A-2023-3044954. Shalom Ventures, LLC** (25 Hunter Creek Drive, York, York County, PA 17406) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Adams, Chester, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York, to points in Pennsylvania, and return.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2024-3045369. Limo Bros, LLC** (503 Saxa Way, Harrisburg, Dauphin County, PA 17112) for the discontinuance and cancellation of its right to transport, by motor vehicle, persons in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority, as originally captioned at Docket A-2022-3036430. *Attorney:* Kenneth R. Stark, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

**A-2024-3045429. PRN Transit Service, Inc.** (573 Braddock Avenue, Pittsburgh, PA 15112) for the discontinuance and cancellation of its right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in Allegheny County to points in Allegheny County, and return, as originally captioned at Docket A-2012-2317004.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-121. Filed for public inspection January 26, 2024, 9:00 a.m.]

**STATE BOARD OF PHARMACY**

**Current Income Levels for Participation in the Cancer Drug Repository Program**

In accordance with 49 Pa. Code § 27.506 (relating to patient eligibility), the State Board of Pharmacy is providing notice that to participate in the Cancer Drug Repository Program in 2024, a patient's 2023 income cannot have exceeded the following limits:

**Current Income Levels for the Cancer Drug Repository Program**

<i>Family Size</i>	<i>2023 Annual Income Limit</i>
1	\$51,030
2	\$69,020
3	\$87,010
4	\$105,000
5	\$122,990
6	\$140,980
7	\$158,970
8	\$176,960
Each Additional Person	\$20,685

CHRISTINE ROUSSEL, RPh,  
*Chairperson*

[Pa.B. Doc. No. 24-122. Filed for public inspection January 26, 2024, 9:00 a.m.]